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No 5
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9th year

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BULLETIN OF THE EUROPEAN COMMUNITIES

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

Commission of the European Communities
General Secretariat
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No 5
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9th year

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1ST PART

**EVENTS AND
STUDIES**

1. Euro-Arab Dialogue

First meeting of the General Committee

1101. The General Committee — the coordinating and driving force in the Euro-Arab Dialogue held its first meeting at ambassador level from 18 to 20 May in Luxembourg. With this meeting the Dialogue entered into a new phase of practical cooperation; it has now become a permanent reality adding a new global dimension to the bilateral relations of the Member States and the Community's relations with a number of Arab countries.

Origins of the Euro-Arab Dialogue

1102. The Euro-Arab Dialogue should be seen in the context of the cooperation which already exists between Europeans and Arabs in many fields in accordance with contractual formulae and within geographically different frameworks. There is the Lomé Convention,¹ signed on 28 February 1975, to which three Arab-League countries (Somalia, Sudan and Mauritania) are party, together with virtually the whole of the African Continent. There are the agreements which the Community has concluded with the Maghreb countries (Algeria, Morocco and Tunisia)² and which it is negotiating with four Eastern Mediterranean countries — Egypt, Jordan, Lebanon, and Syria (the 'Mashreq' countries).³ The Euro-Arab Dialogue therefore adds a new dimension to the relations already existing between the Community and Arab countries. It is also additional to the bilateral relations which the Member States have with the various Arab countries.

The political inspiration behind the Euro-Arab Dialogue has been there since its inception. It need only be recalled that the Foreign Ministers of the Nine in their Declaration of 6 November 1973, referring to 'the ties of all kinds which had long linked them to the littoral States of the south and east of the Mediterranean, reaffirmed that the Community had decided, in the frame-

work of a global and balanced approach, to negotiate cooperation agreements with those countries'.⁴

The Arab Summit Conference which met in Algiers from 26 to 28 November 1973 underlined in a Declaration directed towards Western Europe that 'Europe is linked with the Arab countries through the Mediterranean, by the affinities of civilization and by vital interests which can only develop within trusting and mutually beneficial cooperation'.⁵

At their Conference in Copenhagen on 15 December 1973 the Heads of State or Government of the Member States 'confirmed the importance of entering into negotiations with oil-producing countries on comprehensive arrangements comprising cooperation on a wide scale for the economic and industrial development of these countries, industrial investments, and stable energy supplies to the Member countries at reasonable prices'.⁶

This Declaration followed the meeting in Copenhagen between the Foreign Ministers of the Nine and the envoys of the Arab League.

The nine countries of the Community and the situation in the Middle East

1103. 'The Euro-Arab Dialogue is the product of a joint political will that emerged at the highest level with a view to establishing a special relationship between the two sides'.⁷ These words testify to the political dimension of the Euro-Arab Dialogue.

¹ Bull. EC 1-1975, points 1101 to 1105.

² Bull. EC 1-1976, points 1301 to 1311.

³ Bull. EC 2-1976, point 2337.

⁴ Bull. EC 10-1973, point 2502.

⁵ Bull. EC 12-1973, point 3115.

⁶ Bull. EC 12-1973, point 1106.

⁷ Joint communiqué, Rome 24.7.1975, Bull. EC 7/8-1975, point 2502.

The European position on matters related to the Middle East situation is based on the Declaration by the Nine of 6 November 1973. This position was proclaimed at the United Nations on 2 December 1975 by the representative of Italy — the country then exercising the office of President of the Council — during the debates in the General Assembly on the Middle East situation.

Indicating their attachment to the Security Council resolutions, the Italian representative stated that the Nine considered that the search for a settlement should be guided by the following principles:

- '(i) the inadmissibility of the acquisition of territory by force;
- (ii) the need for Israel to end the territorial occupation which it has maintained since the conflict of 1967;
- (iii) respect for the sovereignty, territorial integrity and independence of all States in the region, including Israel, and their right to live in peace within secure and recognized boundaries;
- (iv) recognition of the right of the Palestinian people to the expression of their national identity, as stated by the Nine on 5 November last during the debate on the question of Palestine.

For the Nine those principles cannot be dissociated. Without excluding the possibility of achieving new partial measures likely to lead to the creation of a more favourable climate, the Nine consider that an overall negotiating formula is necessary in order to arrive at a settlement that covers all aspects of the conflict, a settlement that alone will lead to the establishment of a just and lasting peace. This formula could be found in the resumption of the Geneva Conference, or in any other kind of negotiation that would meet with the support of the parties concerned.

The Nine are prepared to offer their contribution in concrete terms to such negotiations. Thus, in order to ensure the security of all the parties concerned, the peace settlement should be accompanied by sound international guarantees. Such a

system of guarantees would therefore appear to be an essential element in any peace settlement. It should fall within the framework of the United Nations Security Council. The Nine, aware of the role which they might play in this context, are ready to envisage the possibility of contributing to that system of guarantees.'

For the Nine, however, the Euro-Arab Dialogue is clearly not the appropriate framework for embarking upon any negotiations for a peace settlement in the Middle East.

Principle stages of the Dialogue

1104. After preparatory contacts between the two parties a ministerial-level meeting took place in Paris on 31 July 1974 between on the one hand, Mr *Sauvagnargues*, the French Minister of Foreign Affairs and then Chairman of meetings on political cooperation, and Mr *Ortoli*, President of the Commission, and, on the other hand, Sheik Sabah al-Ahmad *al-Sabah*, the Minister of Foreign Affairs of Kuwait and then President of the Council of the Arab-League, and Mr Mahmoud *Riad*, Secretary-General of the Arab-League. At that meeting it was agreed inter alia to set up a Euro-Arab General Committee and a number of working committees.¹

The first meeting of experts of the Arab Delegation and the European Delegation was convened in Cairo from 10 to 14 June 1975.² At the meeting it was agreed that the Dialogue should enable cooperation to be established in the fields of (1) agriculture and rural development, (2) industrialization, (3) basic infrastructure, (4) financial cooperation, (5) trade, (6) scientific and technological cooperation, (7) cultural, social and labour questions.

A further meeting of experts was held in Rome from 22 to 24 July 1975, at which seven working

¹ Bull. EC 7/8-1974, point 2504.

² Bull. EC 6-1975, point 2503.

groups began examining the fields of cooperation identified by the previous meeting in Cairo. Effective work was done in Rome; in particular the various groups established detailed programmes of work in all the fields concerned to enable the Dialogue to progress methodically and hold out hope of practical achievements.¹

The expert-level working groups met again from 22 to 27 November 1975 in Abu Dhabi.² The results of this work enabled the two parties to consider that the preparatory phase had been completed since the practical objectives and instruments of the Dialogue had now been defined. On the occasion of this meeting the two parties recognized the need to convene the General Committee in the near future, for the political dimension of the Dialogue should be borne in mind so that the Dialogue may involve effectively and achieve its objectives.

The work done in Abu Dhabi enabled the two parties to reach agreement on specific schemes to be undertaken in the sectors of basic infrastructure, industry and agriculture. It was agreed that the projects defined in these fields would be referred for examination — with a view to their implementation — to the specialized groups, whose work was to begin once their terms of reference had been approved by the General Committee.

The two parties also reaffirmed their determination to continue their work in other fields (transfer of technology, trade, financial cooperation, labour) where the Arab party had presented studies and proposals which the Europeans had undertaken to examine attentively.

The General Committee of the Euro-Arab Dialogue

1105. On 31 July 1974 it was agreed at the ministerial meeting held in Paris between the European and Arab parties which marked the actual beginning of the Dialogue that a General Com-

mittee would be set up. It is clear that the role of the General Committee — as the Dialogue's principal organ — is to provide the motive force for the Euro-Arab Dialogue and to coordinate its work.

The formula for the composition of the General Committee was the same as that already adopted for the work of the experts: the two sides are represented by a single delegation.

The participants were in general of ambassadorial rank. The Arab Delegation was led by Mr Mahmoud *Riad*, Secretary-General of the Arab League, and by Mr *el Shamlam*, Ambassador of Bahrain — the country occupying the office of President of the Council of the Arab League. The European Delegation was led by Mr Jean *Wagner*, Ambassador of Luxembourg — the country occupying the office of President of the Council — and by Mr Klaus *Meyer*, Deputy Secretary-General of the Commission.

Subjects dealt with by the General Committee

1106. The work of the General Committee centred on the following subjects:

(a) *Political declarations*: The two parties made declarations on general political themes.

(b) *General questions connected with the Dialogue*: The two parties were concerned with taking stock of the work accomplished so far and adopting the recommendations made to them by the group of experts particularly with regard to the setting-up of specialized groups in the various sectors.

(c) *Consideration of points submitted by the group of experts*: At the last meeting of experts held in Abu Dhabi, important progress was made regarding Euro-Arab cooperation in the sectors of industrialization, basic infrastructure, agriculture

¹ Bull. EC 7/8-1975, point 2502.

² Bull. EC 11-1975, point 2503.

and rural development, cultural cooperation and cooperation on scientific and technological research.

Certain differences of viewpoint became apparent, however, regarding the transfer of technology, financial cooperation and matters of labour and trade. The General Committee held detailed discussions on these subjects.

(d) *Priority areas for practical cooperation:* The two parties agreed to put into operation certain schemes involving practical cooperation.

To this end, the European side submitted a list of ten projects, which was adopted by the General Committee.

(e) *Organization of the Dialogue's future work.* The General Committee established the procedures and organizational arrangements required to ensure that the work would be followed up effectively and on a regular basis. This entailed establishing the rules of procedure and terms of reference for the working groups and specialized groups, fixing the timetable for their work, setting up channels of communication and making the necessary arrangements to provide administrative support for the General Committee's future work.

Results of the meeting

1107. After a meeting lasting three days and one night the work came to an end with the adoption of the final joint communiqué, which is reproduced below. The two parts of the final communiqué reflect in a balanced manner both the 'political side' of the meeting, that is the exchange of general declarations of a political nature, and the discussions on practical cooperation. At the same time, the Dialogue's working machinery has been established: the working groups and various specialized groups were set up and they fixed a timetable and venues for their next meetings, which will begin as early as this July. It may therefore be considered that,

through all these arrangements, the Euro-Arab Dialogue has — now that this first meeting of the General Committee is over — become a permanent reality adding a new overall dimension to the Member States' bilateral relations and the Community's relations with a number of Arab countries.

Final communiqué

I

1. The General Committee of the Euro-Arab Dialogue held its first session in Luxembourg from 18 to 20 May 1976. The meeting was opened by his Excellency Mr Gaston Thorn, Prime Minister and Foreign Minister of Luxembourg and President-in-Office of the European Communities. He addressed the Committee.

2. In recognition of the importance of this Euro-Arab meeting His Royal Highness the Grand Duke of Luxembourg granted an audience to the co-chairmen of the two delegations and the Secretary-General of the League of Arab States and received the members of both delegations.

3. This meeting, which was the first to be held at ambassadorial level, underlined the political dimension of the Euro-Arab Dialogue. It afforded an opportunity for both sides to consider the general policy and state of the Dialogue.

4. During the meeting both sides put forward their views on all aspects of the Euro-Arab Dialogue including political issues, and studied carefully the views put forward by the other side. They expressed their willingness to continue the dialogue in the future and determined some of the specific terms of their cooperation.

5. Both sides recalled the various ties which link Europe to the Arab World by virtue of geographical proximity and the interchange between both civilizations. They agreed that these ties, as well as common interests and closer relationship between the two regions, should lead to a greater understanding between the parties to the Dialogue.

6. They emphasized that security in Europe is linked to the security in the Mediterranean area and that of the Arab region. Both sides expressed their great concern about the dangerous situation prevailing in the Middle East and its threat to international peace and security.

7. Both sides declared their firm commitment to peace, security and justice, in accordance with the purpose and principles of the United Nations Charter. They will pursue the dialogue in this spirit.

8. Both sides explained their views on the question of Palestine and on the Middle East crisis. They noted with great interest the statements made by each side, and recognized 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 the achievement of a just and lasting peace.

9. The European side recalled the four points of their Declaration of 6 November 1973 and their statement during the last session of the General Assembly. They also reaffirmed that in their view the principles enshrined in these texts remain the foundation on which a just and lasting peace should be sought. They expressed the firm hope that early progress could be made towards this objective and affirmed their determination to do all in their power to contribute to its achievement.

10. The Arab side shares the European view that force and *fait accompli* are not elements upon which stable international relations can be based. They affirmed that a just and lasting peace in the Middle East requires the fulfilment of the following elements:

- (a) Withdrawal by Israel from the occupied territories;
- (b) Recognition of the national rights of the Palestinian people;
- (c) Participation of the Palestine Liberation Organization, the representative of the Palestinian people, in all international peace efforts.

11. The General Committee established the organizational framework for the Dialogue so as to provide an institutionalized structure for the relations between the European Communities and the Arab World.

12. Both sides expressed their expectation that a Euro-Arab Dialogue meeting on the level of Foreign Ministers be held at an *appropriate date*. They agreed to consider practical steps for the preparation of this meeting.

II

1. The General Committee, after approving all the recommendations passed in the three previous meetings of experts in the Dialogue concerning the tasks of all working committees, exchanged views on the stage reached in the various fields of cooperation.

2. The general Committee agreed that a growing economy in both the European and the Arab regions is the common interest of both sides and essential to a successful, dynamic and lasting cooperation between them. Therefore, everything should be done to foster this aim. In this connexion, there should be a continuing exchange of information and views on the economic situation and its prospects.

3. The General Committee appreciates the importance of the relative progress achieved in the stage that has been concluded until now in the Dialogue. The Committee agrees to proceed in the discussion of the subjects and fields in which either one or both sides have shown special interest, according to the text of the Abu Dhabi document. The Committee took note with interest of a list of important subjects proposed by the European side as fields in which early progress might be possible, it being understood that this list does not reflect any order of priority and does in no way constitute a definitive and exhaustive list:

— The establishment of a wide-spread spatial and non-spatial telecommunication network connecting a number of Arab countries.

— The improvement of transport facilities of ports, air transports and inland transports in Arab countries.

— An integrated rural development project in the South Darfour region in the Democratic Republic of Sudan and other appropriate projects already mentioned as priorities in the Abu Dhabi working paper.

— Measures of trade promotion.

— The creation of a major Polytechnic Institute in the Arab world with the objective of providing middle level training in a wide range of technical specialities.

— The execution of a comprehensive geological survey of the key regions of the Arab world with the purpose of facilitating the future development of natural resources.

— Solar energy: training of researchers and exchange of information; possible joint research projects.

— The establishment of close working relationships between a wide range of cultural and scientific institutions in the Arab world and in the Community countries.

— The arrangement of symposium on the relations between the two civilizations and of seminars on cultural topics.

— The provision of training in a wide number of fields discussed in the Working Commissions.

4. The General Committee considered that the formal adoption of the organizational structure of the Dialogue, particularly with regard to the procedural matters concerning the working committees and specialized groups, is a major step in helping the Dialogue to advance towards its objectives.

The Committee recommends that all the bodies of the Dialogue press on with their work, taking into consideration the principle of working to achieve progress in all fields of the Dialogue.

5. To reinforce cooperation on the basis outlined in the three approved working documents, the General Committee agreed that as a beginning the following practical steps should be taken:

— a general picture of the legal framework and economic opportunities for foreign investment in both the European and Arab areas should be provided in order to encourage European investment in Arab countries and Arab investment in Europe.

— general guidelines should be worked out on conditions for, and protection of, foreign investment.

— general guidelines should also be worked out on the terms of contracts in particular on guarantee and arbitration arrangements.

6. Both sides accepted the principle of making an appropriate financial contribution towards mutually agreed cooperation proposals identified in the Dialogue.

In this context, with reference to the position of financial resources already mentioned in Abu Dhabi, the European side declared that, subject to suitable funds being made available by the Arab side, it is in principle prepared to offer a financial contribution to help to get these cooperation proposals off the ground.

The modalities of providing finance will be defined in subsequent discussions between the two sides.

7. The General Committee stressing the importance of promoting and diversifying trade between European and Arab countries invites the working committee to complete shortly studies submitted by both sides at Abu Dhabi. The working committee should explore further the possibilities of finding satisfactory basis for closer cooperation in this field.

8. The General Committee took note of the proposals submitted by the European side to meet the requirements of the Arab side

formulated in previous meetings of experts to the effect that the principles governing the living and working conditions of foreign workers be defined in the light of the joint working paper of Abu Dhabi.

The Committee recommends that the working committee concerned studies the draft to be submitted by the European side in this respect, for onward transmission to the General Committee after approval.

The General Committee approves that the competent working committees should observe that special attention be given to the questions relating to the various aspects connected with vocational training.

9. The General Committee stressed the importance of the transfer of technology on appropriate terms as an important element of cooperation. In the light of the discussions recorded in the Abu Dhabi joint Document, it will examine at its next meeting how the questions related to this important problem can best be treated in the framework of the Dialogue.

10. The General Committee agreed that the working group on Financial Cooperation should intensify its examination of the problems outlined in the chapter on financial cooperation of the Abu Dhabi joint working paper and particularly consider the problems of inflation and of exchange rate fluctuations, and their effects upon the value of financial assets; and should consider what measures might be employed to mitigate those effects.

11. The General Committee urges the competent authorities in the countries concerned to use their best endeavours to facilitate the work of the various bodies of the Dialogue. Moreover, the Secretariat-General of the Arab League and the Commission of the European Communities should seek to ensure the continuous flow of basic information and documentation in order to secure the proper functioning of all working bodies of the Dialogue.

III

1. The next meeting of the General Committee will take place in principle during the second half of 1976 in an Arab capital.

2. The Arab side wish to express their gratitude for the warm welcome extended to them by the Government and the people of Luxembourg. They also wish to express their deep appreciation for the efforts of all those who took part in the organization of this meeting of the General Committee.

2. The Community and UNCTAD

UNCTAD IV

The Fourth Session of UNCTAD

1201. Four years after the meeting in Santiago, Chile, the United Nations Conference on Trade and Development (UNCTAD) held its Fourth Session in Nairobi, Kenya from 5 to 31 May. The Community as such participated as an observer at this session, which brought together some 150 countries including the nine Member States of the Community. Mr Gaston *Thorn*,¹ President of the Council, and Mr *Cheysson*, Member of the Commission, spoke at the Conference.

The Conference agenda, the draft of which had been adopted at the fifteenth session of the Trade and Development Board in Geneva in October 1975, comprised a fairly selective list of important subjects connected with present international economic relations; topping the list was commodities, followed by the problem of external debts and that of the transfer of technology. In order to study these questions, the UNCTAD Board had held a preparatory meeting from 8 to 19 March.² The work of the Nairobi Conference, which elected as its Chairman Mr *Mwamunga*, Kenyan Minister of Trade and Industry, was conducted by a General Committee and the five negotiating groups set up within that Committee.

Climate and proceedings of the session

1202. Since the third session of the Conference³ major events have shaken the world economy. The sequence of those events found its political culmination in the Seventh Special Session of the United Nations in September 1975.⁴ The resolution on development and international cooperation had defined the objectives of the establishment of a more just and more equitable economic order which would provide the developing countries with a greater share of the fruits of world growth and with increased weight in international decision-making mechanisms.

The task of the UNCTAD Conference was therefore to translate, as far as possible, those objectives within its province into decisions which might provide practical solutions to the fundamental issues. It took account, however, of the fact that the various problems arising are also examined in other forums, for example, the multilateral trade negotiations within the GATT framework and the Conference on International Economic Cooperation ('North-South Dialogue').

At UNCTAD IV the developing countries upheld the declaration and programme of action which the ministerial meeting of the Group of 77 had adopted in Manila on 7 February 1976 and which expressed their positions on the subjects debated both in Nairobi and at the CIEC in Paris. During the deliberations they demonstrated a unity which contrasted remarkably with some divergent positions taken by certain regions or developing countries at UNCTAD III and even up until only two years ago.

The European Community on its side tried to bring its partners to adopt positive positions on the problem of Third World indebtedness and on the financial consequences arising from commodity agreements. On the first point, however, it did not succeed nor did it and its partners speak with one voice on commodities, an important subject within the twin context of UNCTAD and the North-South Dialogue. Nevertheless, despite these failings a number of the compromise texts finally adopted reflect Community drafts although they were of course toned down during the debates.

Among the other countries belonging to the group of industrialized countries the United States confirmed their change of attitude—already noted at the Seventh Special Session of the United Nations—abandoning the idea of confron-

¹ Point 1213.

² Bull. EC 3-1976, point 2329.

³ Bull. EC 7-1972, Part One, Chapter I.

⁴ Bull. EC 9-1975, points 1101 to 1104.

tation between the Third World and industrialized countries in favour of a 'dialogue'-oriented approach. The US proposal for an International Resources Bank is significant in this respect.

As in Santiago, however, the domestic situation in the United States on the eve of the presidential elections prevented it from making any sizeable commitments. Since the situation was similar in Germany and Japan the Conference recommended that its Fifth Session should take place at the latest three, instead of four, years after the Fourth Session. It is to be hoped that in future the fixing of the conference dates, so that they do not coincide with elections in major member countries of UNCTAD, will help create a climate which is more conducive towards satisfactory results.

The socialist countries of Eastern Europe, whose level of development aid is very low and whose share of trade with the developing countries is insignificant, chose to maintain a low profile at the Conference. However, the Group of 77 reaffirmed their specific claims in less moderated terms than in the past *vis-à-vis* those countries, and certain problems, such as those of raw materials, will ultimately be able to be solved only with their active participation.

In this context and in view of the fact that approximately 150 countries were taking part, the Conference could not be expected to lead to definite decisions. However, the parties present had to adopt positions and accept procedures which will lead to the continuation of the debate and important headway was made on the crucial issue of commodities. The procedural decisions adopted will necessarily lead the UNCTAD members to negotiations, and in particular, by March 1977 at the latest, to a Conference on a Common Fund.

As soon as UNCTAD IV came to an end the Council of the Communities decided to begin work without delay on establishing the Community positions for the forthcoming negotiations. This decision should mark a new step towards

the unity which will enable the Community to confirm its political will to respect the spirit and the letter of the resolutions accepted by it at the Seventh Special Session of the United Nations.

Main results of the Conference

1203. The essential results achieved by the Conference centred on three main points. They all gave rise to long and difficult discussions but, with one exception, compromise solutions were finally able to be adopted.

Commodities

1204. Since the political interest was concentrated from the very beginning on the establishment of a Common Fund the industrialized countries finally made a major concession by agreeing to a negotiating conference being called before March 1977. The adoption of the resolution, however, gave rise to a number of explanations after vote: some supported the resolution on commodities, such as the Netherlands—on behalf of sixteen countries of the group of industrialized countries, including six Member States of the Community—and France; the others showed themselves to be more reserved, such as Germany, the United Kingdom and the United States.

The most important provisions of the resolution are as follows:

- (a) the provision of a deeper element of stability in trade in commodities, account being taken of criteria such as inflation and the world economic and monetary situation but without the idea of direct indexation being accepted;
- (b) acceptance of the range of products proposed by the Group of 77,¹ and the definition of a fairly

¹ These products include the following: bananas, bauxite, cocoa, coffee, copper, cotton and cotton yarn, hard fibres and products of those fibres, iron ore, jute and jute products, manganese, meat, phosphates, rubber, sugar, tea, tropical woods, tin, vegetable oils (including olive oil and oilseeds).

strict timetable for preparatory and negotiating meetings;

(c) the convening of a conference on a Common Fund by March 1977 at the latest;

(d) the increased role to be played by UNCTAD in the procedures to be implemented.

One of the central points of the US declaration at the beginning of the Conference was the proposal to create an International Resources Bank. As the Group of 77 did not agree to this proposal being included in the resolution on commodities, the United States, supported by all the members of the group of industrialized countries, presented a separate draft resolution which, when put to the vote, was rejected by 33 votes against 31 with 44 abstentions.

The developing countries' debt problems

1205. The resolution adopted on this subject reflects the minimalist position of certain industrialized countries and is a step back from the position which had been worked out within the Community during the Conference. The text must, however, be considered as the manifestation of a political will to meet in a rapid and constructive manner the individual requests that measures be taken to provide relief for the developing countries with debt servicing difficulties, in particular, the least developed and most seriously affected countries. Furthermore, the appropriate international authorities—in particular the Conference on International Economic Cooperation—were invited to determine before the end of 1976 possible guidelines for future operations linked with the debt problems. The ministerial Trade and Development session, scheduled for 1977, will examine the measures taken in pursuance of this resolution.

A number of other draft resolutions concerning monetary and financial questions and the transfer of real resources had been presented by the group of industrialized countries and the Group of 77.

Owing to lack of time, however, the Conference referred them to the UNCTAD Board for examination.

Transfer of technology

1206. On the subject of the transfer of technology the Conference adopted three resolutions by consensus. Two of them—on modifying the international system of industrial property, particularly patents, and on the establishment of an international code of conduct for the transfer of technology—primarily define the objectives and negotiating procedures provided for on these two points within WIPO and UNCTAD. The third resolution, which is of more immediate and practical importance, deals with strengthening the developing countries' technological capacities. This resolution, which is likely to be of cardinal importance for future scientific and technological cooperation between industrialized and developing countries, defines the objectives, sectors and measures which will henceforth be at the centre of the two partners' concerns on this matter.

Review of the other resolutions adopted

Manufactured articles and multilateral trade negotiations

1207. With regard to manufactured articles the Conference adopted a resolution providing for measures to promote the developing countries' trade in the following three areas:

- (i) market access (in particular improvement of the generalized system of preferences (GSP);
- (ii) development and industrial cooperation;
- (iii) restrictive trading practices.

The activities of transnational companies were the subject of a separate resolution which was put to the vote and adopted by the Conference with most of the Western countries abstaining.

A resolution was unanimously adopted on the multilateral trade negotiations. This resolution reaffirms the objectives contained in the Tokyo Declaration¹ with regard to the problems of the developing countries. It also recommends that the countries participating in the negotiations take into consideration a list of questions of particular interest to the developing countries.

The Community made a substantial contribution to the work of the Conference on these two points. Its proposals served as a basis for most of the drafts presented by the group of Western countries and which led to the compromise solutions finally adopted by the Conference.

Least developed, island and landlocked developing countries

1208. The biggest section of the Manila document—on the problems of the least developed, island and landlocked developing countries—was the subject of long and detailed, but ultimately successful, negotiation at UNCTAD IV. The complexity of this sector of negotiation was increased by the fact that the questions discussed overlapped to a large extent with other debates of the Conference, with the least developed, landlocked and island countries calling for special measures on commodities, indebtedness, trade, financial aid, technology, etc.

Thanks to good coordination, it was possible to iron out the difficulties although the problem of the least developed countries' indebtedness was referred to the next UNCTAD Board meeting. The main problem was to distinguish between the measures to be applied to the least developed countries on the one hand and the landlocked and island countries on the other. The Group of 77, which at the outset asked for largely similar special measures for the three groups of countries without taking sufficient account of the relative levels of development, finally accepted the proposals worked out by the Community which advocated special measures for the least devel-

oped countries but were limited to the idea of specific actions for the landlocked and island countries in order to take account of their possible geographical handicaps.

Economic cooperation between developing countries

1209. A satisfactory result was obtained regarding economic cooperation between developing countries, a subject to which the Group of 77 attached greater importance than ever. The resolution laid down that the developed countries would refrain from taking measures which would frustrate the developing countries' cooperation efforts while at the same time endeavouring to facilitate this cooperation in the trade, technical and financial fields. The last category of measures includes assisting the developing countries to promote their own multinational manufacturing and marketing firms and to create capital markets and generate capital.

Trade relations between countries with different economic and social systems

1210. The Conference adopted by consensus a resolution inviting the socialist countries of Eastern Europe to increase their aid, to widen their generalized preferences scheme in favour of the developing countries and to develop their imports from those countries.

This resolution was adopted after lengthy negotiations during which the developing countries asked the socialist countries for firm commitments, particularly with regard to the amount of their development aid (1% of GNP).

Political considerations regarding matters such as the results of the Helsinki Conference, the development of East-West trade, and references to peaceful coexistence and non-discrimination were

¹ Bull. EC 9-1973, point 1106.

brushed aside despite the insistence of the Eastern European Socialist countries.

Institutional questions

1211. With regard to institutional questions, the Conference adopted by consensus a resolution giving a relatively wide interpretation to UNCTAD's terms of reference as defined in Resolution 1995 (XIX) of the United General Assembly and proposing:

- (a) that the Trade and Development Board be open to all Member States which are members of UNCTAD;
- (b) that it meet at ministerial level every two years between the sessions of the Conference;
- (c) that it set up a committee for economic cooperation among developing countries;
- (d) that the next Conference be held in three years' time.

This resolution will constitute part of the data on the basis of which the special committee for restructuring the economic and social sectors of the United Nations system—set up by the General Assembly—will continue its deliberations.

Documentary annex

Address delivered by Mr Thorn, President of the Council

1212. The main passages of the speech given in Nairobi on 6 May by Mr Thorn at the fourth session of UNCTAD are reproduced or summarized below:

1213. Referring to the upheavals which have affected the world economy since 1972, when the previous UNCTAD Conference was held, Mr Thorn stated:

'... The community of nations is today facing an immense challenge. It has set itself the target of

bringing into being a fairer and more equitable economic order designed to ensure the developing countries a greater share in the fruits of world growth as well as more weight in the international decision-making bodies.

Such a design, of worldwide scope, of necessity requires the cooperation of all. For decades to come, world peace, stability and growth will all depend on its realization.

I make so bold as to assert that within the European Community the political will exists to transform into reality the aims to which it is pledged. This political will is based on a number of fundamental observations which must henceforth be taken into consideration in the interest of the developed countries just as much as of the developing countries.

— *1st observation*: the economic and monetary system brought into being after the Second World War has deteriorated very considerably. To be sure, it has given the world two decades of unprecedented expansion of production and world trade, and a good number of developing countries, let us remember, have found a stimulus for the sustained growth of their economies. But at the same time, the institutions operating in this international context have seen their ability to master the trend of events gradually diminishing, and this has become a little more clear every time when there has been a crisis which has shaken the international economy over the last few years: crisis in the monetary system (1971), crisis of commodity markets and international price inflation (1973), petroleum crisis (1974), economic crisis which, all the same, did not make it possible to curb inflation (1974-76), which we are still experiencing to a greater or lesser degree.

The petroleum crisis in which were concentrated the political, economic and monetary dimensions of the crisis of the international system precipitated the course of events, by revealing in particular the dangers of the trial of strength and the need for close cooperation.

— *2nd observation:* in this world which the technological revolution has reduced to the size of a planetary village, the interdependence of nations has assumed considerable magnitude, following the rapid growth in international trade and the development of capital movements and economic cooperation.

Some years ago a Ghanaian President of one session of the UNCTAD Board—how many are there who remember it still?—was led to address himself to the Community, saying to it: 'Your prosperity is ours as well'. Today the opposite statement is just as necessary. It ensues naturally from this interdependence that we are all jointly responsible for the economic and social development of each and every one.

— *3rd observation:* notwithstanding the efforts deployed and the progress made in the course of one and a half decades of international development cooperation, the disparity between the developed countries and the developing countries has not been reduced as a whole, as... President Marcos has indeed just mentioned. The disparity has even worsened in many cases, even if some countries managed to pass beyond the stage of economic take-off at a time when aspirations towards improvement were rapidly spreading worldwide.

These observations, very briefly outlined, suggest that we must go beyond the present situation and that this cannot be done by falling back on concepts which in my view, irrevocably belong to the past.

The movement towards a juster and more equitable economic order is now under way. I here repeat the will of the European Community fully to assume the responsibilities devolving upon it in this evolution, in the same way, indeed, as it has done in the past.'

Mr Thorn continued his speech with the following remarks:

'UNCTAD meetings traditionally provide an opportunity to take stock of the efforts made by the

international community to encourage development. We all know that needs are enormous and the efforts made up to now not sufficient. I will therefore not fall into the trap of self-satisfaction. The Community nevertheless feels that it need not be ashamed of the action it has taken in previous years in the face of particularly difficult economic circumstances, as everyone knows.

The problem of development—which is now recognized to be a major factor in international economic relations—occupies an essential position in our external relations. The Community, throughout the past four years and also since its enlargement, has endeavoured to further, extend and enrich operations which have been continuing since it was set up.

... Our policy involves regional operations and operations on a world-wide scale. These various operations complement one another and fit into an overall approach which attempts to supply a concrete response to the changing circumstances of our time. Although this policy is still incomplete, we believe that it introduces innovations in many respects.

The best expression of this approach to date is undeniably to be found in the Lomé Convention.

... There is no better way to reflect its spirit than by quoting its preamble:

The aim of the Convention is "to establish a new model for relations between developed and developing States, compatible with the aspirations of the international community towards a more just and more balanced economic order".

This Convention, which concerns more than 500 million human beings, is unique in the history of international economic relations. It introduces a varied range of instruments to deal with the diverse situations of our partners, eighteen of whom are moreover among the world's twenty-five poorest countries.'

After referring to the Community's 'overall Mediterranean approach' and the 'Euro-Arab

Dialogue', M. Thorn went on to deal with the Nine's world-wide action programme, particularly its commercial aspect.

'... Is it remembered that the idea of giving preference to manufactured products was launched in March 1963 at a GATT Ministerial meeting by the Ministers of the Community and of the African States and Madagascar which were associated with it at that time, in the framework of the Yaoundé Convention? We were the first, in 1971, to implement a generalized preferences scheme; we were also the first to undertake to continue this scheme beyond 1980. A range of non-preferential Agreements which we signed with various countries of Latin-America and Asia should be added to this. We have also just introduced a scheme for technical assistance in trade promotion.

I will limit myself to citing one figure to illustrate the effort made by the Community in the field of access to the market, namely 86 % of imports from developing countries enter the territory of the Community free of customs duties (this figure is reduced to 65 % if one excludes crude oil).

As regards financial cooperation, we have, since 1968, implemented a food aid programme which has been considerably extended in recent years, both in volume and in the range of products supplied and as regards the recipient countries, 80 % of which are outside the geographical area covered by the Lomé Convention. This programme increased from 39 million u.a. in 1970 to 300 million u.a. in 1976.

New schemes have been under development since 1974. The Community contributed \$292 million to the United Nations emergency operation, about 70 % of which was distributed to non-associated countries of Asia and Latin America. Taking into account bilateral aid on the part of the Member States, the total Community contribution amounted to approximately \$700 million, in other words considerably above that originally promised.

Lastly, I would like to mention another very recent development: as you know, the Community has confirmed the principle of financial and technical aid to developing countries not associated with it. An appropriation of some \$25 million has been entered in the 1976 Community budget the use of which has still to be determined by the competent Community bodies.

In brief, financial aid supplied by the Community as such to the Third World has thus practically quadrupled since the beginning of the seventies, that is to say in five years. Taking into account contributions made by the Member States on a bilateral basis and their participation in multilateral organizations, the Community has become the main source of aid for the Third World. You will understand why I said not long ago that the Community thought it need not be ashamed of its action, even if it is still incomplete.

In concluding this brief survey of our operations, I would like to point out one of the lessons we have drawn from our experience, which is now quite long, of cooperation with the developing countries. This experience has shown that different stages of underdevelopment must be met by different types of action or combinations of actions. No one can deny, in the light of the realities which we have to face today, that the diversity of stages of underdevelopment, and hence of needs, is more pronounced than ever. The aim which we are pursuing is therefore the progressive implementation of a policy which enables a series of instruments to be applied consistently and allows these instruments to be applied differently according to the various situations in the developing countries.

This brief outline also indicates, I believe, the concern of the Community over the very problem of underdevelopment, its unremitting efforts to find a solution to it and its openness to all new ideas, as well as the realism of its action. We have always preferred ideas which are immediately practicable (though we readily acknowledge that they are still only partial, and therefore

incomplete) to solutions which may admittedly be ideal theoretically but could be put into practice only in the medium or long term.

This same approach will inspire us during the present session of UNCTAD and I want to stress this. We must during these four weeks endeavour to hold an open debate to embark upon a negotiation of what is possible and so arrive at concrete results. It is thus and thus only that we shall be able to make fresh progress towards our common goals. To try and pretend that everything can be changed in one day would be to play into the hands of those who want nothing to change.

As President of the thirtieth General Assembly I myself cannot fail to emphasize the prime role that UNCTAD is called upon to play in the attainment of these objectives. The Community recognizes UNCTAD as being an essential forum in which to deal with problems arising in relations between developing countries and industrialized countries. It is of the essence to combine the efforts made in various bodies to attain now the objectives agreed at the Seventh Special Session of the UN General Assembly.

Allow me to take this opportunity to tell you how we conceive relationship between our proceedings and those of the Conference on International Economic Cooperation currently taking place in Paris.

These two proceedings are quite clearly complementary, because the Paris Conference is dealing with a good number of issues which are also on the agenda of the Nairobi Conference. The proceedings of these two bodies should therefore back up and complement one another.

... I wish to confirm to you the political will of the Community to act in such a way that this Conference, which is moreover due to the initiative of the Head of State of one of its Member States, President Valéry Giscard d'Estaing, will arrive at a fruitful outcome.

I will return now to what I said some moments ago about an open and hence an objective debate.

This, I consider, means first of all that we are prepared to discuss any idea regardless of who puts it forward. In this connection, we have taken note with the greatest interest of the declaration and programme of action adopted in Manila by the Group of 77, which certainly made an important contribution to our debate. The same applies to the extremely well-documented reports prepared by our Secretary-General, Mr Gamani Corea, to whose indefatigable action I wish to pay very special tribute. We will also be open to the contributions which all the other parties to this Conference will make, and we shall endeavour in our turn to make a positive contribution to the proceedings throughout these weeks.

An objective debate means that we must also acknowledge and accept our differences in outlook, understand one another's difficulties and be aware that in the present circumstances we must all face up to certain difficulties and envisage certain compromises.

We believe it is in this way that we can really make further progress towards our common goals.

I should now like to try to outline for you the general approach of the Community to some of the issues on the agenda for our proceedings. We naturally intend to make a more detailed contribution throughout the discussions. It would not surprise me if, in the course of the discussions, some of my colleagues of the Nine were to raise ideas going beyond what I am going to tell you. This seems quite normal to me. The Council meeting which I chaired in Brussels shortly before my arrival in Nairobi left it to our delegations on the spot to continue giving thought to certain matters. It is up to me to talk to you about the position which we have in common at this stage, just as the time will come for me to tell you very frankly, in certain cases, about the existence of certain differences of view which still exist between us.'

In addition to the problems presented by trade, manufactures, semifinished products and the transfer of technology Mr Thorn dealt with two top-priority subjects, namely commodities and the developing countries' indebtedness. On the first subject he stated:

'We base ourselves on the position adopted in Geneva by Group B.¹ Although this position does not include the questions of indexing or of the common fund, it does form a framework in which substantial improvements can be obtained, in a reasonable space of time, in the field of market structures. A number of additional proposals may easily be fitted into this framework.

I wish in particular to underline the following:

- we have undertaken to find appropriate solutions to the problems of commodity markets and improvements in the structures of the markets. We must accordingly seek more stable conditions in the marketing of commodities, both as regards quantities and prices, and measures adequate for this purpose.

- we are therefore bound by the principle that agreements and arrangements covering commodities should include price review clauses and allow for the fixing of prices in the light of changing economic circumstances. This includes changes in the pattern of rising costs, profits and prices of manufactured products.

- it is our intention to put these commitments into practice by means of the parallel examination of a range of commodities, over a given space of time, with a view to finding the most appropriate solutions.

- but we believe that very special attention must also be given to the question of investments. Investments continue to be the necessary basis for economic growth and the diversification of all our economies. We must accordingly seek mutually acceptable conditions in order to improve investment prospects.

- as for the stabilization of export earnings, we are prepared to examine what facilities on a world

scale might prove necessary in the light of the use to which the Trust Fund of the IMF will be put.

- finally, on the question of the common fund, I will not conceal that at the present stage differences still exist between the Community delegations and that we are continuing to give thought to the matter. A majority of us consider that the common fund problem must be dealt with separately from matters to do with the raising of the financial means. It considers however that before replying to the UNCTAD Secretariat's proposals, studies should be undertaken on whether it would be opportune subsequently to bring together under a single arrangement such financial provisions as there may be in the agreements to be concluded.'

On the problem of indebtedness, Mr Thorn clarified the Community position as follows:

'First of all, I wish to lay stress on the primordial importance of a consistent and effective preventive approach to the debt problem, based:

- where the creditor countries are concerned, on an appropriate policy concerning the volume and terms of aid, liberalization of trade and trade promotion, and

- where the debtor countries are concerned, on sound external debt management, in which we could render assistance, if so desired, particularly in the form of technical aid in the setting up and operation of effective systems for recording and controlling the debt, especially in the private sector.

Now as regards remedial measures, I will not conceal from you that there are still some slight differences of opinion among us. The countries concerned know that the Member States of the Community in the past have always been prepared, in the framework of existing machinery, to examine case by case the problems arising and to seek appropriate solutions jointly with the debtor.

¹ Industrialized countries' group.

We consider that, as the debt problem arises in the case of each country, in a context peculiar to itself, the search for solutions must make allowance for this particular feature, and we accordingly feel that it is at the level of individual cases that these problems must continue to be considered, but without overlooking the general context in which they arise.

Our delegations consider in general that the instruments existing in this area have proved their worth. Preservation of the existing instruments would go hand in hand with the will to use them liberally in all deserving cases. Furthermore, I stress, consideration could be given to how access to these instruments could be facilitated even more.

There are also serious doubts among us as to the utility of convening a conference on indebtedness.

I am aware that the position of the great majority of our Member States, as I have just explained it to you, does not tally in all points with that of most of the developing countries. However, I cannot but emphasize that our approach does not in the least cast doubts on the serious nature of the problem of indebtedness, or on our determination to deal with the problem with all the understanding that it deserves and with all the openness of mind required at the opening of negotiations. Indeed, where our views differ is not on the need to find a solution to the problem but on the method, or rather certain details, for attaining it.'

Before concluding, Mr Thorn stated:

'One last item, a particularly important one on the agenda, concerning an issue which I personally have very much at heart, is that of the least developed among developing countries on this earth. In our view, countries falling within this category, once they are defined, merit particular solicitude on the part of the international community at large.

Thus, the Community considers that these are the countries which should preferentially benefit from increased aid on the best possible terms; it is for their benefit that the idea of according them a privileged system of trade should be made to gain ground; it is in the light of their specific needs that we should agree among ourselves on measures designed to do away with instability in the markets of certain raw materials which sometimes hits them harder.'

The President of the Council concluded his address 'with a paradox. Nine European countries, among those most steeped in history, are addressing this Conference through the representative of the smallest of them. This surely amply demonstrates that relationships in terms of power which still form the basic thinking of some people are disappearing in favour of an understanding between peoples who have the will to cooperate.

This is also a way of calling to mind that profound solidarity among peoples represents the best, if not—and I stress this—the only chance for the future.

It is this feeling of solidarity, worldwide, which has at all times inspired the Community's eagerness for dialogue of which I have endeavoured to give an account. Over and beyond the points of divergence—dare I call them technical?—between us and certain other delegations at this Conference, it is still this feeling of solidarity which is the guarantee of our open frame of mind in the negotiations which are shortly to start and which must succeed.'

3. JRC: Multiannual programme 1977-80

JRC: Programme 1977-80

Proposal from the Commission to the Council

1301. The new multiannual research programme of the Joint Research Centre (JRC), covering the period 1977-80, was the subject of proposals forwarded by the Commission to the Council on 11 May.¹ The new programme will take over from the programme adopted in 1973, which is due to expire at the end of December 1976.

The proposed new programme gives concrete form to the 'overall concept' forwarded by the Commission to the Council on 24 October 1975² and, on the whole, favourably received by the latter. The aim of this communication concerning the 'overall concept for the next multiannual programme of the JRC' was to blueprint the JRC's future role in research and the direction to be imparted to its scientific and technical work. In particular, the Commission stressed the need to restrict operations to a limited number of programmes, to cut back on research projects (direct or indirect action) and to place the accent on certain areas (in particular energy and the environment).

Aims, funds and staff for the new programme

1302. In point of fact, the programme has, pursuant to these guidelines, been radically concentrated: whereas the 1973-76 programme covered twenty-two objectives, the new programme comprises only ten. More so than in the past, the emphasis is on research in the energy and environment sectors and at the same time the public service role of the JRC is fostered. Some 70 % of the entire effort is concentrated on the first two areas, the remaining 30 % being devoted to public service activities.

Staff is maintained at its present strength, i.e., 1 888 officials and establishment staff and 471 local staff.

The overall budget for the programme over the four-year period is 374.4 million u.a. (at constant value as of 1 January 1977). Table 2 annexed provides an illustrative breakdown of funds and staff for the various programmes.

The ten programmes adopted

1303. As we have seen, the ten programmes making up the sum total of the proposed activities of the JRC are as follows:

- Reactor safety
 - Plutonium fuels and actinide research
 - Nuclear materials and radioactive waste management
 - Solar energy
 - Hydrogen
 - Design studies on thermonuclear fusion
 - High-temperature materials
 - Environment and resources
 - Measurements, standards and reference techniques (METRE)
 - Service and support activities
- } *General theme*
Nuclear safety
- } *General theme*
Future energy sources

Activities during the proposed programme can be broken down as follows:

— nuclear safety	48 %
— future energy sources	12 %
— environment and resources	10 %
— measurements, standards and reference techniques	17 %
— service and support activities	13 %

The various activities under the new programme have been selected with due regard to the specific role of the JRC in the context of the common research policy, i.e.,

¹ OJ C 147 of 29.6.1976.

² Bull. EC 10-1975, point 1501.

1. to carry out research projects which, by virtue of their scope or need for crystallization at Community level, are of a 'central' nature;
2. to develop a Community public service role;
3. to provide the Commission with scientific and technical support and to furnish expert assessments of its current activities.

New features of the programme

1304. The new programme will achieve a 40/60 % ratio between financing and staff expenditure. Both the Council and the Parliament experts have indicated that this ratio is desirable as a means of increasing the scientific staff of the Joint Research Centre, improving cooperation with other research establishments and updating certain equipment. Table 1 provides an illustrative breakdown of expenditure:

Table 1 — *Breakdown of expenditure*

Type of expenditure	Million u.a.	Percentage
A. Staff expenditure	214.6	57 %
B. Operating expenditure		
Specific scientific appropriations	77.3	21 %
Specific back-up appropriations (infrastructure, laboratory equipment)	82.5	22 %
	159.8	43 %
Total	374.4	100 %

One of the new features of the 1970-80 programme is the proposal for a 'rolling' system for its subsequent adjustment. During its third year the four-year programme will be submitted to the Council for revision. At the same time a new four-year programme will be adopted by the Council, so that the last year of the initial pro-

gramme will become the first year of the new programme.

The programme also attaches special importance to the maintenance of close and effective links with bodies set up by the Council, since these bodies will have the task of promoting the dialogue between the Member States and the JRC. In this context, a very special role should be accorded to the Advisory Committees on Programme Management (ACPM).

Where research in one field is covered by direct action (conducted within the JRC) and indirect action (carried out on the basis of Community contracts and associations with Member-State institutions) a single Advisory Committee ensures cohesion of the research undertaken. In addition, these Committees have a role to play in seeking to ensure increased cooperation with projects carried out at national level.

The concentration of research projects under the new programme has the additional aim of facilitating more effective management of the JRC. In this connection, special importance is attached to strengthening the matrix structure of management, a system which, by breaking away from the traditional 'pyramid' structure, enables optimum use to be made of staff according to priorities and skills required, while at the same time reducing the inflexibility inherent in the departmental structures and keeping effectively under review the advancement of the projects.

As regards staff, the Commission has already forwarded to the Council—with the backing of the European Parliament—a proposal designed, on the one hand, to ensure greater staff mobility and, on the other, to decrease salary disparities which exist at present among various categories of staff.

Role of the four establishments

1305. Work has been divided among the four JRC research establishments—Ispra, Geel, Karls-

ruhe and Petten—according to their particular areas of specialization; each establishment will be responsible for the individual projects assigned to it.

Ispra, which is the largest establishment, will be active in practically all sectors of the programme and will be foremost in the fields of reactor safety, nuclear materials and radioactive waste management, solar energy, hydrogen, environment and resources and services and support.

Karlsruhe will take the lead in plutonium fuels and actinide research.

At *Petten* the emphasis will be on high-temperature materials.

The Centre Bureau for Nuclear Measurements at *Geel* will be responsible for the coordination of all

work in connection with the METRE programme (measurements, standards and reference techniques).

JET

1306. No account is taken in the proposed programme of the possibility of the JET project being sited in *Ispra*, as mentioned in the overall concept and envisaged by the Commission,¹ as no decision has yet been taken as to whether or not the project is to be carried out.

¹ Bull. EC 1-1976, point 2239.

Annex

Table 2 — *Illustrative breakdown of funds and staff*

Programmes	Commitments for expenditure (million u.a.) ¹	Staff ^{2, 3}		Percentage
		Total	of which research ⁴	
1. Reactor safety	92.130	440	239	} Nuclear safety 48 %
2. Plutonium fuels and actinide research	41.480	209	121	
3. Nuclear materials and radioactive waste management	34.380	161	97	
4. Solar energy	17.270	57	35	} Future energy sources 12 %
5. Hydrogen	16.460	78	50	
6. Design studies on thermonuclear fusion	2.550	14	8	
7. High-temperature materials	9.190	51	36	
8. Environment and resources	41.330	188	115	10 %
9. Measurements, standards and reference techniques (METRE)	59.690	286	181	17 %
10. Service and support activities	59.910	221	116	13 %
Total	374.390	1 705	998	100 %

¹ Expressed in constant values as at 1 January 1977

² Not including 183 staff placed at the disposal of Member States, persons or undertakings, pursuant to Article 6(c) of the Euratom Treaty and in respect of which the Italian Government assumes liability for expenditure under the ESSOR project.

³ Not including 471 local staff

⁴ The 'research staff' concept is a newly introduced concept intended to determine more effectively the staff directly attached to a research programme and refers to staff directly involved in the research (hitherto described as 'front-line staff' or 'programme staff') as well as associated technical support staff (design offices, chemistry and electronics departments, workshops attached to divisions)

4. Shipbuilding: The Commission's view

1401. In a Communication to the Council the Commission describes and discusses the problems in the shipbuilding sector as preparation for a Council decision on the need for really effective Community action to meet the serious crisis threatening this industry.

Analysis of the situation

1402. The Communication (adopted by the Commission on 26 May) analyses the situation, recalling how world production of ships has grown steadily over the last fifteen years, as shown in Table 3.

Two features of this development are:

- (a) rates of growth have differed, in particular between Japan and Europe, leading to a marked shift in the respective shares of the world market held by the industries of these countries;
- (b) the building of oil tankers developed faster—in both size and number—than the average for other types of vessel.

This trend springs from the spectacular expansion in oil transport requirements. Although the exis-

tence of surplus transport capacity was becoming apparent as early as 1972 and 1973, operators continued none the less to plan for the growth of oil-tanker fleets, and this led to a considerable expansion in production capacities. The 1973 energy crisis precipitated not only considerable surplus capacity in the fleets but also a substantial over-capacity of production at world level, and particularly for large tankers. This has resulted in vessels being laid up and orders cancelled on a large scale, and virtually no new orders are likely to be placed during the present decade, at least for these types of vessel.

To offset at least some of the consequences of this situation, yards building large oil tankers are switching largely to the production of other types of vessel. This not only means that the crisis then spreads to the companies supplying those sectors of the market but also generates an imbalance between supply and demand for some of these types of vessel.

An upturn in demand would not, however, engender sufficient demand to provide outlets for existing production capacity. Even the recovery in demand after 1980 will probably be too slight

Table 3 — *World production*

	Million grt ¹				% of world total			
	1960	1970	1974	1975	1960	1970	1974	1975
OECD	7.234	20.705	31.867	31.419	92.1	91.4	91.0	90.2
of which: Community	3.996	6.305	8.032	7.754	50.9	27.8	22.9	22.3
Japan	1.687	10.539	17.720	17.173	21.6	46.5	50.6	49.4
Sweden	0.727	1.678	2.102	2.178	9.3	7.4	6.0	6.3
Spain	0.170	0.826	1.761	1.508	2.2	3.6	5.0	4.3
Norway	0.238	0.654	0.917	1.021	3.0	2.9	2.6	2.9
United States	0.338	0.442	0.928	0.950	4.3	2.0	2.6	2.7
Yugoslavia	0.182	0.669	0.672	0.623	2.3	3.0	1.9	1.8
South Korea		0.005	0.320	0.420		0	0.9	1.2
Brazil	0.012	0.056	0.297	0.386	0.2	0.2	0.8	1.0
World	7.858	22.643	35.766	34.766	100.0	100.0	100.0	100.0

¹ The gross tonnage of a ship is a measure of volume and is expressed in tons. The value of a ton is 100 cubic feet or 2.83 m³.

to allow available capacity to be fully exploited; this is clear evidence that the crisis is of a structural nature.

World production capacities must therefore be reduced overall to match the level of demand.

A large number of firms will therefore be affected by the results of this trend. The shipyards in the Member States are likely to suffer more than their competitors in non-member countries, largely because of structural differences which at present enable the latter to win most of the orders owing to their very competitive prices.

Possible solutions

1403. Having established this, the Commission considers that action to be taken must be determined in the light of the following requirements:

- (i) an agreed and orderly reduction in production capacities must be organized at world level so that the economic and social burden resulting from the unfavourable trend on the market may be shared equitably;
- (ii) resolute steps must be taken at Community level to restructure and modernize production facilities which are regarded as indispensable to preserve the Community's essential interests; this effort is necessary to overcome the competitive handicap which at the moment makes Community shipbuilding very vulnerable;
- (iii) all the measures needed to achieve these objectives must be coordinated at Community level, as success seems most unlikely if the Member States break ranks.

International cooperation

1404. As regards the problem of reducing production capacities, the Commission considers that the measures required must be launched and coordinated by means of international cooperation, since both the problem and the market are

worldwide. Moreover, such an approach would reduce to the minimum any further hindrances to freedom of trade.

Such action has already been started in the OECD. On 4 May 1976 the OECD adopted a set of recommendations called 'General guidelines for government policies in the shipbuilding industry'. Based on the principle of solidarity, equity and international responsibility, they call on the governments which have subscribed to them,¹ without any measure of compulsion:

- (i) to consider as a priority target a suitable reduction in their shipbuilding capacities, taking account of regional and social problems which the pursuit of this objective will create;
- (ii) not to take measures or grant aids likely to disturb the process of adapting the industry in question;
- (iii) to watch that the measures, particularly those regarding prices, remain within the limits of fair competition;
- (iv) to refrain from measures likely to stimulate the creation of new construction capacities.

However, it should be noted that, according to the statements made by certain delegations from shipbuilding countries, the application of the very principle of reducing production capacities will inevitably raise problems.

Community action

1405. In this context the first requirement for Community action is that the Community must undertake to bear its share in the reduction of capacities needed to reestablish equilibrium between supply and demand, and at the same time ensure that its partners in the OECD do the same. To launch this policy, certain criteria and Community mechanisms must be established to

¹ The Community shipbuilding countries and the following: Spain, Finland, Japan, Norway and Sweden.

take account of the interests of workers in the sector and to permit the restructuring of the remaining capacity so that the surviving industries may be as competitive as their world rivals, particularly Japan.

On the particular problem of sharing out the reduction among the Member States, the Commission proposes:

(a) that the reduction should be largely borne by those Member States which have capacities normally used to produce the types of vessels affected by the crisis, i.e., large oil tankers, and that it should be in direct proportion to the relative importance of these capacities in each Member State;

(b) that the distribution of the reduction over the plant within each Member State should be decided by the State. It would be economically unwise to run down the most modern and most efficient production facilities, which often include shipyards suitable for building large tankers. This freedom of manoeuvre will make it possible to close down the least efficient yards insofar as this is compatible with social requirements, provided nevertheless that tanker production capacities are genuinely reduced.

Other possibilities

1406. If efforts to reach international agreement within the OECD failed to achieve tangible results, the Community should seek an agreement with Japan to which all the other partners which were seeking a solution to the current crisis could subscribe.

If all attempts at international level were to fail, the Community should none the less take measures in the short term to ensure the survival of an adequate capacity in the Community shipbuilding industry, in view of the economic, social and strategic importance of this sector, and in the expectation that the essential restructuring measures will have produced results.

If an essential core of the industry is to be maintained in the Community, all necessary means must be used in coordination. Possibilities would include financial measures to assist Community shipowners or builders, or suitable measures in maritime and commercial policy, or if necessary a combination of such measures.

The Commission's conclusions

1407. Convinced that international cooperation is the most desirable approach, the Commission recommends that the Council decide on the need for the Community:

- (i) to negotiate, on the basis of a common position, any measures required within the OECD to achieve the targets of the General Guidelines;
- (ii) to undertake, in this context, to bear its share in reducing production capacities as required at world level, to restore the balance between supply and demand;
- (iii) to define in due course the size of the Community's share of such reduction and the timetable.

The Commission states that it will later present to the Council proposals for carrying out the measures in view, based on the guidelines set out in its Communication.

5. Community solidarity towards Friuli

Friuli

1501. Following the disaster which struck Friuli, the European Community expressed its solidarity towards the stricken population by promptly implemented emergency action and a programme of aid to rebuild the region.

The earthquake

1502. During the night of 6 to 7 May, the region of Friuli-Venezia Giulia was struck by a violent earthquake. More than forty towns and villages were completely or partially destroyed. The death toll now exceeds 900; over 2 400 people were injured and more than 100 000 are homeless.

The earthquake seriously damaged the fledgling economy of a region which in recent years had really begun to develop. In the stricken area, industrial and agricultural production facilities were destroyed and road links and communications networks cut.

Damage is initially estimated at more than Lit 1 700 000 million, comprising: over Lit 590 000 million for the 10 500 buildings completely destroyed and the 12 500 partially destroyed (this includes public and private buildings); more than Lit 410 000 million for industrial, small craft and commercial activities: of 3 491 commercial undertakings 2 207 have been damaged; 2 806 of 4 097 small craft undertakings have been seriously affected; 240 small or medium-sized businesses have been completely or partially destroyed; agriculture suffered losses of more than Lit 660 000 million.

Damage to infrastructure was also very heavy. Damage caused to the economy in general means that some 6 000 workers in industry and 9 000 in small craft and commercial activities have lost their jobs.

1503. In these circumstances Community aid for reconstructing Friuli is needed as a gesture of solidarity. The need has already been recognized by the European Parliament which has requested

the Council and Commission to study and implement a system of aid which could make a real contribution to the economic revival of the stricken area.¹

1504. The Commission has already taken a number of steps to provide Community aid for the reconstruction of the devastated parts of Friuli.

President *Ortoli* personally visited the region on 22 May to determine with the Italian authorities, particularly the regional and local authorities, what were the specific needs and what practical assistance the Community could provide for reconstruction programmes. The Commission intends to offer substantial aid focussed on a few clearly specified sectors, so that it is seen as a meaningful and recognizable gesture of Community solidarity towards the plight of the local population.

Emergency aid

1505. As proposed by the Commission, a sum of Lit 550 000 million was immediately made available to the Italian authorities as emergency aid for the victims. The European Investment Bank has contributed Lit 50 000 000. The Community has also provided 150 tonnes of skimmed-milk powder as food aid and a quantity of equipment (tents, etc.).

On 14 May, the Commission adopted, with effect from 7 May, a Decision allowing importation free of duty and agricultural levies for essential relief material such as tents, medicines, clothing and other aid material to be freely distributed to the victims or used by rescue teams.² On 20 May, the Commission also sent to the Council a proposal for a Regulation concerning total suspension of CCT duties on a number of products needed for clearance or rebuilding in the devas-

¹ Point 2402.

² OJ L 131 of 20.5.1976.

tated area or to replace industrial plant which was destroyed.

Community gesture of solidarity

1506. As regards Community assistance for reconstruction projects, the Commission examined the various means for action offered by the Treaties. The Commission is proposing a whole series of projects some of which require a supplementary budget while others can be carried out with existing resources and procedures.

The first group covers projects to be financed in agriculture.

Here the Commission is proposing an *ad hoc* Regulation to finance all projects which might be financed under the EAGGF Guidance Section. A streamlined procedure will be put in hand to speed up the preparation, submission and appraisal of applications.

Again for the first group a Community effort must be enlisted to restore certain infrastructures which must be given priority treatment in order to speed up the reconstruction and economic and social development of the region. Here, the Commission proposes to make use of the procedures and experience of the Regional Development Fund. An *ad hoc* Regulation is being proposed which would confine the Fund's coverage to infrastructures only but in this instance would extend its definition of such facilities to include all infrastructures qualifying for priority treatment and essential to reconstruction.

With existing resources and by existing procedures, the Community will act in the sphere of ECSC activities by contributing to the reconstruction of some six hundred workers' houses. The Commission has decided to set aside 6 million u.a. out of the old ECSC pension fund. This will be provided in the normal manner, i.e. in the

form of long-term loans (approx. 25 years, at 1 % p.a. - with five years' grace from repayment). The loans could cover between 25 and 35 % of the investment cost.

The Commission has also decided to set aside a sum of 5 million u.a. for a project to assist the reconstruction of steelworks damaged by the earthquake. With this sum the ECSC would provide reduced-rate loans covering 15 to 20 % of the rebuilding costs. It would also come out of the old ECSC pension fund.

Then on the social side, under existing procedures and with existing funds, the Commission is planning to earmark appropriations for Friuli to finance programmes to retrain workers without loss of income. Assistance could be provided to cover up to 50 % of actual cost, for workers fulfilling the conditions laid down in the Regulation in force — the unemployed, young people, people leaving agriculture, workers in the textile or clothing industries and the disabled.

Lastly, still concerning agriculture but under existing resources, the Commission has proposed that the Council decide that the devastated area should be eligible for assistance under the Council Directive on hill-farming and farming in certain less-favoured regions.

The European Investment Bank has announced that it will give priority consideration to operations aimed at rebuilding industry and damaged infrastructures and to new moves to promote economic recovery and maintain employment in the region.

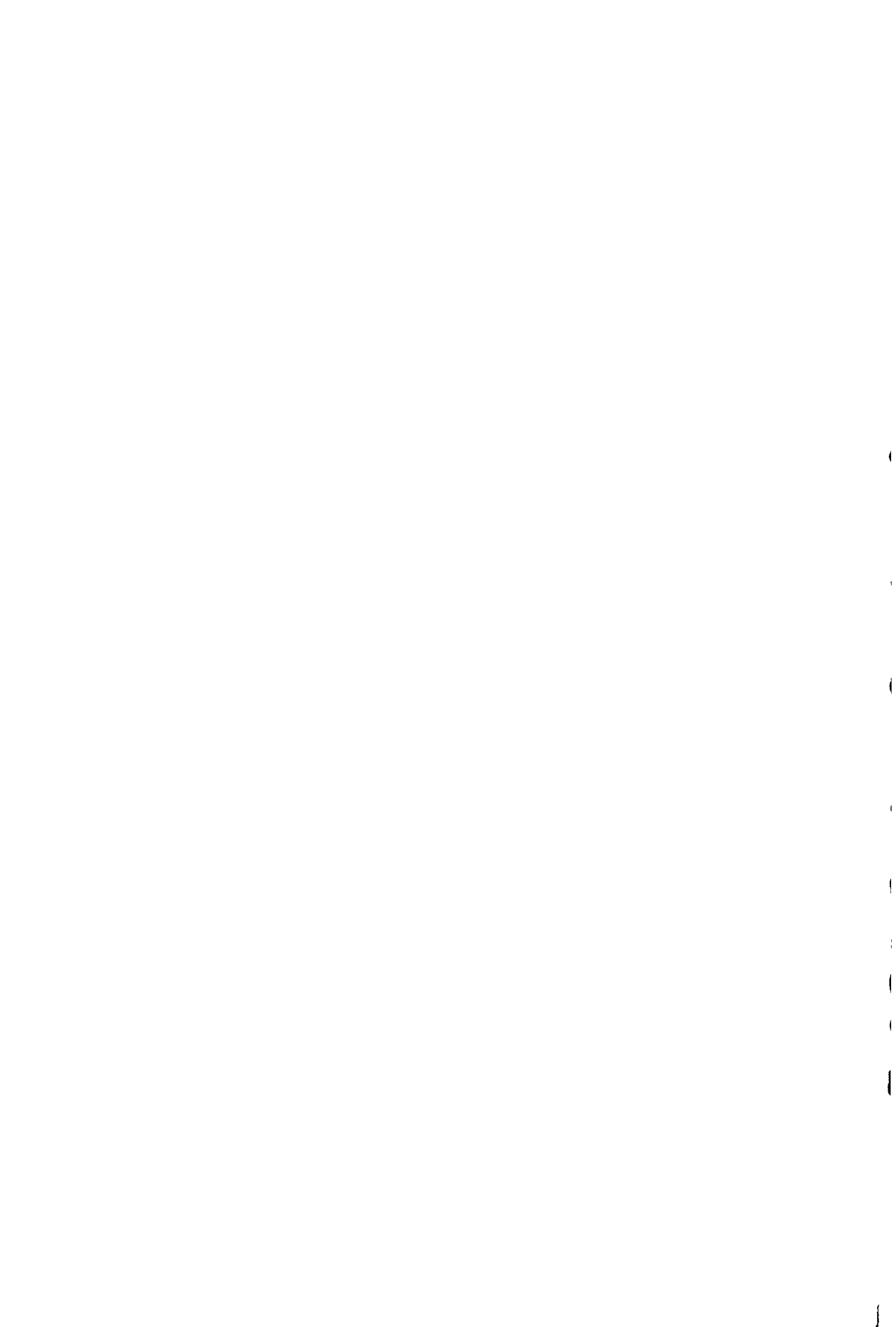
1507. To finance this Community gesture of solidarity, the Commission considers that a supplementary budget is needed. The 1976 budget includes no appropriation to meet such additional expenditure and the disaster which has occurred and the need for financial aid from the Community were unforeseeable circumstances when the 1976 budget was being drawn up.

Friuli



This supplementary budget for Friuli will total 60 million u.a., of which 45 million will be spent on operations for agricultural structures and 15 million for infrastructure work.

At its meeting on 31 May and 1 June, the Council stated that it would look in a favourable light at the action recommended by the Commission.





2ND PART

**ACTIVITIES
IN MAY 1976**

1. Functioning of the common market

Customs union

Customs union

Common Customs Tariff

Nomenclature

2101. The far-reaching changes in the common organization of the market in wine adopted by the Council on 17 May¹ have resulted in amendments to the Common Customs Tariff nomenclature on a number of points.² These amendments affect heading No 20.07 (*grape juice and must*) and subheading 22.05 C (*certain wines imported from third countries*).

Tariff measures

Suspensions

2102. On 18 May³ the Council adopted a Regulation extending the total suspension of the autonomous CCT duties for *new potatoes*. This final extension is applicable until 31 May.

Tariff quotas

2103. 7 May⁴ the Council, on a proposal from the Commission, amended its Regulation of 29 October 1975⁵ opening, allocating and providing for the administration of a Community tariff quota for *newsprint* (subheading 48.01 A) and extending this quota temporarily to include certain other types of paper. The purpose of this amendment is to extend until 31 December the authorization given to the Member States to charge against the tariff quota opened for newsprint certain other types of paper which comply with the definition of newsprint. This authorization was to have expired on 30 June.

2104. On 4 May⁶ the Council decided on a 5 % increase in the volume of the Community tariff quotas opened for 1976⁷ in respect of certain textile products originating in Malta.

On 4 May⁶ the Council also amended the Regulations⁸ establishing indicative ceilings and Community supervision for imports of certain products originating in Austria, Finland, Norway and Sweden. These amendments are concerned solely with the updating of the NIMEXE code numbers for certain paper products.

Since imports of certain products which are subject to ceilings have not reached 90 % of their ceilings during the last two years, the Council approved on the same date⁶ a Regulation suspending the application of indicative ceilings established for the imports of these products originating in Finland, Norway, Portugal and Sweden.

Harmonization of customs legislation

Duty-free arrangements

2105. Under the Council Regulation of 4 June 1974 on the tariff treatment applicable to goods imported for free circulation in the event of disasters occurring in the territory of one or more Member States, the Commission notified the Italian Government on 14 May, in response to the request made on 12 May, of a decision enabling the Italian Government to admit free of customs duties, agricultural levies and other import charges provided for under the common agricul-

¹ Points 2235 and 2238.

² OJ L 135 of 24.5.1976.

³ OJ L 132 of 21.5.1976.

⁴ OJ L 131 of 20.5.1976.

⁵ OJ L 292 of 12.11.1975.

⁶ OJ L 120 of 7.5.1976.

⁷ OJ L 317 of 8.12.1975.

⁸ OJ L 16 of 24.1.1976.

tural policy certain vital goods (including tents, medicine, clothing and other relief materials) imported from third countries by organizations approved by the Italian authorities for free distribution to the victims of the earthquake in the Friuli region or for use by the relief units during their operations. This Decision came into effect on 7 May, and the Commission shall consider within one month from the date of notification of this Decision whether it should be maintained, modified or repealed.

Customs arrangements based on economic considerations

2106. On 4 May the Commission adopted a Directive relating to the triangular system of the outward processing procedure.¹ This text contains detailed Community rules concerning the reimportation, with total or partial relief from import duties, of compensating products into a Member State other than that from which the goods were temporarily exported for outward processing (procedure known as the 'triangular system').

The Directive sets up a reciprocal information procedure, using a single Community form, between the competent authorities of the various Member States so that these authorities can have at their disposal all the information they need to identify the exported goods in the compensating products and to calculate the partial or total relief from duty.

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2107. At its part-session from 10 to 14 May, the *European Parliament* delivered Opinions on Commission proposals to the Council concerning the CCT nomenclature for wine products, the opening of tariff quotas and the repayment or remission of import and export duties. The *Economic and Social Committee* also delivered an Opinion

on the latter proposal at its meeting on 25 and 26 May.²

Internal common market

Free movement of goods

Protective measures: Italy

2108. At the request of the Italian Government, the Commission adopted a decision on 5 May³ authorizing Italy to take certain protective measures under Article 108 (3) of the EEC Treaty.

Italy is authorized to require the lodging, for a period of three months, of a non-interest-bearing cash deposit with the Bank of Italy whenever foreign exchange is purchased and whenever lire are deposited on foreign accounts.⁴

Removal of technical barriers to trade

2109. The results achieved in eliminating technical barriers to trade are among the topics outlined in a report—forwarded by the Commission to the Council on 17 May—on the implementation of the industrial policy programme⁵ which was the subject of a Resolution adopted by the Council on 17 December 1973.⁶ During 1974 and 1975 the Council adopted twenty-five directives concerning industrial products (though according to the programme, sixty should have been adopted) and only three concerning foodstuffs (instead of the twenty-three planned for this two-year period).

¹ OJ L 121 of 8.5.1976.

² Point 2460.

³ OJ L 120 of 7.5.1976.

⁴ Point 2205.

⁵ Point 2256.

⁶ OJ C 117 of 31.12.1973 and Bull. EC 12-1973, point 2252.

2110. A Commission delegation and representatives of various Japanese ministries (foreign affairs, trade and industry, and transport) held talks from 10 to 12 May on the reciprocal removal of barriers to trade formed by *differences in technical standards for cars between the Community and Japan*.¹

The purpose of these meetings was to agree on ways of improving procedures for the two parties to inform each other of draft legislation on technical barriers prior to its adoption, so that the other party can put forward its comments before legislation is finally laid down and thus ensure greater compatibility between Community and Japanese technical standards. The Japanese confirmed that motor manufacturers have been invited to hearings on Japanese pollution standards for 1978.

During the discussions it was also mentioned that from 1977 the Japanese approval authorities might be able to send technicians to Europe to inspect European vehicles before they are put onto the Japanese market. This would prevent duplication of approval procedures.² In the meantime a Japanese mission will be sent to Europe to examine testing equipment. Japan has already undertaken to allow European organizations to carry out a number of the tests on European cars at present done in Japan. The two parties agree to consider further the possibility of replacing Japanese tests by equivalent European tests.

The favourable attitude adopted by both sides in Tokyo with regard to possible solutions should help considerably in removing trade restrictions in the future.

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2111. At its part-session from 10 to 14 May, the *European Parliament* delivered its opinion on ten proposals for directives submitted by the Commission to the Council on the removal of technical barriers to trade.³ The *Economic and Social*

Committee, which met on 25 and 26 May, delivered its opinion on some of these proposals.⁴

Veterinary medicines

2112. On 13 May the Commission submitted to the Council two proposals for directives on veterinary medicines. The first deals with the approximation on laws on veterinary medicines and covers:

- (i) manufacturing and marketing;
- (ii) prior authorization from the appropriate authorities;
- (iii) labelling rules;
- (iv) permissible colouring matter;
- (v) formation of a Committee for Veterinary Medicinal Products.

The second directive deals with standards and protocols applying to the testing of veterinary medicines and specifies *inter alia*:

- (i) the particulars of the medicine that the manufacturer is required to specify;
- (ii) common principles for the performance of tests.

Marketing authorization will initially be granted by the individual Member States for their territories and the Commission is proposing a temporary system for the movement of veterinary medicines. Its main feature is close cooperation between Member States in the Committee for Veterinary Medicinal Products and the abolition of systematic import controls. A proposal for wholly free movement will follow at a later date.

The two objectives of this approximation of laws are to encourage the free movement of medicines and to afford the best possible protection for pub-

¹ Point 2345.

² Bull. EC 12-1975, point 2344.

³ Points 2406 and 2427.

⁴ Point 2459.

lic health. The degree to which this field is covered by regulations varies from one Member State to another, and as a result, from the economic angle, the movement of products is hampered and conditions of competition differ. Human health can also be affected by residues of veterinary medicines absorbed by man.

Once adopted these directives will provide consumers in all the Member States with the same high standard of health protection and stock-breeders will enjoy greater assurance of being able to market their produce as it will satisfy health inspection standards. A Community-wide market will also be opened up for producers of veterinary medicines.

Competition policy

Restrictive practices, mergers and dominant positions: specific cases

Authorization of a joint-buying agreement in the steel industry

2113. On 20 May the Commission, acting under Article 65 of the ECSC Treaty, authorized a joint-buying agreement for finished rolled steel products between three steel distributors—C. Walker & Sons Ltd, Blackburn, United Kingdom, Ets J. Champion SA, Nanterre, France, and NV Algemene Handelsmaatschappij A. Lommaert, Schoten, Belgium.

The main point of the agreement is that the three firms will pool their steel buying and will regularly exchange information of a commercial, technical and financial nature.

This joint buying will improve the firms' position in relations with the steel manufacturers, whose position is being strengthened by the steady pro-

cess towards concentration and the extension of their own distribution networks.

State aids

General schemes

Ireland

2114. On 18 May the Commission decided that it had no objections to the implementation by the Irish Government of legislation enabling it to grant two new forms of assistance through the Industrial Development Authority (IDA):

- (a) a Merger/Restructuring Scheme: interest relief grants and loan guarantees, normally to a maximum capital value of £ 500 000 per operation, will be given to encourage small- and medium-sized firms to merge and restructure;
- (b) an Enterprise Development Programme is to be set up to encourage qualified individuals to form new firms. Interest relief grants and loan guarantees up to a normal maximum of £ 150 000 per operation will be given to help new firms establish their initial working capital.

The maximum figures for interest relief grants and loan guarantees are such that only small- and medium-sized firms will generally be affected so that, from this point of view, the scheme is in line with the Commission's policy on small and medium business since it will help these firms to solve their financing problems; this matter was highlighted in the Commission's Memorandum on Industrial Policy in the Community, presented to the Council in March 1970.¹

Nevertheless, the Commission has requested the Irish Government to inform it, in accordance with Article 93 (3) of the EEC Treaty, of all in-

¹ Supplement to Bull. EC 4-1970.

dividual cases where Government approval has to be sought by the IDA because the £ 500 000 ceiling is exceeded.

Industry aids

Netherlands

2115. On 12 May the Commission decided that it had no objections to the operation of a restructuring plan for the *baking industry* communicated by the Dutch Government under Article 93 (3) of the EEC Treaty. The plan, under which certain assistance will be given to bakeries which close down or reduce their production capacity, will operate for five years and will enable existing capacity in this industry to be trimmed by some 25 %.

The bulk (80 %) of this operation, which, it is estimated, will cost a total of Fl. 30 million, will be financed by a tax levied on flour produced in the Netherlands and used by Dutch bakers; the State will provide grants to cover the remaining 20 %. In view of the situation in the baking industry, where there is such overcapacity that reorganization is necessary to enable such firms as remain in business to be competitive, the Commission concluded that the scheme should be allowed to go ahead.

United Kingdom

2116. On 17 May the Commission decided to raise no objections to the implementation of a planned scheme of assistance to the *paper industry* in the United Kingdom. The aim is to develop the utilization of indigenous raw materials, and especially waste paper, by the British paper industry.

Eligible investments will include the purchase of new machinery, the construction of waste paper storage premises and the development of new processes. The Commission considers that this

assistance will help to improve the supply of indigenous raw materials to the paper industry and that in addition environmental factors plead in its favour.

Environmental aids

Germany

2117. On 19 May the Commission initiated the procedure of Article 93 (2) of the EEC Treaty against a German draft law providing for levies on *waste water* (*Abwasserabgabengesetz*), which was notified to it pursuant to Article 93 (3).

The law is to enter into force on 1 January 1978 but levies will be charged only from 1 January 1981. The rate of levy will rise gradually from DM 12 per unit of pollution in 1981 to DM 40 from 1986. It will be collected by the Länder from all those who discharge waste water (firms and local authorities).

While noting that the system of levies will make an effective contribution to environmental protection, the Commission was unable to approve the clause giving automatic exemption from levy for three years in return for an undertaking to construct purification plant. This exemption, constituting a general aid scheme, would be contrary to the principles set out in the Commission's Memorandum to the Member States on a Community approach to State aids in environmental matters¹ and to the Council Recommendation of 3 March 1975 on cost allocation and action by public authorities in environmental matters.² While it is accepted that, within certain limits and for a transitional period only, Member States may come to the assistance of existing firms who are faced with new obligations as regards environmental protection, such assistance cannot be allowed to become the rule for the future.

¹ Bull. EC 11-1974, point 2115.

² OJ L 194 of 25.7.1975.

2. Economic and monetary union

Competition policy

The Commission has therefore asked the German Government to amend the offending clause in such a way that the exemptions will be given only in the context of pre-notified industry or regional schemes.

Denmark

2118. On 31 May the Commission decided to inform the Danish Government that it had no objections to a draft ministerial order laying down the terms for granting assistance provided for by a draft law earlier notified to the Commission, the subject being financial assistance during a transitional period for *anti-pollution investment* made by existing firms to adapt their plant to the requirements of Danish law on environmental protection. The order had been notified in response to a request made by the Commission when the latter gave its opinion in favour of the draft law.¹

The terms for the grant of this assistance, as laid down in the draft order, comply fully with the requirements of the November 1974 Memorandum on a Community approach to State aids in environmental matters.²

The Commission has therefore confirmed that it has no objection to the implementation by the Danish Government of this planned aid scheme.

¹ Bull. EC 2-1976, point 2115.

² Bull. EC 11-1974, point 2115.

Economic, monetary and financial policy

Preparation of the second Tripartite Conference

2201. On 26 May, the Commission adopted a document for presentation to the Tripartite Conference to be held in Luxembourg on 24 June. The Conference will bring together for the second time¹ the Ministers responsible for Economic, Financial, and Social Affairs and for Labour, representatives of the employers' and workers' organizations in the Community, and the Commission. The main items on the agenda will be employment and stability.

As instructed by the European Council held on 1 and 2 December 1975,² the Commission has done the preparatory work for the Conference, during the course of which it has held consultations with employers' and workers' organizations at Community level. The main basis for these talks was a preliminary document³ in which the Commission expounded its views on the causes of, and the lessons to be drawn from, the present economic crisis and on ways and means of overcoming it. This document and the problems of employment and stability in general have also been discussed at length by the Ministers responsible for Social Affairs and the Ministers responsible for Economic and Financial Affairs, with the latter discussing these matters at a meeting held in Brussels on 17 May⁴ at which Mr Vouël, the Luxembourg Finance Minister, took the chair.

2202. In the light of these consultations, the Commission adopted, on 26 May, a document, for submission to the next Tripartite Conference,

¹ Bull. EC 11-1975, point 1201.

² Bull. EC 11-1975, point 1104.

³ A Community strategy for full employment and stability, Bull. EC 3-1976, point 2430 and 4-1976, point 2214.

⁴ Point 2431.

concerning the restoration of full employment and stability in the Community. In the Commission's opinion 'there is broad agreement on the basic orientation of the strategy which the Commission has presented for discussion. Governments and the social partners have indicated, in particular, that in principle they agree with the analysis presented by the Commission; they believe that the simultaneous restoration of full employment and stability is a feasible proposition and must be given priority; this requires concerted action within the Community; the situation can only be controlled if those responsible in government and economic life act with joint responsibility both at the national and the Community level. This basic consensus should make it possible to agree also on joint solutions in those areas in which there still exist some differences of opinion'.

In its document the Commission stresses that the Conference's task is to translate the political will to overcome the crisis which is evident on all sides into action. 'Agreement on the best course to be followed must be reached between governments and the social partners at Community level. Since the existing social and economic conditions differ from one country to another, the type, scale and timing of the measures to be taken in the individual Member States to attain the common objective must vary to some extent. In addition, policies for the elimination of structural imbalances—basically outside the scope of this document—must be pursued and strengthened at national and Community level.'

The Commission concludes that 'the Conference should demonstrate the determination of all participants to make a joint effort to secure the continuation of the upswing in order to make possible, in the coming years, sustained growth with stability and thus create the basis for full employment and further social progress.

This Community strategy for full employment and stability subscribes to the achievement of the following *targets*:

- (1) By 1980 at the latest, full employment must be achieved. By the middle of 1978 at the latest, at least the cyclical component of unemployment must be eliminated.
- (2) The Community aims at an annual rate of growth of at least 4.5-5 % over the period 1976-80. This will require an above-average increase in investment.
- (3) The rate of inflation must, by 1980 at the latest, be reduced gradually in all Member States to 4-5 % a year, since vigorous growth can be sustained, in the medium term, only if greater stability is achieved.

In order to reach these targets governments and social partners will start by taking the following *measures* in their own specific areas:

- (1) The governments will create the conditions needed for vigorous growth in the coming years by adopting the appropriate economic policies both on the demand and on the supply side. Where necessary, they will speed up the reduction of unemployment by encouraging investment and taking specific measures of employment policy.
- (2) The governments will make an essential contribution towards regaining price stability
 - by scaling down their budget deficits in the medium term,
 - by adopting a monetary policy corresponding to the potential growth in GNP,
 - by pursuing an active competition policy and
 - by developing adequate labour market policies.
- (3) For their part, the social partners will contribute to greater price stability by ensuring that the growth of income is more closely related to the real capacity of the economy. Trade unions will seek to moderate their demands and companies will show a corresponding degree of discipline in matters of pricing; similar restraint will be exercised over other forms of income.

(4) Governments and social partners will take appropriate measures to promote workers' asset ownership and their participation in company decision-making.

(5) Governments and social partners will work out, at regular intervals, a common viewpoint in each Member State and at Community level, on the short- and medium-term economic prospects and on the economic and social requirements. A major objective must be to achieve a greater degree of convergence of economic trends in the Community and a better integration of economic and social objectives'.

Monetary situation in Italy

2203. After a marked improvement following the adoption by the Italian Government on 18 March of a series of measures designed to help improve the economic situation in Italy,¹ the lira drifted down again, irregularly, in April and the beginning of May: between 17 March and 5 May it depreciated by more than 3% against the dollar and by about 25% since 20 January, the day on which the official quotation of foreign currencies in Italy was suspended.²

More effective measures were required immediately to cope quickly with this new build-up of speculative pressure against the lira, which was aggravating Italy's already precarious payments situation.

Request by the Italian Government

2204. On 5 May, the Italian Government notified the Commission of the monetary measures which it was planning, namely the introduction of a temporary requirement that for all foreign exchange purchases a non-interest-bearing cash deposit in lire equivalent to half the value of the purchase be lodged and remain frozen for a limited period. What the Italian Government was in fact proposing was the reintroduction and exten-

sion to all transactions involving the purchase of foreign exchange of the temporary deposit requirement which it had been authorized to apply, in particular to imports of certain goods, by the Commission Decision of 8 May 1974 taken pursuant to Article 108(3) of the Treaty;³ as Italy had phased out the deposit requirement altogether by the spring of 1975, the Commission repealed those articles of the Decision relating to this mechanism on 26 May 1975⁴ and left in force only the temporary authorization to require of Italian residents a 50% non-interest-bearing deposit for certain investment transactions in other Member States.

The Commission Decision

2205. The Commission examined the Italian Government's request carefully on the day it was submitted, taking into account all the factors relating to the present economic situation in Italy, and adopted a decision 'authorizing the Italian Republic to take certain protective measures under Article 108(3) of the Treaty'.⁵ The text of the Decision of 5 May is reproduced below:

'The Commission of the European Communities,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 108(3) thereof,

Having regard to the Commission Decision of 8 May 1974, and in particular Article 7(2) thereof,

Whereas the balance of payments situation of the Italian Republic, which had led to the adoption, under Article 108(3), of the Decision cited above, is now—after a relative improvement which had

¹ Bull. EC 3-1976, points 2207 and 2208.

² Bull. EC 1-1976, point 2201.

³ OJ L 152 of 8.6.1974; Bull. EC 5-1974, points 1101 to 1107.

⁴ OJ L 158 of 20.6.1975; Bull. EC 5-1975, point 2109.

⁵ OJ L 120 of 7.5.1976.

enabled the protective measures to be confined to investments made abroad—suddenly deteriorating once again, the present movement being severely aggravated by speculation;

Whereas this new deterioration is entailing a rapid and excessive depreciation of the lira which represents a serious threat to the working of the common market and which therefore calls for emergency action;

Whereas under a Council Directive of 17 December 1974, medium-term financial assistance was granted under Article 108(2); and whereas this form of mutual assistance is still in force;

Whereas, by Council Decision 76/322/EEC of 15 March 1976, additional financial aid has also been granted to the Italian Republic in the form of Community loans;

Whereas such financial aid has not sufficed by itself to stem the depreciation of the lira; whereas, accordingly, effective—though temporary—measures must be adopted with the essential aim of achieving the reabsorption on a large scale of monetary liquidity;

Whereas the Italian Republic should therefore be authorized to reintroduce machinery for non-interest-bearing cash deposits, this machinery to cover all transactions, involving the purchase of foreign exchange,

has adopted this decision:

Article 1

The Italian Republic is authorized to require the lodging for a period of three months of a non-interest-bearing cash deposit with the Bank of Italy whenever foreign exchange is purchased and whenever lire are deposited on foreign accounts; the deposit shall not exceed 50 % of the amount involved in the transaction.

Article 2

The Italian Republic shall ensure that the Bank of Italy releases the deposit, without delay or formality, three months from the date of its lodging.

Article 3

Should any difficulties arise in implementing the measures hereby authorized, the Italian Republic and the Commission shall examine them together.

Article 4

The Commission shall verify that the provisions of this Decision are observed.

Article 5

The Commission shall reserve the right to amend or repeal this decision before the date fixed in Article 6 if it finds that the circumstances motivating its adoption have changed or that its effects are more restrictive than is required for the attainment of its purpose or are having particularly serious consequences for trade, particularly in agricultural products coming under a common organization of the market.

Article 6

The authorization accorded by this Decision to require deposits shall expire on 5 August 1976.

Article 7

This Decision is addressed to the Italian Republic.'

Monetary support

2206. Because of recent developments in the Italian monetary situation, the Governors of the Central Banks of the Member States of the EEC, meeting in Basle on 11 May, decided in response to an Italian request to grant Italy short-term monetary support in the amount of its 'debtor quota', i.e., 400 million u.a. (about \$480 million) for an initial period of three months, renewable for one further three-month period.

The Central Bank Governors also agreed that the Banca d'Italia should ask the Bank for International Settlements (BIS) for a credit line of \$600 million.

Monetary Committee

2207. The Monetary Committee held its 217th and 218th meetings in Brussels on 13 and 25 May respectively, with Mr Pöhl in the chair. On 13 May, the Committee examined the economic situation in Italy following the adoption of emergency measures; on 25 May, most of the meeting was taken up by a review of the experience gained by Member States—particularly Germany—in planning with regard to the money supply.

In addition, a number of the Committee's working parties met in Brussels during May:

- on 18 May the *Working Party on Short-term Capital Movements* continued its work on the Euromarkets and the control of financial flows;
- on 19 May the *Working Party on the Harmonization of Monetary Policy Instruments* agreed to send the Committee an interim progress report on its work;
- on 24 and 25 May the *Working Party on Securities Markets* Carried out its customary review of the situation on international bond markets in the first quarter of 1976 and on the national capital markets.

Economic Policy Committee

2208. The Economic Policy Committee held three meetings in Brussels in May:

- on 12 May, in its reduced 'budgets' composition and with Mr Middelhoek in the chair, the Committee discussed the preparation of structural benchmarks and the effectiveness of budgetary measures to stimulate the economy on the basis of the work carried out by the Working Party on Public Finance:
- on 13 and 14 May with Sir Bryan Hopkin in the chair and on 26 May with Mr Maldague in the chair, the Committee studied and revised the provisional version of the preliminary draft fourth medium-term economic policy programme.

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2209. On 25 and 26 May the *Economic and Social Committee* delivered its opinion on the present economic situation in the Community and the short-term economic policy to be followed.¹

Social policy**Employment***Preparing for the Tripartite Conference*

2210. On 26 May, the Commission addressed a Communication to the Council on restoring full employment and stability in the Community.² This paper is intended for the Tripartite Conference to be held in Luxemburg on 24 June.

¹ Point 2452.

² Points 2201 and 2202.

Standing Committee on Employment

2211. The *ninth meeting* of the Standing Committee on Employment was held in Brussels on 18 May. It was chaired by Mr Berg, Luxembourg Minister of Labour and the President of the Council and attended by representatives of governments, workers' and employers' organizations and the Commission. The agenda held three main items: employment of young people, illegal immigration and the work of the Council at its meetings on social affairs.

On the first matter, the Committee discussed a paper compiled by the Commission summarizing work already done in connection with employment of young people and proposing that a recommendation be drawn up to encourage vocational training in the Member States for school-leavers. The Commission will present a firm proposal before the autumn.

It also discussed the type of legal instrument to be used (Recommendation or Directive) for a proposal on checking illegal immigration, a proposal which the Commission intends to put to the Council under the procedure for consultations on migration policies, which forms part of the action programme for migrant workers.¹

The Committee then heard a statement by the Chairman on the results of the Council's deliberations at its last two meetings on social affairs on 17 December 1975² and 30 April 1976,³ results which were appreciated by the representatives of the two sides of industry. The Committee was also briefed on the work of concertation between the Member States in respect of the Community's participation in the World Tripartite Conference, to be held in Geneva in June under the auspices of the ILO and concerning employment, the distribution of income, social progress and the international division of labour.

Lastly, the Committee took note of a report from the European Trade Union Confederation on the position it adopted on employment problems at its April Congress in London.

Meeting of senior officials concerned with employment

2212. On the Commission's initiative, the senior officials concerned with employment in the Member States met for the second time in 1976⁴ in Brussels on 13 May, when they briefed one another and compared viewpoints on many problems relating to employment: certain employment policy measures to be contemplated in the present circumstances (mainly concerning working hours, retirement and job creation premiums) and medium-term employment prospects.

The Commission gave details of the preparatory work for the third Tripartite Conference which is to take place in June and of the preparations for the World Conference on Employment organized by the ILO (International Labour Organization).

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2213. The *Economic and Social Committee*, meeting on 25 and 26 May, gave its Opinion on the development of the social situation in the Community in 1975.⁵

Freedom of movement and social security for migrant workers

2214. A discussion between directors of *radio programmes for migrant workers* was held in Brussels on 13 and 14 May. The move to hold a meeting of journalists specializing in this field was made pursuant to the action programme for migrant workers and their families,⁶ which pro-

¹ OJ C 34 of 14.2.1976; Bull. EC 2-1976, point 2206 and Supplement 3/76 — Bull. EC.

² Bull. EC 12-1975, point 2215.

³ Bull. EC 4-1976, point 2213.

⁴ Bull. EC 2-1976, point 2205.

⁵ Point 2453.

⁶ Supplement 3/76 — Bull. EC.

vides for more extensive use of the mass media for the cultural, linguistic and vocational instruction of migrant workers and to familiarize them with living and working conditions in the host country. It was generally hoped that such discussions would continue in the near future.

Social fund, re-employment and retraining

Social fund

2215. At its meeting on 12 May, the Commission approved the *first instalment for 1976* of applications for aid from the *European Social Fund* submitted under Articles 4 and 5 of the Council Decisions of 1 February 1971. The applications, which were examined by the Fund Committee on 26 March¹ and which the Committee had marked as priority projects, concern the following amounts:

(i) *Article 4* — retraining schemes for workers leaving agriculture, textile workers, migrant workers and the disabled:

<i>Financial year</i>	<i>Amount (million u.a.)</i>
1976	11.3
1977	4.2
1978	1.2

(ii) *Article 5* — retraining the unemployed or underemployed in the less-developed regions of the Community, or for training workers in order to meet the needs created by technical and industrial progress, and for rehabilitating the disabled:

<i>Financial year</i>	<i>Amount (million u.a.)</i>
1976	26.6
1977	16.1
1978	14.9

nearly all the formal decisions approving the applications were taken at the one meeting.

Retraining

2216. In May, the Commission decided to increase by DM 7 000 the funds granted in 1974, under Article 56(2)(b) of the ECSC Treaty, to assist workers affected by reorganization in a colliery in *Germany*.

Vocational training and guidance

2217. A working party formed to study *public assistance for the vocational training of adults* finished its work on 12 May when it approved a summary report together with the individual national reports. The work will be continued in another committee in order to set priorities in national vocational training targets and to provide information for running the operations of the European Social Fund.

European Social Budget

2218. On 18 May, the Commission sent to the Council a paper on the *revised first European Social Budget*. The first Social Budget (1970-75) had been put before the Council in November 1974;² the Commission was then asked to revise the 1975 figures to allow for changes in the economic situation largely as a result of the increased prices of raw materials, particularly oil. The Commission has now presented this new version to the Council. It also takes account of the main changes in legislation in the sectors covered by the Social Budget, thus giving a more accurate picture of 1975.

Living and working conditions

2219. The Joint Committee for the Harmonization of Working Conditions in the *Coal Mining*

¹ Bull. EC 3-1976, point 2220.

² Bull. EC 11-1974, point 2219.

Industry met in Luxembourg on 14 May. It approved the comparative tables on working hours drawn up as on 1 January 1976 and reviewed the progress of the Working Party on the Social Action Programme. An initial exchange of views was held on worker representation on the various organs of companies; the Committee instructed the Working Party to study the subject in greater depth.

2220. A restricted group of employers' and workers' representatives from the *sugar industry* met in Brussels on 7 May to examine a plan for drawing up comparative tables on the different aspects of working hours in the industry.

2221. In Brussels on 4 May, representatives of government departments and a delegation from the Joint Committee on Social Problems in *Sea Fishing* considered the results of the study on the circumstances surrounding accidents at sea in the fishing industry in 1974. Though still incomplete, the results were significant enough for the meeting to agree that the study be repeated in 1977 on the same voluntary basis as in 1975 and 1976. The circumstances of accidents clearly needed to be investigated over several years to draw sound conclusions and take or step up appropriate preventive action.

2222. The employers' and workers' associations formed at European level together with government representatives were consulted on the draft of a Commission report to the Council concerning *safeguards for workers in the event of redundancy* in the Member States of the Community. The Council had asked for this report after its Decision of 17 December 1974¹ on the proposal for a Directive concerning mass dismissals. The Commission had wanted an in-depth study carried out into questions connected with safeguards for individual workers who are made redundant. The report consolidates and updates the data on this same question contained in a report presented to the Council in 1972.

2223. The Board of Governors of the *European Foundation for the Improvement of Living and Working Conditions*, founded in 1975,² held its first meeting in Dublin on 6 and 7 May.³ The Board discussed the draft of the Foundation's first work programme which mainly centres on job enrichment, specific problems of certain categories of workers (young people, women, the disabled and migrant workers) and in broader terms, the improvement of living conditions.

2224. Under the first instalment of the eighth programme of aid for financing the construction and modernization of low-cost *housing* for workers in the coal and steel industry, the Commission has approved the following projects: *France* (steel) 77 dwellings (FF 770 000); *Germany* (steel) 839 dwellings (DM 6 828 000); *Germany* (coal) 113 dwellings (DM 1 038 000); *France* (coal) 478 dwellings (FF 2 000 000). The Commission also decided to grant the following loan: *Italy* (steel) Lit 1 400 000 000 (special reserve) and Lit 1 900 000 000 (borrowed funds) to build 400 dwellings in Taranto.

The Commission also agreed to finance the building in *France* (steel) of 34 dwellings for a sum of FF 408 000 from funds of the sixth programme available for renewed lending.

Health protection

2225. The Committee of Government Experts on *Health in the Mines and the Campaign against Pollution from Steelworks* met in Luxembourg on 3 May. It reviewed and approved thirty research projects, of which eleven concern the technical measures to combat pollution in steelworks and nineteen health in the mines. It also gave a favourable opinion on a research programme for safety in the mines.

¹ Bull. EC 12-1974, point 1306.

² Bull. EC 12-1974, point 1305 and 5-1975, point 1212.

³ Point 2230.

2226. In pursuance of its new research programme on *ergonomics and re-adaptation*, the Commission decided to set aside 33 110 u.a. to finance studies on assessing ergonomic priorities in small and medium-sized companies. The studies form part of an ECSC social research programme for which the Commission decided to grant financial assistance totalling 9 million u.a.

2227. At the invitation of the National Coal Board two working parties assigned to follow the development of research under the third programme for *health in the mines* met at Stanhope-Bretby from 11 to 14 May. The experts reviewed the progress of work relating to dedusting equipment on winning and roadway-driving machines, dry-filter systems suitable for use at dusty points on faces or around cutting machines and methods to assess the efficiency of dedusting equipment. The delegates made a thorough study of these techniques at Chatterley Whitfield and at Rufford Colliery. They also visited the Swadlincote Test Site (National Coal Board research institute) where a large department works on the technical aspects of health and safety.

2228. On 26 May the Commission adopted a Memorandum on establishing a third programme concerning *medical research on chronic respiratory diseases* for a sum of 5 000 000 u.a. This research, which will last four years, will be assigned to specialized Community institutes. It will cover pneumoconioses, other occupational bronchopulmonary diseases and the treatment and rehabilitation of bronchopulmonary patients. The Commission cannot take a formal decision until the ECSC Consultative Committee and the Council have given their Opinions.

2229. On 11 and 12 May, a meeting of experts took place in Luxembourg to assess the results of *comparative programmes* relating to the *measurement of carboxyhaemoglobin* which were carried out in November 1974 and November 1975 and on the results of a questionnaire concerning public surveys on carboxyhaemoglobin. In the light

of these results, it was decided to follow up the studies and a technical seminar will be organized in Paris in October 1976.

Environment and consumer protection

Environment

European Foundation for the Improvement of Living and Working Conditions

2230. The European Foundation for the Improvement of Living and Working Conditions—set up legally on 26 May 1975 by the Council¹—became properly established on 6 and 7 May when the Administrative Board of the Foundation held its first meeting in Dublin, attended by Mr Hillery, Member of the Commission, and Mr O'Leary, Ireland's Minister of Labour.

The Director of the Commission's Environment and Consumer Protection Service was elected Chairman for one year of the Administrative Board which comprises thirty members, nine representing the Governments, nine the employers' organizations, nine the employees' organizations and three members representing the Commission. A decision in principle was reached on the location of the Foundation's headquarters near Dublin.

Much of the first meeting was devoted to an exchange of views on policy for the work of the Foundation—which has been assigned the task of advising the Community institutions on foreseeable objectives and guidelines—and the programme for 1977.

The Board showed that it favoured a decidedly practical approach to the job, which would be reflected in its spotting and fostering experimental

¹ OJ L 139 of 30.5.1975.

projects rather than undertaking studies of a general nature. A survey of work in hand at other international institutions or organizations will be carried out to avoid duplication.

The tasks of the Foundation are to be pursued about three major lines of advance:

- work organization, particularly measures relating to the 'humanizing' of working conditions;
- problems relating specifically to certain categories of worker, in particular: school and university leavers, people of retiring age and immigrants;
- subjects common to the context of life and work, namely the problem of time: ratio of working time to leisure time.

Protection of the Rhine against pollution

2231. A further ministerial conference on the protection of the Rhine against pollution was held in Berne on 25 May, as decided at the conference which met in Paris on 1 April.¹ The Commission was represented at this conference.

On completing their deliberations the ministers approved the broad features of a draft agreement providing for practical steps to bring about a progressive reduction in discharges of chlorides. Those attending made clear their intention of signing the agreement next autumn.

Dangerous substances discharged into the aquatic environment

2232. On 4 May,² the Council formally adopted the Directive on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community, to which it had given its agreement on 8 December 1975.³ This Directive forms part of the programme of action of the European Communities on the environment adopted in November 1973.

This Directive will serve as a point of reference for the Community and the Member States in the international and bilateral negotiations for several conventions or draft conventions aimed at protecting international watercourses and the marine environment against pollution: the Convention on the prevention of marine pollution from land-based sources (Paris Convention), the draft Convention for the protection of the Rhine against chemical pollution, and the draft European Convention for the protection of international watercourses against pollution (Strasbourg Convention).

2233. On 14 May⁴ the *European Parliament* adopted a Resolution on the conservation of the Mediterranean. It also delivered its Opinion on proposals from the Commission to the Council on measures required to combat emissions of pollutants from diesel engines powering agricultural or forestry tractors, and the permissible sound levels of motorcycles, tower cranes and current generators. At its meeting on 25 and 26 May the *Economic and Social Committee*⁵ also delivered Opinions on these proposals and on the proposed Directive concerning the discharge of waste at sea.

Consumer protection

Consumers' Consultative Committee

2234. The Consumers' Consultative Committee met in Brussels on 14 May with Mr Dumont in the chair. It sent the Commission an appeal for the Council of agricultural ministers to put off once again the introduction of import levies on new potatoes until the market had stabilized.

¹ Bull. EC 4-1976, point 2234.

² OJ L 129 of 18.5.1976.

³ Bull. EC 12-1975, point 1502.

⁴ Points 2419 and 2427.

⁵ Points 2457 and 2459.

On the subject of consumers and nuclear safety, the Committee stressed the urgency of the matter; it voiced the disquiet felt by consumers and asked for research into the consequences and possible hazards of nuclear energy. The Committee also decided to carry out a survey in the pharmaceuticals sector

The Commission representative informed the Committee that a key directive for consumers would be sent to the Council shortly; it was designed to make unit pricing compulsory on all packaged products.

Agricultural policy

Radical changes in the common organization of the wine market

2235. Following the agreement reached last March¹ as part of the package on the 1976/77 prices and the basic regulations concerning wine, the implementing regulations remained to be finalized. On 18 May,² the Council formally adopted a set of amendments to its Regulations of 28 April 1970,³ laying down additional provisions for the common organization of the market in wine and laying down special provisions relating to quality wines produced in specified regions and those of 28 June 1968 on the common organization of the market in products processed from fruit and vegetables⁴ and on the Common Customs Tariff.⁵ The Council also adopted Regulations on the granting of conversion premiums in the wine sector and on measures designed to adjust wine-growing potential to market requirements.

The main purpose of these Regulations is to adjust some of the mechanisms of the common organization of the wine market, in the light of past experience, with a view to making intervention machinery more effective and preserving producers' incomes, improving the balance of supply and demand, improving quality in vineyards and

in wine products, offering better guarantees for the consumer, and finally establishing a trade policy better tailored to the development of Community and international markets for these products.

To obtain a new equilibrium in this sector, changes have been made in the intervention arrangements and the provisions concerning wine-growing potential.

2236. The intervention system has been considerably strengthened by bringing in two new instruments and improving the arrangements covering deliveries for distillation.

The first instrument is *preventive distillation*. Under the previous arrangements, the decision to distil could be taken if it was found that the storage measure was not succeeding in pushing up market prices; this did not become evident until March. Under the new scheme, if it is found, in the opening months of the marketing year (i.e., from 1 September to 15 December), that the quantity of table wine covered by private storage contracts is over 10 million hl, optional preventive distillation may be approved. The price at which wine for such distillation will be purchased ranges on a sliding scale from 68 % of the guide price for white table wine of type A I (the least expensive type) in 1976 to 55 % as from the 1979 marketing year. It is hoped that this measure will eliminate poor-quality wine at the beginning of the marketing year.

The second instrument, called a 'performance guarantee' ('garantie de bonne fin') stipulates that after long-term private storage (nine months) distillation may be approved at the price set for activating intervention measures (activating price) but subject to certain conditions: the other inter-

¹ Bull. EC 3-1976, point 2241 and Table 3.

² OJ L 135 of 24.5.1976.

³ OJ L 99 of 5.5.1970.

⁴ OJ L 153 of 1.7.1968.

⁵ OJ L 172 of 22.7.1968.

vention measures must have failed to yield the desired results and the weighted average price of a type of table wine must have remained below the activating price for three consecutive weeks. This measure, which may look like a 'price guarantee' already existing in certain other agricultural sectors, is not a full guarantee, for:

- (i) clearly defined circumstances must obtain;
- (ii) even then, it may be decided merely to renew storage contracts (distillation at the activating price is not automatic);
- (iii) to be allowed to distil, producers must have undertaken to remove their wine from the market for nine months (long-term storage contracts are available only if the estimates show at the start of the marketing year supplies exceed by more than four months consumption the total foreseeable needs for the wine year in question);
- (iv) the decision to distil may be taken when the nine-month period has expired;
- (v) this 'performance guarantee' provision may not be applied for more than four consecutive marketing years.

Regarding the system of deliveries for compulsory distillation, meaning compulsory distillation of by-products of wine-making, the innovation is the possibility of fixing a supplementary rate ranging from zero to 6 % above the rate already set (which is not more than 10 % of the volume of alcohol naturally contained in products used to make wine). This supplementary rate is fixed on the basis of the estimates before 15 December of each year. Italian producers are exonerated from this measure but are required to distil wines produced from dessert grapes. For additional wine deliveries and for wines produced from dessert grapes, the producer will be paid a price equal to 50 % of the guide price for white table wine of type A I.

2237. Besides strengthening intervention measures, the Council approved two further steps to regulate wine-making potential.

The first is to *prohibit any new planting for two years* except for quality wines produced in specified regions and new vineyards planted pursuant to the Council Directive of 17 April 1972¹ on the modernization of farms and in Member States which produce less than 5 000 hl of wine a year.

The Council undertook to adopt, by 1 October 1978, measures to ensure that wine-making potential is adapted to market needs with due consideration for the wine-growing traditions of the different Community regions and for what valid agricultural alternatives exist in each region.

It was also laid down that as a permanent measure, any replanting must be done with varieties belonging, for the administrative unit, to the category of recommended varieties or with authorized varieties on a list to be compiled.

The second measure concerns the granting of a *premium* of 1 000 u.a./h or 1 500 u.a./h for *grubbing certain varieties* and 2 000 u.a./h in certain special cases. This is a step to speed up elimination of temporarily authorized varieties and particularly hybrids.

2238. As regards trade, the Council amended its Regulation of 29 September 1975² laying down special rules for the importation of products in the wine-growing sector originating in certain non-member countries. It also amended Annex IV of the Regulation of 28 April 1970³ laying down additional provisions for the common organization of the market in wine and the Common Customs Tariff as regards the exchange rates applicable to customs duties on certain wines.

These amendments postponed application of the Regulation of 29 September 1975 (free-at-frontier reference price system) until 1 July 1976, provide a legal basis enabling the Commission to take

¹ Bull. EC 4-1972, Part One, Chapter I.

² OJ L 256 of 2.10.1975 and Bull. EC 9-1975, point 2226.

³ OJ L 99 of 5.5.1970.

any necessary transitional measures, this latter provision remaining applicable until 1 July 1977 at the latest, and make the products concerned by the arrangements in question subject, for tariff purposes, to the conversion rates for national currencies fixed for transactions to be effected pursuant to common agricultural policy acts (green rates).

2239. The Council also amended the Regulation of 8 August 1974¹ laying down general rules for the description and presentation of wine and grape musts. These rules, which will apply from 1 September 1976, have been adapted to administrative requirements and commercial practices.

Measures linked with the monetary situation

2240. The Council discussed in depth the possible effects of Italy's recent *monetary measures*² on Italian imports of farm products. Finding this to be a major problem, the Council asked the heads of agricultural departments to review the agricultural aspects of these measures at their next meeting.

2241. *Monetary compensatory amounts* were adjusted four times in May in line with the movement of the lira on the exchanges.

Common organization of the markets

2242. Besides formally adopting the new basic rules for wine, the Council adopted measures concerning cereals and rice, fruit and vegetables and fruit and vegetable preparations. It extended, until 31 May, the suspension of the CCT in respect of new potatoes. The Council considered the problems of Community imports of beef and veal and United Kingdom imports of New

Zealand butter. The mutton and lamb market was also discussed.

2243. At the meeting on 17 and 18 May, the Council formally adopted³ the Regulations amending the common organization of the markets in cereals and fixing the prices for *cereals* and *rice*⁴ for 1976/77.

2244. In the *fruit and vegetable* sector, to prevent large stocks of apples being delivered to the intervention agencies in May (the end of the intervention period of the 1975/76 marketing year), the Council agreed to extend⁵ until the end of June the Regulation of 27 February 1975⁶ fixing the basic price (19.64 u.a./100 kg) and the buying-in price (9.94 u.a./100 kg) for apples. On 11 May,⁷ the Commission fixed the amount and conditions for the granting of the premium for grubbing certain varieties of apple and pear trees, pursuant to the new measures to improve the Community's fruit production, decided by the Council in conjunction with the fixing of prices for 1976/77.⁸

2245. As regards *fruit and vegetable preparations*, after discussing the situation on the Community market in tomato concentrates and peeled tomatoes, the Council fixed⁹ the minimum price and special minimum price for tomato concentrates for 1976/77. The minimum price applicable to concentrates from non-member countries was raised from 60 u.a. to 64 u.a./100 kg and the special minimum price valid in the three new Member States goes up from 40 u.a. to 48 u.a./100 kg.

¹ OJ L 227 of 17.8.1974.

² Points 2203 to 2205 and OJ L 120 of 7.5.1976.

³ OJ L 130 of 19.5.1976.

⁴ Bull. EC 3-1976, point 2242 and Table 3.

⁵ OJ L 133 of 22.5.1976.

⁶ OJ L 52 of 28.2.1975.

⁷ OJ L 124 of 12.5.1975.

⁸ OJ L 93 of 8.4.1976 and Bull. EC 3-1976, point 2244 and Table 3.

⁹ OJ L 133 of 22.5.1976 and Bull. EC 6-1975, point 2240.

At this meeting, the Council noted that the Commission intended to increase¹ the export refund for tomato concentrates and peeled tomatoes. Finally it was agreed to resume examination, at its next meeting, of the additional measures to rationalize the market in tomatoes.

2246. In the *milk and milk products* sector, clearance of 1975/76 cheese stocks in public storage in Italy—through tenders at a price above the intervention price—was completed in May. This operation involved a total of some 20 000 tonnes (approximately 2/3 Parmigiano Reggiano and 1/3 Grana Padano).

2247. The Council noted the Commission's report on supplies of *beef and veal* for processing in 1976; the report concludes that there is still no shortage of such meat. The Council amended² the import arrangements for beef and veal originating in certain African, Caribbean and Pacific countries; Botswana is authorized to export an additional 1 500 tonnes to the Community under the arrangements whereby import charges are being reduced until 1 July 1976.³

In view of the present situation on the beef and veal market, with prices in the Community unstable and in particular the difficult economic situation in Italy, the Member State with the biggest shortfall, the Commission, as part of its intervention measures, adopted a Regulation⁴ providing for invitations to tender to determine amounts of private storage in respect of 40 000 tonnes of carcasses and 40 000 tonnes of forequarters. The Commission also amended its Regulations⁵ of 18 July 1975 and 24 October 1975⁶ concerning the duration of private storage for beef and veal so that old contracts still running can be extended.

2248. For *pigmeat*, prices for pig carcasses have shown a seasonal drop since April; the trend was also influenced by the protective measures taken by Italy.

2249. As regards *mutton and lamb*, between now and 1 August the Council will adopt temporary measures⁷ to improve intra-Community trading conditions and will discuss the main lines of permanent rules for common organization of the mutton and lamb market.

Structural policy

2250. The Commission issued four Opinions on laws, regulations or administrative provisions implementing structural reform notified by the *United Kingdom, the Netherlands, Belgium and Ireland*. These measures derive from the Directives of 17 April 1972⁸ on the modernization of farms, encouragement to cease farming and reallocation of utilized agricultural area for the purposes of structural improvement and the Directive of 28 April 1975⁹ on hill-farming and farming in certain less-favoured areas.

2251. The Commission also presented to the Council on 13 May¹⁰ a proposal for a Directive raising the financial incentives initially laid down in the Council Directives on the reform of agriculture; inflation has considerably eroded the original levels. The various amounts expressed in units of account will be increased by 33 1/3 %, 25 % or 15 % from 1 January 1977.

¹ OJ L 129 of 18.5.1976.

² OJ L 132 of 21.5.1976.

³ OJ L 329 of 23.12.1975 and Bull. EC 6-1975, point 2342.

⁴ OJ L 133 of 22.5.1976.

⁵ OJ L 137 of 26.5.1976.

⁶ OJ L 188 of 19.7.1975 and L 274 of 25.10.1975.

⁷ Bull. EC 9-1975, point 2221.

⁸ Bull. EC 4-1972, Part One, Chapter I.

⁹ Bull. EC 5-1975, points 2223 to 2225.

¹⁰ OJ C 126 of 9.6.1976.

European Agricultural Guidance and Guarantee Fund

Guidance Section

2252. On 4 May,¹ the Commission decided to make payments on account from the EAGGF Guidance Section of Dkr 1 455 035.52 (194 004.74 u.a.) to *Denmark* and £ 42 856.92 (102 856.53 u.a.) to the *United Kingdom* in respect of expenditure incurred under the structures survey for 1975 as part of the programme of surveys on the structure of agricultural holdings, decided by the Council on 20 January 1975.²

Harmonization of laws

2253. On 4 May,³ the Council amended the Directive on preservatives authorized for use in foodstuffs intended for human consumption adding to the Community list three preservatives which were authorized in the new Member States under the Act of Accession; the Scientific Committee for Foodstuffs had considered the toxicological particulars satisfactory.

2254. As from 1 June 1976, only *seeds* and *seedlings* which satisfy the Community rules and standards—for the most part, certified seeds and seedlings—may be marketed in the new Member States. This terminates the hitherto existing equivalences for the products of those Member States still being marketed under national rules.

Again on 1 June, since all the equivalences declared by the Council in favour of non-member countries for agricultural seeds have expired, they were replaced under new decisions taken by the Council on 17 May.⁴ No new non-Community country was included in these decisions although current equivalences do not cover the whole of the trade in seeds between the Community and non-member countries. So for fodder plant seeds,

oil plant and fibre plant seeds and vegetable seeds in particular, the Member States were therefore authorized until 1 July 1977 to adopt or retain national equivalences.

2255. At its part-session from 10 to 14 May,⁵ the *European Parliament* gave its Opinion on a series of Commission proposals to the Council concerning improvements to the wine market, non-industrialized small-scale coastal fishing, and the EAGGF's fourth financial report. The *Economic and Social Committee*, meeting on 25 and 26 May, also issued several Opinions⁶ on Commission proposals.

Industrial and technological policy

Industry

Industrial policy programme: progress report

2256. On 17 May the Commission forwarded to the Council a report on the implementation of the industrial policy programme, approved by the Council on 17 December 1973.⁷ The report takes each point of the programme in turn, giving details of what decisions have been taken or, where no decisions have been reached, the progress of discussions. In some cases it explains why there has been delay in coming to a decision.

The picture painted by the report is generally unsatisfactory. As regards the removal of technical barriers to trade for example, only three out of twenty-three directives on foodstuffs which should have been adopted in 1974 and 1975 have been agreed. The situation is somewhat better for

1 OJ L 130 of 19.5.1976.

2 Bull. EC 1-1975, point 2236.

3 OJ L 126 of 14.5.1976.

4 OJ L 162 of 23.6.1976.

5 Points 2423 and 2426.

6 Points 2458.

7 OJ C 117 of 31.12.1973 and Bull. EC 12-1973, point 2252.

industrial products (twenty-five out of sixty) but is still disappointing. Similarly, none of the deadlines has been met as regards decisions for the liberalization of public contracts, the removal of tax and legal barriers to closer relations between undertakings, the setting up of joint undertakings within the field of application of the EEC Treaty, the implementation of Community development contracts and merger control.

Progress in sectoral policies has been rather patchy: whereas the original timetable has been adhered to in the data-processing sector and, to a certain extent, in the aircraft and aero-engine sector, the same cannot be said for shipbuilding and the paper industry where no real industry policy decisions have been taken.

On the last two items, namely exports and the supply of raw materials, the changing pattern of international economic relations has led the Commission to revise the programme it adopted in 1973 and to propose some new projects such as the creation of a European Export Bank.

Shipbuilding

2257. On 26 May the Commission adopted a communication to the Council concerning shipbuilding.¹ In it, the Commission analyses the crisis affecting the industry (which is marked by an excess of production capacity in a relation to future requirements), and makes proposals for remedial action by the Community.

Iron and steel

2258. On 18 May the Commission formally adopted the *general objectives for steel 1980-85*, having taken account of the amendments made to the original text following the opinion delivered on 12 March last² by the ECSC Consultative Committee. It was on 10 December 1975³ that the Commission approved at first reading a

memorandum on the general objectives for steel to be submitted to the Consultative Committee.

2259. On 11 May the *European Parliament* voted a Resolution on aid to small and medium-sized undertakings.⁴

Technology

Technical research

2260. The Commission decided on 26 May to consult the ECSC Consultative Committee and to seek the assent of the Council for the granting of aid totalling 17.72 million EUA to help finance 54 *iron and steel* research projects.⁵

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2261. The *Economic and Social Committee*, meeting on 25 and 26 May, delivered an opinion on the possibilities of developing advanced-technology industries in the Community through a policy of liberalizing public contracts.⁶

¹ Points 1401 to 1407.

² Bull. EC 3-1976, point 2457.

³ Bull. EC 12-1975, point 2262.

⁴ Point 2405.

⁵ OJ C 129 of 11.6.1976.

⁶ Point 2451.

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

Science, research and development

Energy research

2262. At its meeting of 7 May, the CREST Subcommittee on Energy Research and Development took note of the status of the work on the programme adopted by the Council on 22 August 1975.¹ The work is being carried out in close co-operation with the Advisory Committees on Programme Management (ACPMs) responsible for the five sectors of the programme: solar energy, hydrogen, systems analysis, geothermal energy and energy economy. The ACPMs had met in March and April 1976.²

Having delivered a favourable opinion on the implementation of the work in progress, the Subcommittee went on to approve the draft drawn up by the Commission for the programme review due at the end of this year to cover the period from 1977 to mid-1979. In this second phase of the programme, for which an amount of 47 million u.a. is to be allocated, a number of new projects are to be added to those adopted on 22 August 1975 in the hydrogen, solar energy and geothermal energy sectors. There will be no change, however, in the upper limits specified for these three sectors in the original Decision.

Symposium on scientific and technological policy

2263. From 24 to 26 May, an important symposium was held in Milan—at the offices of the In-

ternational Institute for Technology Management (IITM)—on the topic 'A Scientific and Technological Policy for the European Community'.

The symposium was organized by the Commission in collaboration with the European Research and Development Committee (CERD).

Desirous of consulting representatives from all interested quarters before drawing up guidelines for a common policy in the field of science and technology, the Commission had brought together on this occasion an impressive assembly of European personalities specially qualified to advise it. Among those present at the symposium were members of the European and national parliaments, members of the Economic and Social Committee, senior officials, scientists, university dons, industrialists and trade unionists.

Five main themes were dealt with at the symposium:

- (i) long-term objectives and priorities;
- (ii) medium-term objectives and priorities;
- (iii) coordination of national R&D policies;
- (iv) innovation policy—special links to be maintained between industrial policies and R&D policy;
- (v) dissemination and utilization of results of Community research.

The conclusions of the symposium will be put to direct use by the Commission in its preparation of the proposals for a common R & D policy which the Council has asked it to present by the end of 1976.

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2264. On 11 May,³ the *European Parliament* passed a resolution on the Commission's Com-

¹ OJ L 231 of 2.9.1975; Bull. EC 6-1975, point 2262 and 7/8-1975, point 2263.

² Bull. EC 3-1976, point 2268 and 4-1976 points 2261 to 2263.

³ Point 2413.

munication to the Council concerning the objectives, priorities and financing of a common research and development policy.¹ The *Economic and Social Committee*,² meeting on 25 and 26 May, adopted a study on the same subject.

Scientific and Technical Research Committee

2265. At its meeting on 13 May, the Scientific and Technical Research Committee (CREST) gave most of its time to examining questions associated with the dissemination of information, and in particular to proposals which had been prepared by the Commission for a programme of work on scientific and technical information and documentation (STID) for 1977.

CREST approved the scientific and technical content of these proposals, but recommended a slight reduction in the budget appropriation that had been requested for the completion of the European scientific and technical information network (EURONET) and for certain studies on sectoral information systems.

With regard to the dissemination and utilization of the results of scientific research and technological development, a working paper and a report from the Commission provided the basis for a searching discussion which highlighted the interest shown by all the delegations in this question. It was agreed that the Commission, with the assistance of CREST, should draw up firm proposals by the end of 1976.

Finally, the Committee noted with interest proposals presented by the Commission for a research and development programme in the footwear sector.

Joint Research Centre

Multiannual programme 1977-80

2266. On 11 May, the Commission forwarded to the Council a communication relating to the

JRC multiannual research programme for 1977-80.³

Solar system laboratory

2267. Eight manufacturers of solar collectors have commissioned the Ispra Establishment of the Joint Research Centre (JRC) to test, calibrate or actually finalize their products; further cooperative projects are under discussion, and applications are beginning to come in from countries outside the Community (e.g., Japan).

Moreover, the JRC has just completed construction of its solar system laboratory (SSL), which, commencing in the autumn of this year, will enable European manufacturers to optimize their products to meet the more sophisticated requirement of integral air conditioning (heating, storage and cooling).

This work is going ahead in close cooperation with the 'indirect-action projects', i.e., research carried out under contract and administered by the Commission, and with the projects of the International Energy Agency.

Finally, the Joint Research Centre is pressing forward with studies on a future solar and weather simulation facility, which will offer European industry a unique developmental and promotional facility.

2268. On 11 May, the European Parliament⁴ passed a resolution on the conditions for a fresh start in Community research at the Joint Research Centre (JRC).

¹ Supplement 4/76 — Bull. EC.

² Point 2461.

³ Points 1301 to 1306.

⁴ Point 2413.

Multiannual programme

Biology and health protection

2269. According to a report on the work carried out during 1975 under the biology and health protection multiannual programme for 1970-75, seventy-five institutes, laboratories and working parties were involved in the *radiation protection* part of the programme in the following fields: radiation dosimetry and its interpretation; radioactive contamination of the environment; hereditary effects, short-term effects and delayed effects of ionizing radiation. Nearly 275 scientists helped in gathering the basic scientific and technical data which are essential for laying down radiation protection standards and guaranteeing adequate protection for workers and the general public.

Almost a hundred scientists from thirty-three institutes, laboratories and working parties were involved in the part of the programme concerned with *applications of nuclear techniques in agricultural and medical research*. The results relate to mutagenesis, soil-plant relations, radio chemical analysis, food preservation, nuclear medicine and neutron dosimetry.

The 1975 annual report was the final report on the third multiannual biology and health protection programme. On 15 March 1976,¹ the Council adopted a new programme for this sector—the radiation protection programme—for 1976-80.

Advisory Committees on Programme Management (ACPMs)

2270. At its 14th meeting, on 3 and 4 May, the ACPM for the *biology and health protection* programme examined the 113 proposals comprising 257 research projects which had been submitted to the Commission for the new multiannual pro-

gramme (1976-80) adopted by the Council on 15 March 1976.¹

These proposals cover five sectors: radiation dosimetry and its interpretation; radionuclide behaviour and irradiation levels; and hereditary effects, short-term effects and delayed effects of ionizing radiation.

The discussions resulted in unanimous agreement on 184 of the proposed projects, to which the Commission would contribute 21.83 million u.a. over five years. Emphasis was on the importance of coordinating the selected research projects, and the Commission is to set up new study groups with this end in view.

New proposals and some of the projects left outstanding will be discussed at the Committee's next meeting, which is scheduled for 4 and 5 November 1976.

2271. The ACPM for the direct action project on *standards and reference materials* and the indirect-action project on *reference materials and methods (Community Bureau of References)* met in Brussels on 11 and 12 May. Most of the time was spent in discussing the work carried out in connection with the JRC's direct action, on which the ACPM delivered a favourable opinion.

After noting the status of the work in the context of the JRC's indirect action, the Committee went on to approve the incorporation of some twenty new projects in a variety of technical fields.

Thermonuclear fusion

Advisory Committee on Fusion (ACF)

2272. On 17 May, the Advisory Committee on Fusion resumed its examination of various aspects of the JET project, which it began dis-

¹ Bull. EC 3-1976, point 2274.

cussing on 5 April 1976.¹ It adopted an opinion on the scientific objectives, the technical status, the assessment of costs and the management structures for the project. The Committee stressed the urgent need for the implementation of this project and asked the Council to take the necessary decisions as early as possible.

Cooperation in the fusion sector

Signing of an agreement with Sweden

2273. On 10 May, Mr Brunner, Member of the Commission, and Mr von Sydow, the Swedish Ambassador, signed an agreement between the European Atomic Energy Community (Euratom) and Sweden for cooperation in the field of controlled thermonuclear fusion and plasma physics;² the agreement had been the subject of negotiations held during 1975.³

The aim of the agreement is to link up the Swedish research programme with the Euratom programme in order to arrive sooner at the common goal of producing electricity at competitive prices by means of nuclear fusion reactions. This objective is to be achieved by the following means:

- participation in an appropriate manner by each of the parties in the preparation and implementation of the other's programmes;
- joint financing of programmes;
- rights of access for each party to the scientific and technical results of the other's programmes.

The cooperation agreement opens the way to a contract of association similar to those already concluded within the Community. A Contract of Association between Euratom and the National Swedish Board for Energy Source Development was signed at the same time as the cooperation agreement.

This is the first time a non-Community country has been associated with the research and training programme in the field of fusion.

Directives on negotiations with Switzerland

2274. Meeting on 31 May and 1 June, the Council gave the Commission directives for negotiating an agreement with Switzerland on cooperation in the field of controlled thermonuclear fusion and plasma physics, similar to the one just signed with Sweden. These negotiations are in response to a request made to the Commission by the Swiss government in October 1975.⁴

Education

Education Committee

2275. The Education Committee met on 13 and 14 May. The Committee, which on this occasion included some of the national officials appointed by the Member States to liaise with the Commission, discussed in depth the Commission's draft report on the transition from education to working life, particularly the experts' conclusions and recommendations.⁵

Doctors

2276. On 5 May the inaugural meeting took place of the *Advisory Committee on Medical Training* set up by the Council's Decision of 16 June 1975.⁶

The decision to set up this Committee followed on from the Council's adoption on the same date of two directives relating to the right of establishment for doctors and their freedom to provide

¹ Bull. EC 4-1976, point 2266.

² OJ L 162 of 23.6.1976.

³ Bull. EC 2-1975, point 2247 and 7/8-1975, point 2268.

⁴ Bull. EC 10-1975, point 2257.

⁵ Bull. EC 12-1975, points 1101 and 1102, and OJ C38 of 19.2.1976.

⁶ Bull. EC 6-1975, point 2272.

medical services. The committee is composed of experts drawn from the medical profession, university faculties of medicine and the public authorities in the Member States, who were appointed by the Council on 6 April 1976.

The Committee's task is to ensure that doctors receive an equivalent high level of training throughout the Community, both for the 'GP' and for the specialist. The following ways and means will be used to attain this goal:

- (i) full exchange of information on training methods, as well as on the subject-matter, level and structure of the theoretical and practical training given in the Member States;
- (ii) discussions and consultations with a view to arriving at a common standpoint in regard to the required standard of training for doctors and, where necessary, the structure and subject-matter of training courses;
- (iii) a survey of the adaptation of medical training to progress in medical science and teaching methods.

At its meeting, the Committee held an initial discussion on its programme of work, and took a number of decisions on preliminary action in this field.

Scientific and technical information and information management

2277. On 5 May, the Commission called a meeting of representatives of the consortium of postal and telecommunications administrations in the nine Member States of the Community and of the Committee on Information and Documentation in Science and Technology (CIDST) to discuss the whole question of setting up a liaison group to keep a check on the work involved in starting-up the EURONET network.

2278. On 10 and 11 May the CIDST held a special meeting to study questions arising from the *linkup of data banks and data bases* to the network, especially those set up on cooperative lines such as INIS-SIDON, the international nuclear documentation system of the International Atomic Energy Agency (IAEA), AGRIS, the agricultural information system of the Food and Agricultural Organization of the United Nations (FAO), and SDIM, the EEC's documentation and information system for metallurgy. These questions—mainly of an economic and legal nature—are also being given very careful consideration at national level.

2279. The Commission's proposals on the completion of the *first three-year plan* for scientific and technical information were the subject of a thorough-going discussion at the meeting held by CREST on 13 May.¹ On the whole, the proposals were well received.

Energy policy

Formulation and implementation of a Community energy policy

2280. In preparation for the Council meeting which was to be held on 10 June,² Italy presented to the President of the Council a memorandum on the common energy policy. This memorandum was drawn up following a Council meeting held on 25 March³ as a contribution to discussion of the draft resolution proposed by the Commission on the implementation of a Community energy policy. At the beginning of April another memorandum had been presented by France.

¹ Point 2265.

² It was decided early in June to postpone this meeting until a later date.

³ Bull. EC 3-1976, point 2282.

In its memorandum France expressed the view that the initial decisions in the implementing of a real Community energy policy should form part of a consistent framework which could be presented as a whole. Three fundamental objectives could be adopted:

- Solidarity in external policy;
- A homogeneous energy market within the Community;
- Sharing of the burden of extra investments.

Italy advocates a Community commitment to reduce by 50 % the Community's dependence on imported energy by adopting energy conservation measures and developing alternative sources in the various energy sectors.

Energy Committee

2281. At its meeting on 31 May, chaired by Mr Simonet, Vice-President of the Commission, the Energy Committee discussed a report by its working party on investments in the energy sector from 1976 to 1985. The Committee also considered the memorandum by the Italian Government.¹ The French memorandum¹ had been discussed at the Committee's previous meeting.

Council decisions

2282. On 4 May the Council formally adopted² the following instruments, which had received political approval at the meeting on 25 March:³

- a Regulation amending the Regulation of 18 May 1972⁴ on notifying the Commission of investment projects of interest to the Community in the petroleum, natural gas and electricity sectors;
- a Decision on the grant of measures of support for Community projects in the hydrocarbons sector;

- another Directive regarding a Community procedure for information and consultation on the prices of crude oil and petroleum products in the Community;

- five Recommendations on the rational utilization of energy.

2283. At its meeting on 25 and 26 May, the Economic and Social Committee⁵ delivered its opinion on the Commission's Communication to the Council of 20 January 1976⁶ on the implementation of the energy policy guidelines laid down by the European Council at its meeting in Rome on 1 and 2 December 1975.

Sectoral problems

Nuclear Energy

2284. On 11 May the European Parliament adopted a Resolution on the need for a Community policy on the reprocessing of irradiated fuels and materials⁷.

Transport policy

Organization of markets

2285. On 17 May, the Commission refused to authorize the application by the Luxembourg National Railways of certain *special tariffs* favouring agriculture in the *Grand Duchy*.⁸

¹ Point 2280.

² OJ L 140 of 28.5.1976.

³ Bull. EC 3-1976, points 2285 to 2288.

⁴ OJ L 120 of 25.5.1972.

⁵ Point 2454.

⁶ Bull. EC 1-1976, points 1202 to 1206.

⁷ Point 2414.

⁸ OJ L 147 of 5.6.1976.

The Luxembourg Government instructed the Luxembourg National Railways (CFL) to institute these special tariffs, which apply to the carriage of agricultural products in general, with the aim of supporting Luxembourg agriculture through reduced transport rates.

The Commission, considering that the Luxembourg Government's imposition of transport rates and conditions constituted a support measure for agriculture and so fell within the scope of Article 80 of the EEC Treaty, decided to refuse the authorization requested on the grounds that the application of special tariffs could not be justified on regional policy grounds and that, furthermore, it was liable to disturb the functioning of the agricultural common market and affect competition between the different modes of transport.

2286. On 17 May, the Council adopted a Decision supplementing the Directives appended to its Decisions of 28 December 1972¹ and 17 February 1975² on the opening of *negotiations for an agreement* on the implementation of rules to govern the *temporary laying-up of vessels* for the transport of goods, applicable to certain waterways. This Decision removes the final obstacles to the conclusion of such an agreement. Negotiations with Switzerland are to be resumed shortly and should be concluded at an early date.

Harmonization of structures

2287. On 4 May, the Commission took a decision concerning aid which the *Belgian* Government has been granting to the Belgian National Railways (SNCB) for *through international railway tariffs* for coal and steel pursuant to the Council Regulation of 4 June 1970 on the granting of aids for transport by rail, road and inland waterways,³ as amended by the Council on 20 May 1975.⁴

The Commission has called upon the Belgian Government to take the necessary steps as soon as possible, and within three months at the latest, either to abolish this aid or to alter its legal

basis so that it may be granted under the conditions laid down by the Regulation of 4 June 1970.

2288. On 25 May, the Commission approved aid amounting to £1.8 million per year given by the *British Government* for 1974 and 1975 to the British Railways Board to launch a research programme on the improvement of rail transport services. This aid was awarded on the basis of the Council Regulation of 4 June 1970 on the granting of aids for transport by rail, road and inland waterway,³ as amended in May 1975.⁴

The aid is restricted to the cost of the research programme covering the various technological branches of this sector and £1.4 million has been set aside for the construction and design of a prototype high-speed advanced passenger train. However, the aid does not cover the future construction of rolling stock developed from this research.

2289. The Commission decided on 5 May, to address a *favourable opinion* to the *Italian Government*⁵ on the measures implementing the Regulation on the harmonization of certain social legislation relating to road transport.⁶ The Italian proposal was for a system of control for short-haul domestic goods transport operations until such time as the fitting of recording devices was made obligatory as proposed in the Council Regulation of 20 July 1970—as amended by the Council Regulation of 25 June 1973—on the introduction of recording equipment in road transport.⁷

2290. On 11 May,⁸ the Commission decided to address a *favourable opinion* to the *British Govern-*

¹ Bull. EC 12-1972, point 77.

² Bull. EC 2-1975, point 2264.

³ OJ L 130 of 15.6.1970.

⁴ OJ L 152 of 12.6.1975.

⁵ OJ L 130 of 19.5.1976.

⁶ OJ L 77 of 29.3.1969 and L 67 of 20.3.1972.

⁷ OJ L 164 of 27.7.1970, L 110 of 27.4.1973 and L 181 of 4.7.1973.

⁸ OJ L 136 of 25.5.1976.

3. External relations

Transport policy

ment concerning draft orders for the implementation of some of the provisions of the Council Regulation of 25 March 1969 on the harmonization of certain social legislation relating to road transport.¹ The aim behind the draft orders is the formulation of national regulations concerning the participation of persons aged between 18 and 21 in a training programme with a view to obtaining a heavy goods licence.

Sea and air transport — Port economy

2291. The *Port Working Group*² met on 13 and 14 May to resume discussions on the content and presentation of its final report, based on a questionnaire covering some eighty ports in the Community. In particular, the Working Group examined the institutional and administrative situation of ports in the maritime Member States.

2292. At its part-session from 10 to 14 May, the *European Parliament*³ delivered its opinion on the proposals for Directives presented by the Commission to the Council concerning access to the occupation of carrier, the mutual recognition of diplomas and other qualifications and the measures intended to promote the effective exercise of the freedom of establishment of these carriers. These two proposals were also the subject of an opinion delivered by the *Economic and Social Committee*⁴ at its meeting held on 25 and 26 May; the latter also gave its opinion on another proposal for a Directive on the harmonization of driving licence legislation.

¹ OJ L 77 of 29.3.1969 and L 67 of 20.3.1972.

² Bull. EC 10-1975, point 2278 and 4-1976, point 2279.

³ Point 2421.

⁴ Point 2456.

Multilateral negotiations

Trade Negotiations Committee

2301. A number of groups or sub-groups of the Trade Negotiations Committee met in Geneva in May.

Safeguard system

2302. At its meeting on 4 May the Safeguard Clause Group discussed in greater detail a number of issues arising in connection with this clause, and analysed factual background documents concerning international surveillance and the settlement of disputes.

As there were no new proposals before the Group, the delegations merely restated and amplified their various positions. The work of the Group to date has been to analyse the inadequacies of the present safeguard system and the Group has agreed that this phase of the work is virtually complete. In the second phase concrete proposals from the delegations will be considered. The USA has declared its intention to submit a proposal in July.

Technical barriers to trade

2303. The Technical Barriers to Trade Sub-Group met from 17 to 21 May to resume discussion of the problem of definitions and to deal with certain substantive matters not completed at the January/February meeting.¹

On the question of definitions the Sub-Group agreed to include the ECE/ISO (UN Economic Commission for Europe and International Organization for Standardization) terminology in the

¹ Bull. EC 2-1976, point 2302.

discussions. Among the other points discussed by the Sub-Group were the procedures for lodging complaints and for settling disputes, and the question of a general escape clause. No decisions were taken.

Non-tariff measures

2304. The Non-Tariff Measures Group—which coordinates and supervises the work of the four sub-groups set up in this field—has decided in principle, on the basis of suggestions from the developing countries in particular, to create a new sub-group on government procurement. This point has been discussed at the OECD by the industrialized countries for several years and a draft instrument, containing a number of points still unsettled, is being drawn up.

In the light of the work carried out by the Anti-dumping Committee, the group will once again discuss the possibility of creating a sub-group on anti-dumping duties. Some progress has also been made towards the adoption of a procedure for specific measures for which, on the face of it, it seems unlikely that multilateral solutions will be found.

Agriculture

2305. At the meeting held by the Cereals Sub-Group from 24 to 26 May, the line followed mainly by the United States—in favour of a liberalization of trade—continued to differ from that of the Community and other countries which proposed a stabilization of markets by concluding an international agreement. The Community representative outlined a stock mechanism which could be part of such an agreement; this was an addition to the illustration of its proposals on minimum and maximum prices, set out at the preceding meeting of the Sub-Group.¹

Commercial policy

Preparing and implementing the common commercial policy

Trade protection

2306. Under a Regulation adopted on 25 May² the Commission subjected to authorization imports into the United Kingdom of sacks and bags of woven polyolefin fabrics originating in the *Republic of Korea*. The reason for this step is the extremely rapid increase in imports originating in Korea; these imports were negligible in 1974 but amounted to 1.7 million bags in 1975 and the prices are considerably lower than those charged by Community producers of similar articles.

Credit insurance and export credit

2307. On 3 May the Commission presented to the Council a proposal for a Directive to abolish cost escalation guarantee schemes for exports to non-member countries. The Commission proposes that the national schemes be abolished progressively and that the process be completed by 31 December 1978.

This proposal replaces the one adopted by the Commission on 27 July 1971 which provided for the adoption of joint principles concerning cost escalation guarantees. As the 1971 proposal was not approved by the Council and was inappropriate in the new circumstances, the Commission decided in 1974 to withdraw it. The new proposal is not for adjustments to existing systems but for their abolition. It reflects the Commission's resolve to combat national export aids.

¹ Bull. EC 1-1976, point 2301.

² OJ L 137 of 26.5.1976.

The object of the proposal is to eliminate the distortion of competition caused by the use of these schemes in external markets and to place all the Member States in the same position as regards competition.

2308. The Economic and Social Committee at its meeting of 25 and 26 May gave its opinion on the Commission proposal to the Council concerning the setting-up of a European Export Bank.¹

Specific measures of commercial policy

Textiles

Egypt

2309. From 11 to 13 May negotiations took place between the Community and Egypt² to conclude an Agreement on trade in textile products based on Article 4 of the Multifibre Arrangement; the negotiations were successfully completed and the *Agreement* was initialled on 13 May. It comprises a specific consultation procedure and a commitment on the part of the Community to suspend all current restrictions and not to have recourse to the safeguard clauses in the Multifibre Arrangement; it is applicable from 1 January 1976 and will remain in force until 31 December 1977.

Romania

2310. The *negotiations* started with Romania³ to conclude an agreement based on the provisions of Article 4 of the Multifibre Arrangement continued from 4 to 7 May. During this second phase, the two parties went more deeply into their respective points of view; the negotiations are due to start again at the end of June.

Mexico

2311. The *negotiations* with Mexico⁴ to conclude an 'Article 4' agreement on trade in textile products continued from 17 to 19 May. The two parties found that there was still quite a large gap between their points of view. It was agreed that the next phase of the negotiations would take place after the Mexican authorities had thoroughly examined the Community's proposals. Without prejudice to the conclusion of the negotiations, the Community reserved the right to invoke other provisions of the Multifibre Arrangement if trade developments required.

India

2312. Under the Agreement concluded between the Community and India⁵ on trade in textile products, *consultations* took place on 20 and 21 May, at India's request, to examine certain aspects of the Agreement, particularly India's requests for an increase in the ceilings set in the Agreement. More consultations are planned shortly.

Bangladesh

2313. On 13 May the second phase of *negotiations* opened between the Community and Bangladesh to conclude an agreement on trade in jute products.⁶ The Community again detailed certain points in its offer (made at the beginning of the negotiations) and the Bangladeshi delegation stated its first reactions. The negotiations will be tak-

¹ Point 2455.

² Bull. EC 2-1976, point 2309.

³ Bull. EC 4-1976, point 2312.

⁴ Bull. EC 7/8-1975, point 2314.

⁵ Bull. EC 10-1975, point 2313 and OJ L 297 of 17.11.1975.

⁶ Bull. EC 4-1976, point 2311.

⁷ OJ L 130 of 19.5.1976.

en up again on a date to be fixed by mutual agreement.

Steel

2314. On 4 May the Commission adopted a Decision derogating from recommendation 1/64 to permit iron and steel products to be exempted from customs duties under the Lomé Agreement, which was concluded at the same time as the ACP-EEC Convention. The provisions give exemption from customs duty and charges having an equivalent effect in the case of products covered by the ECSC Treaty imported into the Community and originating in the ACP States.

Development and cooperation

Development cooperation policy

The Community and UNCTAD IV

2315. The fourth United Nations Conference on Trade and Development (UNCTAD) was held in Nairobi from 5 to 31 May with some 150 countries taking part. The Community was present as an observer in its own right; the nine Member States were represented.¹

World Food Council

2316. A meeting to prepare the second session of the World Food Council (from 14 to 16 June) was held in Rome from 10 to 14 May.

The discussions, in which the Commission took part, dealt mainly with the steps taken or to be taken to implement the Resolutions of the World Food Conference,² notably on the following points:

International Fund for Agricultural Development (IFAD);

Increasing food production in the developing countries;

Objectives and policies of food aid;

International system of world food security.

When the World Food Council's rules of procedure were being worked out the Community was attributed a status allowing it to participate as of right in the work of the Council, but without having the right to vote.

Trade Promotion

2317. A meeting was held in Brussels on 6 and 7 May of representatives of the Commission and of bodies responsible for foreign trade in each Member State in order to coordinate bilateral and Community projects and action programmes to promote trade for the developing countries.

Food aid and emergency aid

2318. At the end of May the Commission proposed that the Council approve food aid schemes for Vietnam, Zaïre and Bolivia involving a total of 15 000 tonnes of cereals, 2 746 tonnes of skimmed milk powder and 1 200 tonnes of but-teroil costing in all some 6 170 000 units of account.

The largest share of this aid (some 6 million EUA) will go to Vietnam in the form of deliveries to the International Committee of the Red Cross (10 000 tonnes of cereals and 500 tonnes of skimmed milk powder), to the Office of the United Nations High Commissioner for Refugees (5 000 tonnes of cereals, 300 tonnes of skimmed

¹ Points 1201 to 1203.

² Bull. EC 11-1974, points 1401 to 1407.

milk powder, 600 tonnes of butteroil) and to UNICEF (1 700 tonnes of skimmed milk powder and 600 tonnes of butteroil). This aid will help with the programme of resettling displaced persons and enable 250 000 children in North Vietnam to be fed.

The Commission has proposed that a request from the International Committee of the Red Cross for 240 tonnes of skimmed milk powder for Bolivia should be met. This quantity will enable two free distribution programmes to be undertaken over a period of ten to twelve months for the benefit of some 16 900 children. The milk powder will be delivered free at destination, the cost of the aid being approximately 158 000 EUA.

Finally, the aid to Zaïre would be emergency aid in the form of 6 tonnes of skimmed milk powder for victims of malnutrition—especially children—in the region of Lake Kivu. The Commission proposes that the quantity asked for be transported as speedily as possible, by air. The cost of this operation is estimated at approximately 11 000 EUA.

Commodities and world agreements

Wheat

2319. At the meeting on 31 May and 1 June, after the remaining internal issues had been cleared up, the Council agreed to the accession of the Community to the Protocols further extending (for two years) the Wheat Trade Convention and the Food Aid Convention, which together form the 1971 International Wheat Agreement.

Tin

2320. From 3 to 7 May in London, the Community took part in a second meeting of the In-

terim Committee for the Fifth International Tin Agreement and a special meeting on the Fourth Agreement.

On the eve of the 1 May deadline, the Fifth Agreement had been signed by the seven producer countries and by nineteen consumer countries already members of the Fourth Agreement; the United States is participating in the Agreement for the first time. As reported previously,¹ the Agreement was signed by the nine Member States and by the Community as such.

Following a detailed review of the tin market situation, and after hearing a report by the Buffer Stock Manager, the Council decided on 7 May to alter the price scale which had been enforced since 12 March 1976; the floor price was raised from M\$1 100 and the ceiling price from M\$1 100 to M\$1 200 per picul. At the same time export controls were relaxed; the export of 40 000 tonnes of tin metal was authorized for the present quarter.

International organizations

Council of Europe

Committee of Ministers

2321. Under the arrangement established in 1959 between the Commission of the EEC and the Council of Europe, Mr Ortoli, President of the Commission, took part in the meeting of the Committee of Ministers held in Strasbourg on 6 May on the subject of progress in European cooperation.

Mr Krieps, the Luxembourg Minister of Education and Justice, presented a report in his capacity as President of the Council of the Communi-

¹ Bull. EC 4-1976, point 2322.

ties and gave an assessment of the Community's external relations.

Mr Ortolí's address to the meeting covered three main points:

(i) encouraging progress had been made in European cooperation (progress in parliamentary democracy in the Mediterranean countries, new measures by the EEC particularly in the fields of regional, environment and education policy) while the basic values had remained unchanged (human rights, democratic heritage);

(ii) the cooperation between the Council of Europe and the Commission had become stronger in practical terms via their joint participation in projects of mutual interest (environment, education), and the Community was ready to accede to existing or proposed conventions;

(iii) the present situation of the Community did however present certain difficulties, the main one being the need to move on from a situation where economic and monetary union had come about as a by-product (of the establishment of the customs union and of a single market and common cooperation policies) to a real programme to bring economic policies closer into line. Under the present circumstances it was not sufficient merely to safeguard what the Community had already achieved, and a new impetus was needed to bring about this convergence of economic policies, to develop the Community's external relations and lastly to strengthen solidarity and discipline within the Community.

Parliamentary Assembly

2322. During the session of Parliamentary Assembly of the Council of Europe, from 3 to 7 May, several debates were held in which guest speakers invited by the Assembly took part.

Mr Ortolí's main objective was to reassure the members of the Assembly by stressing that the progress of the Community should be considered above all as progress for the benefit of all the

peoples of Europe. Without trying to get away from the real problems that exist, particularly in the economic, monetary and social fields, and the divergent development of the economic policies of the Nine, he pointed to the development of the role of the Community and the Nine in international bodies. He stressed moreover that the enlargement of the Community's activities, including their extension to fields previously covered by the Council of Europe alone, provided an opportunity for increased cooperation between the Council of Europe and the Community.

Addressing the Assembly on the eve of the opening of the fourth session of UNCTAD in Nairobi, Mr Waldheim, the Secretary-General of the United Nations, laid special emphasis on the United Nations' role in matters relating to the establishment of a new international economic order. Mr Waldheim also mentioned the role played by the UN in the maintenance of peace and security in the world and noted a certain tendency to underestimate the organization's preventive work in this field.

Mr Kreisky, the Federal Chancellor of Austria, spoke about the Conference on Security and Cooperation in Europe and appealed for the continuation of the policy of détente which had already enabled Europe to attain a relative degree of stability.

On the problems of the North-South Dialogue, oil and raw materials, Mr Kreisky stressed the need for the industrialized countries to draw up a clearer policy. He suggested that a political institution including not only the Communities but also the United States, Canada and the neutral States of Europe should be set up along the same lines as OECD. He suggested that the Council of Europe and EFTA should look into this suggestion.

The debates of the Assembly—which re-elected Mr Czernetz (Socialist-Austria) as its President—covered the situation in Portugal, the implementation of the Final Act of the Confer-

ence on Security and Cooperation in Europe (Helsinki Conference) and multinational companies.

Standing Conference of the European Education Ministers

2323. The European Education Ministers held an informal meeting in Obernai on 17 May to discuss the role and functioning of their standing conference. Mr Brunner, Member of the Commission, took part and briefed the Ministers on the main lines of the Community action programme on education.

Organization for Economic Cooperation and Development

Executive Committee

2324. The Executive Committee of OECD held its sixteenth special session on 13 and 14 May. It first examined the possible renewal for a further one-year period of the 1974 Trade Pledge which, it was generally held, had enabled governments to withstand the protectionist pressures being exerted on them. At the same time, the persistence of certain difficulties, particularly balance-of-payments difficulties, meant that the situation that had originally prompted the Trade Pledge had not changed fundamentally, and this seemed to argue in favour of a renewal of this Pledge.

The Committee also studied the world supply and demand trends for the main agricultural products on the basis of a report from the Secretariat. This document showed that the main problem in the next few years would be that of security of food supplies in a context characterized by fluctuations and uncertainties in trade flows.

Lastly, after assessing the Organization's work in respect of international investment and the multinational corporations, the Committee held an exchange of views on the stage reached in the

work of the Conference on International Economic Cooperation (North-South Dialogue).

International Energy Agency

2325. In the context of cooperation with the International Energy Agency (IEA) of the OECD on research and development, the Council of the European Communities adopted the following acts at its meeting on 31 May and 1 June:

- (a) directives to the Commission for the negotiation with the IEA of an outline agreement in the form of an exchange of letters stating the intentions of the two parties to cooperate, under agreements to be concluded, in the field of research and development;
- (b) a decision approving the conclusion of two implementing agreements on the exchange of technical information in the field of reactor safety research and development, and for a cooperative research and development programme leading to the construction of an intense neutron source.

United Nations

United Nations Conference on Trade and Development

2326. The fourth session of the United Nations Conference on Trade and Development (UNCTAD) was held in Nairobi from 5 to 31 May.¹

Conference on the Law of the Sea

2327. The United Nations Conference on the Law of the Sea held its fourth session in New York from 15 March to 7 May.

¹ Points 1201 to 1213.

The result of the discussions was the formulation—under the responsibility of the Chairmen of the three major Committees set up under the Conference—of a revised version of the ‘single negotiating text’ drafted at the third session (held in Geneva from 17 March to 9 May 1975). This is an unofficial text which does not constitute a compromise accepted by the Conference participants but is simply a working document intended to help future negotiations. The new single text (which is not exhaustive) will serve as a basis for the work of the next session scheduled to be held in New York from 2 August to 17 September. This next session will probably not be the final negotiating session of the Conference but could be decisive for the future of the convention to be concluded.

Although considerable differences still exist on a fairly large number of important questions, appreciable progress was made during the session which ended in New York in May.

General agreement on a number of major subjects would already seem to have been achieved, for example on the extent of territorial waters and the régime governing them and on navigation in straits.

On other important subjects, the outline of a general consensus are beginning to emerge, in particular on the principle of the exclusive economic zone and on the creation of an International Sea-bed Authority. As regards the 200-mile *exclusive economic zone* (excluding questions concerned with pollution and navigation), the major remaining disagreements are concerned with the extent and exclusivity of the rights of coastal States which are contested by the land-locked and geographically-disadvantaged States. As regards the *International Sea-bed Authority*, it is necessary to determine its role and the extent of its powers in the exploitation of deep-sea mineral resources beyond the exclusive economic zone or the continental shelf. Generally speaking, the conflict on this subject is between developed and developing countries.

Important differences still remain, however, on certain points—for example the freedom of navigation in the exclusive economic zone and the question of the continental shelf.

At the beginning of June the Commission sent to the Council a Communication in which it proposes guidelines for the fifth session of the Conference.

World food Council

2328. A meeting to prepare for the second session of the World Food Council (scheduled for June) was held in Rome from 10 to 14 May.¹

Economic Commission for Latin America

2329. On 26 May Mr Enrique Inglesias, Executive Secretary of the Economic Commission for Latin America (ECLA) paid a visit to the Commission. He was received by Sir Christopher Soames and met senior officials. At this meeting, the development problems of Latin America were examined and the possibilities for collaboration between the Commission and ECLA were studied.

EFTA countries

Joint Committees

EEC-Switzerland

2330. The Joint Committee set up under the EEC-Switzerland agreement held its seventh meeting on 18 May in Brussels under the chairmanship of Mr C. Caillat, Head of the Swiss Mission to the European Communities. This was

¹ Point 2316.

followed by the fourth meeting of the Joint Committee set up under the ECSC-Switzerland agreement.

The two delegations considered the functioning of the agreement and broadly discussed the general economic situation. They concluded that economic difficulties have in no way hampered the development of cooperation between the Community and Switzerland. The other matters dealt with were of a technical nature. At the ECSC meeting, the Head of the Community delegation outlined the situation on the Community iron and steel market.

EEC-Sweden and EEC-Norway

2331. The EEC-Sweden and EEC-Norway Joint Committees met on 20 May in Stockholm and 25 May in Oslo respectively, as did the Joint Committees set up under the agreements between these two countries and the ECSC. It was the first time that these Committees had met in the Scandinavian capitals.

The delegations studied the functioning of the different agreements and discussed the problems of the present world economic situation and specific problems connected with the operation of the agreements.

Sweden

2432. Discussions took place in Stockholm between delegations from the Community and Sweden on the system of import *quotas for shoes coming from the Community* introduced by Sweden in November 1975.¹

While emphasizing that the Community was quite prepared to cooperate with Sweden to help individual industries out of their difficulties, the Community delegation reaffirmed that the basis on which these restrictions had been established constituted a violation of the EEC-Sweden agree-

ment. It also drew Sweden's attention to the fact that these measures could seriously affect Community exports of shoes to Sweden.

Mediterranean countries

Greece

2333. The EEC-Greece *Joint Parliamentary Committee* met at Aghios-Nikolaos (Crete) from 18 to 21 May under the joint chairmanship of Mr Psmazoglou, Chairman of the Greek Parliament delegation and Mr De Clercq, Chairman of the European Parliament delegation.

The meeting was attended by Mr Papaligouras, the Greek Minister of Coordination and Planning and President of the EEC-Greece Association Council, Mr Raymond Vouël, Vice-President of the Luxembourg Government and President of the Council of the Communities and Sir Christopher Soames, Vice-President of the Commission.

The Joint Committee's discussions dealt first with the international political situation, and in particular with questions concerning the eastern Mediterranean. They also touched upon the main points in connection with Greece's request for membership—the political and institutional aspects as well as the economic and social ones. Finally, the Committee examined questions concerning the development of the EEC-Greece Association, and in particular the problems in connection with the harmonization of agricultural policies and the conclusion of a second financial protocol.

Following the discussions, the Parliamentary Committee adopted recommendations on these three topics which it forwarded to the Association Council and the other competent bodies.

¹ Bull. EC 11-1975, point 2332.

2334. *Meetings between experts* of the Commission and Greece took place in Brussels on 10 and 11 May as part of the administrative cooperation decided upon by the Association Council. The meetings aimed at continuing the work on the harmonization of agricultural policies. A report will shortly be submitted to the Association bodies.

Turkey

2335. On the invitation of the Turkish government and Parliament, *Mr Georges Spénale*, President of the European Parliament, paid an *official visit* to Turkey from 24 to 28 May. He was received by the President of the Republic, Mr Koristürk, and he met the Prime Minister, Mr Demirel, and the presidents of the Senate and the National Assembly.

Mr Spénale declared during a press conference that these talks had enabled him to see the will on the part of the Turkish Government and Parliament to continue their cooperation with the Community within the Association, which should, however, be strengthened and enlarged.

Mr Spénale gave an assurance that the European Parliament—notably during a debate which could take place in the autumn on the conclusions reached at the latest meeting of the EEC-Turkey Joint Parliamentary Committee—would discuss thoroughly all matters that might contribute to an improvement in relations between the Community and Turkey, a country which, beyond all doubt belonged to Europe.

Cyprus

2336. The third session of the EEC-Cyprus *Association Council* was held in Brussels on 4 May with Mr Christophides, Minister of Foreign Affairs of the Republic of Cyprus, in the chair.

The Cypriot delegation expressed its views on a number of problems still unresolved, especially those resulting from the Community's overall Mediterranean approach. The question of Cyprus sherry was also brought up.

For its part, the Community expressed its concern at the situation in Cyprus and regretted that there had been no satisfactory development for the parties concerned since the last meeting of the Association Council in June 1975. The Community confirmed to the Cypriot delegation that it remained set on developing its relations with Cyprus, notably by enlarging and deepening the present agreement for the benefit of the Cypriot economy as a whole.

Spain

2337. The problem of relations between Spain and the Community was mentioned by *Sir Christopher Soames*, Vice-President of the Commission, on 12 May¹ during a debate in the European Parliament. On the same day Parliament adopted a resolution on the situation in Spain.

Yugoslavia

2338. Two meetings were held in Belgrade on 11 and 12 May of the subcommittees on agriculture and industry set up by the Joint Commission under the EEC-Yugoslavia Agreement.

In the industrial sphere, the possibilities for cooperation in various fields, particularly in the chemical and mechanical engineering industries, were discussed in depth. There was also an exchange of information in the agricultural sphere; the two delegations agreed to set up a working party to

¹ Point 2407.

analyse the possibilities and prospects for developing exports of certain Yugoslav products for animal feed; the working party will also look into the investment problems in this connection.

African, Caribbean and Pacific countries

ACP-EEC Convention of Lomé

Requests for accession to the Convention

2339. In May the *Comoros* formally requested accession to the Lomé Convention, thus repeating in a more official manner the approach made at the end of 1975.

On 20 May the Commission requested the Council to issue directives formally authorizing it to open negotiations with *Sao Tome and Principe* and *Cape Verde* concerning their accession to the Convention, in accordance with their wishes.

Trade arrangements

2340. On 18 May the Council decided¹ to increase by 1 500 tonnes for the first six months of 1976 the quantity of *beef and veal* originating in the ACP States which may be imported under the exceptional measures for the reduction of import charges.² This decision has been taken to aid one of the four ACP States exporting beef and veal—*Botswana*—since this country's economy is very greatly dependent on exports of these products.

European Development Fund

First financing decisions under the fourth EDF

2341. On 10 May the Commission took its first financing decisions under the fourth EDF³ as part of the Lomé Convention. These decisions involve a total of 60 730 000 EUA, 56 890 000 EUA in grants and 3 840 000 EUA in loans on special terms. They are concerned with various projects.

Aid to ACP States in southern Africa — Exceptional aid for a total sum of 25 million EUA has been granted to four countries in southern Africa that have signed the Lomé Convention: *Zaire* — 15 million EUA, *Zambia* — 7.5 million EUA, *Malawi* — 1.5 million EUA and *Botswana* — 1 million EUA.

The EDF funds will serve to finance imports of essential goods (such as public works and transport equipment, spare parts, medicines and so on) which are needed to keep the economies of these countries running smoothly following the serious disturbances caused by the events in Angola and the closing of the frontier between Rhodesia and Mozambique.

Exceptional aid to Somalia and Niger — Two more grants of exceptional aid have been made—to Somalia and to Niger. *Somalia* will receive 3 426 000 EUA to provide social infrastructure, particularly schools, to help nomads hit by the drought to adopt a sedentary existence; in *Niger*, 9 614 000 EUA will be used to purchase abroad 10 000 tonnes of selected groundnut seeds and to transport them to the users who lost all their supplies following a massive invasion of greenfly in 1975.

Aid for projects and technical cooperation — Financing decisions have been taken on the following projects:

¹ OJ L 132 of 21.5.1976.

² Bull. EC 6-1975, point 2342.

³ OJ C 122 of 3.6.1976 and OJ C 143 of 24.6.1976.

- *Congo*: improvement of the Congo-Ocean railway — 7 692 000 EUA (of which 50 % as a grant and 50 % as a loan on special terms) and the extension of the Port of Brazzaville, a grant of 769 000 EUA;

- *Niger*: continuation of the improvements to the Niamey-Zinder highway (grant of 4 736 000 EUA);

- *All ACP States, Overseas Countries, Territories and Departments*: overall commitment authorization of 9 500 000 EUA for the financing, by means of grants from the fourth EDF, of schemes for investment-linked technical cooperation, general technical cooperation, regional cooperation and aid for marketing.

Yaoundé Convention

European Development Fund

New financing decisions

2342. On 10 and 24 May the Commission took the following financing decisions involving the funds still available under the second and third EDFs:¹

Congo: construction of the Sibiti-Bihoua road (alterations to the project for the construction of the Sibiti-Jacob road, already financed under the second EDF) — 3 646 000 EUA.

Niger: adjustment of irrigation techniques in the Sahelian area — 260 000 EUA.

Benin (formerly Dahomey): development of cattle-farming in the Sud-Borgou region — 1 929 000 EUA.

Surinam: completion of the College of Technology at Paramaribo — 941 000 EUA under the second EDF and 271 000 EUA under the third EDF.

Other countries

Industrialized countries

United States

2343. The anti-dumping investigations into exports of automobiles from eight countries onto the American market² have been stopped. On 4 May the US Treasury Department stated that it had decided to suspend the investigations on condition that the exporting firms give guarantees concerning the future prices of their products.

The Commission welcomed the American decision and was pleased that the American authorities, whilst respecting their own laws, have shown understanding for the arguments put forward by the Commission, in particular concerning:

the fluctuations in exchange rates which can throw out the calculations in respect of dumping; the cost of the anti-pollution equipment required by American law.

The results of current talks between the exporters and the Treasury Department will show whether the American decision will enable imports into the United States to continue unimpaired in all cases.

Canada

Outline economic and trade cooperation agreement

2344. A Canadian Delegation led by Mr Michel Dupuy, Assistant Under-Secretary of State, Ministry of External Affairs, was in Brussels on 19 and 20 May for a further round of negotiations for the conclusion of an outline economic and trade cooperation agreement between Canada and

¹ OJ C 122 of 3.6.1976 and OJ C 143 of 24.6.1976.

² Bull. EC 7/8-1975, point 2352.

the European Communities. The two sides made good progress and there was a large measure of agreement on a text at the conclusion of the talks.¹

Japan

2345. A technical delegation from the Commission had talks in Japan from 10 to 12 May with the Japanese authorities concerning problems relating to imports of European cars into Japan.

Trade in cars between the EEC and Japan is balanced heavily in favour of Japan, Japanese exports into the Community in 1975 totalling approximately 370 000 units as compared with European sales in Japan of only 26 000 units.

The object of these talks was to remove any procedure which could be construed as a technical barrier to imports of European manufactured cars into Japan. Some results were achieved during the discussions.²

New Zealand

2346. On 17 May the Commission transmitted to the Council a draft regulation extending beyond 1977, the transitional arrangements for the import of New Zealand butter into the United Kingdom.

Article 5 (1) of Protocol No 18 to the act of Accession stipulates that in order to take appropriate measures to ensure the maintenance after 31 December 1977 of exceptional arrangements in respect of imports of butter from New Zealand the Council must review the situation as regards butter in the light of supply and demand developments in the major producing and consuming countries in the world, particularly in the Community and in New Zealand. The proposal fol-

lows on from the Commission Communication of 23 July 1975³ and takes into account the declaration made by the Heads of Government in Dublin on 10 March 1975,⁴ and the subsequent Council review of the question.

At its meeting on 17 and 18 May the Council held a constructive exchange of views on these transitional arrangements after which it was agreed that a definitive ruling on the matter would be given the following month.

Developing countries in Asia and Latin America

Pakistan

2347. On 1 June, simultaneously with the Council meeting on 31 May and 1 June, the Commercial Cooperation Agreement between the European Economic Community and the Islamic Republic of Pakistan⁵ was signed in Brussels.

Bangladesh

2348. Mr M.N. Huda, Adviser in the Bangladesh Presidential Council in charge of the Ministry of Commerce and Planning, was received on 19 May by Mr Lardinois, Member of the Commission. Mr Huda also had talks with several high-ranking officials. The conversations dealt in particular with the development of rural infrastructures, family planning and Bangladesh's continued need for Community food aid.

¹ The negotiations finished on 2 June with agreement between the officials taking part. The text is now before the Canadian and Community authorities for approval and signature.

² Point 2110.

³ Bull. EC 7/8-1975, point 2353.

⁴ Bull. EC 3-1975, point 1104.

⁵ Bull. EC 4-1975, point 2346.

4. Institutions and organs of the Communities

Diplomatic Relations

Mr Huda hoped that the Community and its Member States would further increase the financial resources put at his country's disposal.

Mr Lardinois assured him that the Community was conscious of Bangladesh's great efforts to overcome its difficulties and that it would do its utmost to help.

Diplomatic relations

2349. On 4 May,¹ the President of the Council and the President of the Commission received Their Excellencies Mr Emilio Barreto Bermeo (Peru) and Mr Masahiro Nisibori (Japan) who presented their letters of credence in their capacity as heads of their countries' missions to the European Communities (EEC, ECSC, EAEC).

The new Ambassadors succeed Mr Julio C. Doig Sanchez (Peru) and Mr Isao Abe (Japan), who have been called to other duties.

European Parliament

*Part-session in Strasbourg
from 10 to 14 May*

2401. The bribery case, in which an American aircraft firm and oil companies, political parties and prominent figures in the Member States are allegedly involved, and also the political situation in Spain, Uruguay and Chile were the immediate focal points of the agenda. Of the matters more closely concerning the Community, the future of Community research (EURATOM), the Community's commercial policy and the danger of weakening it through bilateral trade agreements, and the precedent-setting judgment of the Court of Justice on the principle of equal pay for men and women all figured prominently in the proceedings. The rest of the agenda covered the role and function of Parliamentary budgetary control, measures in favour of small and medium-sized business, the case for a Community social security system, the European schools and many other technical matters relating to the environment, transport policy, agriculture and external trade.¹

At the opening of the part-session, the House paid tribute to the memory of a longstanding member, Mrs Elisabeth Orth (S/D). Mrs Orth had been a member of the European Parliament since

¹ This report was prepared from the German edition of 'Information' published by Parliament's Secretariat.

The complete texts of the Resolutions passed by Parliament are reproduced in OJ C 125 of 8.6.1976 and the verbatim report is contained in OJ Annex 203.

The political group and nationality of members are indicated in brackets by the following abbreviations: C-D = Christian Democrats, S = Socialists, L = Liberals and Allies, C = European Conservatives, EDP = European Progressive Democrats, COM = Communists and Allies; B = Belgium, DK = Denmark, D = Federal Republic of Germany, F = France, IRL = Ireland, I = Italy, L = Luxembourg, NL = Netherlands, UK = United Kingdom.

¹ OJ C 117 of 26.5.1976.

1970 and until her death also served on the Committee on Agriculture and the Committee on the Environment, Public Health and Consumer Protection, where she assiduously worked for the interests of the consumer.

Earthquake in Northern Italy (10 May)

2402. As the May part-session began Parliament observed a minute's silence in memory of the victims of the earthquake disaster which devastated many towns and villages in the north Italian region of Friuli-Venezia Giulia on 7 May.

In a Resolution, the House urged the Council and Commission to provide adequate and effective emergency aid and to draw up a programme immediately to assist economic recovery in the disaster area. This was promised by President *Ortoli* of the Commission. Lord *Bessborough*, a Vice-President of Parliament, was asked to tour the disaster area and ascertain the immediate needs of the stricken population.

Motion of censure tabled against the Commission (13 May)

2403. A motion of censure against the Commission was tabled by the European Conservative Group. The grounds of the motion deplored:

'the lack of consultation of the European Parliament over the regulations concerning taxation of imports of proteins and disposal of the skimmed-milk powder surplus,

the considerable differences between the Commission's proposals to compel the incorporation of skimmed-milk powder in animal feed which were discussed by the European Parliament and the regulations actually brought into force,

that this ill-conceived scheme has severely penalized and continues to penalize those agricultural

producers who hold no responsibility for dairy surpluses,

the fact that the Commission has lamentably failed in proper time or at all to foresee and deal with the growing surplus of milk products within the Community,

that consumers in the Community will not benefit from these regulations and further that the cost to the Community is persistently rising far beyond the original estimates put forward by the Commission.'

If the motion of censure is passed by a majority of at least half the European Parliament and two thirds of the votes validly cast, the entire Commission will be required to resign.

The motion is down for debate on the June agenda. It is the second motion of censure in the history of the House. A motion tabled four years ago was withdrawn before debate.¹

Competition

Does bribery damage healthy competition?

The Lockheed affair debated (11 May)

2404. Donations from national and multinational companies to political parties and private individuals publicized by the report of the investigatory committee of the US Senate, were again debated in Parliament. In a question to the Commission, Mr *Prescott* (UK), Mr *Glinne* (B), Mr *Lange* (D), Mr *Broeksz* (NL) and Mr *Hansen* (L) of the Socialist Group asked whether such payments, since they distorted competition, did not also contravene the Treaties establishing the European Communities and therefore give rise to a Community investigation.

¹ Bull. EC 12-1972, Part 2, point 126.

The competition aspect of such illegal payments, which made it appear an appropriate matter for action by the Commission, was particularly clear in the aircraft industry, since 70 % of orders were passed by government agencies.

For the questioners, Mr Prescott contended that the Commission was responsible for dealing with this corruption. He also suggested that a special Parliamentary committee might be set up to look into the affair.

Mr Borschette, Member of the Commission, confirmed the Commission's view as already expressed in the House in April, that it was for the Member States to bring whatever legal proceedings were required. He did not completely rule out that there were certain points from the angle of Community law, which could justify action, especially when directly applicable Treaty conditions like the competition rules were involved. But he would not go so far as to say that an almost automatic link existed between corruption and distortion of competition. As with cases of unfair competition, the injured parties had to bring a complaint.

In the debate a heated argument arose over the influence of 'gifts' from companies to political parties. Mr Notenboom (C-D/NL) said that gifts of money to parties did not necessarily mean corruption. If something had to be done, criminal prosecution was the only way and there was no clear legal connection with the competition rules of the EEC Treaty. Mr Klepsch (C-D/D) described Mr Prescott's arguments as propaganda and calumny.

Mr Fellermaier (D) countered the protests of Conservative speakers like Mr Normanton and Mr Osborn who maintained that the multinational companies should not be branded as bloodsucking vampires, arguing that for the Socialists this question was not about the pros and cons of multinationals but was intended to determine the responsibility of the Community; basically it was a matter of where business left off and politics began. In everyone's interest, Members of Parlia-

ment were urged to keep the European market clean. Mr Borschette's answer was unsatisfactory yet typical of a collegiate body which now found itself in the predicament of balancing between what it may be aware of and what it is allowed to say. Mr Fellermaier called for the competition rules to be brought up to date if they were found to be inadequate. Mr Leonardi (COM/1) stressed how corruption adversely influenced politics and against the interests of the country concerned, as shown by the example of Italy.

Winding up, Mr Borschette said that the EEC Treaty should not be invoked for criminal prosecutions, although the examples highlighted in the debate were admittedly alarming and dangerous. He confirmed his original view that political corruption was a criminal matter which could not be dealt with through the EEC Treaty. The Commission could, if need be, evaluate the facts in court cases, as it had already done. On the competition aspect, he urged the members to try and tighten up competition conditions via their national Parliaments.

Is Community aid for small and medium-sized businesses sufficient?
(11 May)

2405. Answering a question put on behalf of the European Progressive Democrats, the Conservatives and the Liberals, Mr Spinelli, Member of the Commission, said that the Commission's powers to assist small and medium-sized businesses in the Community were unfortunately limited. But he emphasized that a department had been specially established to ensure that the interests of these businesses were considered when any proposals for regulations or directives were drawn up.

Standardizing units of measurement
(10 May)

2406. Parliament approved the Commission's proposal for gradual harmonization of units of measurement in the Community.¹ As from 21 April 1978 the use of certain units such as the meter, kilogram, second etc., will be generally compulsory. The use of units like the Festmeter (cubic meter of solid timber), horsepower, calory etc. are to be banned from 31 December 1977 or 31 December 1979 (yard, square yard, degree Fahrenheit etc.). The continued use of some imperial units such as the inch, foot, mile etc. will be the subject of a review before 31 December 1979. Mr *Borschette*, Member of the Commission, stressed that harmonization would be limited to what was absolutely necessary.

External relations

Basic freedoms must be restored before Spain may join the Community
(12 May)

2407. Parliament considered it essential for individual, political and trade union freedoms to be restored in Spain, and in particular for the existence of all political parties to be legalized quickly. At the same time the House reiterated its desire to see Spain join the European Community when it had evolved towards a genuinely democratic regime. Efforts in this direction so far, especially in connection with the announcement of a forthcoming institutional referendum were still far too limited, since certain forms of repression were still being maintained.

The House felt that the significance of the general elections promised for the spring of 1977 depended on a general amnesty for all political prisoners and the free return of all exiles. Parliament

assured its support for all those in Spain who were striving for a pluralist, independent and free democracy.

On behalf of the Political Affairs Committee, Mr Maurice *Faure* (S/F) presented the Resolution motion and described Spain's economic and political problems as reflected in soaring inflation and unemployment. Drawing a detailed map of the political landscape, he highlighted the hostility towards innovation in the Government and the efforts for unity by the two major opposition parties in the 'Coordinación democrática'.

Mr *Fellermaier* (S/D) felt that Parliament should make its information services available to the forces in opposition, who, because the press was censored, had no means of expression, so that their voices could carry to the public mind. The European Socialists gave a firm no to the question of entering into membership negotiations with Spain as long as there were no free trade unions there.

Mr *Bertrand* (C-D/B) urged support for all political movements which wanted democracy to develop in Spain. The political lesson of Portugal had shown that everything which hampered the growth of democracy must be swept away. Mr *Durieux* (L/F) reported on his talks with the more progressive forces in Spanish Government circles and said he was confident that general elections would be held.

Towards the end of the debate, in which the speakers for the other groups endorsed the Resolution, albeit with certain qualifications, Sir Christopher *Soames*, Vice-President of the Commission, summarized the state of relations with Spain, which wanted to become a full member of the Community and, pending this, to continue the 1970 Trade Agreement.

¹ OJ C 20 of 29.1.1976.

*The situation of political prisoners
in Chile and Uruguay*
(13 May)

2408. Parliament was unanimous in condemning the constant violations of basic freedoms and fundamental rights in Chile. The House reaffirmed its objections to any persecution for political reasons and appealed to international opinion and to the responsible agencies to secure the right of imprisoned opponents of the regime in Chile to the human and legal safeguards to which, under the Convention of political and civil rights of the United Nations, all prisoners are entitled. The Resolution is to be transmitted to the Chilean authorities, the other Latin American countries and the Organization of American States (OAS) which is due to meet in Santiago on 4 and 5 June.

2409. A question to the Commission from the Socialist Group represented by Mr *Glinne* (B), Mr *Nielsen* (DK), Mr *Broksz* (NL) and Mr *Walkhoff* (D) centred on the fate of political prisoners in Uruguay, and concerned the further development of relations between the Community and Uruguay.

The questioners brought up the question of whether the Community should not adopt the same attitude towards the Uruguayan regime as it had towards the colonels in Greece and the Spanish regime, in freezing relations. Uruguay had only recently asked the Community to extend the existing trade concessions, the request coinciding, as questioners emphasized, with the protest week launched throughout the world by Amnesty International against the torture methods of the Uruguayan police.

Mr *Thomson*, Member of the Commission, said that the Commission deplored any violation of human rights. Here there could be doubt about the Commission's position. He pointed out that relations with Uruguay were much more limited than with the countries referred to in the ques-

tion. No preferential treatment was involved and no fresh advantages would be offered.

*Cooperation agreements and common commercial
policy*
(12 May)

2410. Answering an oral question, the President of the Council, Mr *Thorn* stated that it was not possible to give any figures as desired by Mr *Jahn* (C-D/D) and Mr *Klepsch* (C-D/D) on the cooperation agreements which the Member States had concluded with Eastern European and Asian countries.

The questioners were trying to find out whether such agreements were incompatible with the common commercial policy. They also asked about instruments for monitoring trade in goods and services, government credit, guarantees and insurance provided to promote cooperation, and whether they were compatible with the EEC Treaty. They also wanted more detailed particulars on how the notification and consultation procedure was working.

For the Commission, Sir Christopher *Soames* explained that in the preparatory stage the cooperation agreements were appraised by the Commission and were modified if any incompatibility was found. For the rest, it was up to the Member State to decide what publicity they intended to give the agreements. The confidential nature of private agreements must be safeguarded. Reliable estimates indicated that 3 to 7% of trade with the east was conducted via cooperation agreements.

Protest against violation of the Helsinki Agreement
(12 May)

2411. In a petition dated October 1975, representatives of Ukrainian organizations abroad had asked the members of the European Parliament to urge their own governments to obtain the release of Ukrainian intellectuals, including many women, arrested by the Soviet Government for

raising their voices to defend basic rights and human dignity and protect the Ukrainian language and culture from Russification.

Mrs Walz (C-D/D), Mr Klepsch (C-D/D), Mr Aigner (C-D/D), Mr Artzinger (C-D/D), Mr Blumenfeld (C-D/D), Mr Härzschel, Mr Mursch (C-D/D) and Mr Springorum (C-D/D) asked the Council what action it was contemplating in view of the Soviet Union's persistent violation of the Helsinki Agreement (CSCE). Opening the debate, Mrs Walz remarked that perhaps the West had expected too much from the CSCE. Speaking of the Helsinki Agreement, the President of the Council, Mr Thorn, said that the signatory States had been aware that the Final Act was not an agreement within the meaning of international law. There were therefore no possibilities for sanctions if it was not applied. Mr Thorn felt that the significance of the Agreement lay in the fact that for the first time a consensus had been reached on a code of conduct for the recognition of human rights. We must wait at least two years to judge its effects. Referring to the individual cases mentioned in the question, Mr Thorn spoke of what he felt to be the more effective role of diplomacy.

Development and cooperation

Association of overseas countries and territories held up
(12 May)

2412. Answering a question from Miss Flesch (L/L), the President of the Council, Mr Thorn, explained that the Council's decision on the association of overseas countries and territories could not be taken at the same time as the Lomé Convention came into force, because at the last minute the French Government had asked for its overseas departments to be covered by the European Agricultural Guidance and Guarantee Fund.

Research (11 May)

A new lease of life for Community research

2413. Parliament urged that Community research must fit in with an overall concept of research and development policy. In an own-initiative report, the House strongly criticized the present multiannual research programme. The main shortcoming of the programme, with which the Council, by its Decision of 25 August 1975, had enabled Community research to survive, was that it did not meet this requirement.

The programme was neither homogeneous nor flexible. For future multiannual programmes, which must suit the interests of the Community, Parliament established the following criteria: the scope of the research should be large enough to justify pooling all intellectual and material capacity at Community level; the subject of the research must be relevant to the Community and, where possible, benefit the public services in the Community; the research programme must fall within the framework of Community policy.

The objectives and priorities for a common research and development policy¹ defined by the Commission in a Communication to the Council, which were the subject of a second report, corresponded in Parliament's view to the need for closer coordination of national research projects and objective criteria in planning and execution. The House deplored the lack of a common industrial policy. On the other hand, the planned role of the Joint Research Centre was appreciated.

The Member of the Commission responsible for science, research and technology, Mr Brunner, warned against idealistic attitudes. In setting its research objectives, the Community could rely on the support of the Member States only if it

¹ Supplement 4/76 — Bull. EC; see also Bull. EC 10-1975, points 1401 to 1405.

acknowledged political realities. But he did not like to hear the results of the Community's research policy over recent years belittled as sometimes happened. He felt that the EEC's future research policy should take up from the point where the Community could achieve more than the national centres.

That meant, first, areas where industry could draw no immediate benefit, second, projects which no Member State would tackle alone and third, dangerous areas of research where the safety and welfare of the public was at stake. These were therefore the criteria which had been taken as the basis for the future programme of the Joint Research Centre.

Reprocessing radioactive material
(11 May)

2414. In an own-initiative report, Parliament considered that the expected development of nuclear energy in the Community in the eighties would demand a corresponding effort to develop reprocessing techniques for irradiated fuels and materials.

With the ways and means provided in the Euratom Treaty the Community must help to solve this problem and ensure that regeneration capacity was created with no further delay. The question of economy must be seen as related to the recovery of plutonium and uranium.

Social affairs

Equal pay for men and women
(12 May)

2415. On behalf of the Socialist Group, the Chairman, Mr *Fellermaier* (D), asked what conclusions the Council and Commission had drawn from the recent Judgment of the Court of Justice of the European Communities on the question of equal pay for men and women. On 8 April, the Court of Justice had ruled in the case *Defrenne*

v *SABENA*¹ that the principle of equal pay as laid down in Article 119 of the EEC Treaty was *directly* applicable and could therefore be relied upon by anyone pleading in the national courts. The Judgment arose from the complaint of the Belgian stewardess, *Gabrielle Defrenne*, against the *SABENA* airline because from 1963 to 1966 she had been paid less than her male colleagues.

The President of the Council, Mr *Thorn*, said that the questioners were mistaken in assuming that the Council had hitherto taken the view that the principle of equal pay was applicable only through Directive 75/117.² Moreover, application of this judgment in the Member States did not fall within the Council's province.

Vice-President *Hillery* pointed out that the Commission was watching closely to see that the principle of equal pay for men and women was respected and, if need be, would initiate Treaty infringement procedures, as had already happened on two occasions.

A move to establish a European Social Union
(13 May)

2416. Parliament held that the question of introducing a Community social security system, as suggested by Sir *Brandon Rhys Williams* (C/UK) in a Resolution motion in November 1975, should be handled 'with an overall, long-term solution in mind'. National systems as a whole could be harmonized only very slowly and cautiously, not least because, as the Resolution indicated, it must be ensured that the Member States were steering the same course in social policy. But the House approved priority treatment for certain areas such as family allowances, pensions

¹ Bull. EC 4-1976, point 2438.

² Council Directive of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women, OJ L 45 of 19.2.1975; see also Bull. EC 12-1974, point 1303 and 2-1975, point 2209.

etc., and called on the Commission to put the necessary preliminary work in hand immediately. Speaking on behalf of the rapporteur, Mr *Glinne* (S/B), Mr *Albers* (S/NL) stressed that the Community needed a resolute and credible social policy especially with fair income distribution and social security systems. This could not be left to the free play of existing forces. As guardian of the common interest, the State had to set out macroeconomic guidelines and create and maintain social justice.

Mr *Albers* regretted that the Treaty of Rome (Articles 117 and 121) offered very little by way of a base for building a social policy at Community level. He recognized the need to improve and harmonize living and working conditions for the workers, but the instruments, like the European Social Fund, were inadequate. The close links with a European investment and regional policy should not be overlooked either.

On behalf of the Socialist Group, Mr *Albers* added that in view of the difficult economic and employment situation we must bear in mind just how great an effort it would take to achieve a social union. He was sorry to note that social policy measures currently applied in the Member States were not tending to even out existing disparities. This made him sceptical to say the least.

Education policy

Opening the European Schools to migrant workers' children
(11 May)

2417. Mr *Walkhoff* (S/D), Mr *Laban* (S/NL), Mr *Broeksz* (S/NL), Mr *Mitchell* (S/UK), Lady *Fisher of Rednal* (S/UK), Mr *Nielsen* (S/DK), Mr *Suck* (S/D), Mr *Thornley* (S/IRL) and Lord *Ardwick* (S/UK) asked what were the reactions of the Board of Governors of the European Schools to Parliament's suggestions for reform. On 22 September 1975,¹ Parliament had urged that the European Schools be opened to migrant workers'

children and called for reforms to afford these children equal opportunities.

Mr *Brunner*, Member of the Commission, explained that the Commission and Council had just started to give careful consideration to Parliament's Resolution. They were trying to simplify the admission of pupils. But Mr *Brunner* warned against the idea that opening up the Schools would solve the problems of migrant workers' children. There was the question of teaching staff and financial difficulties besides.

Environment and consumer protection

Community funds to be used against urban decay?
(13 May)

2418. Mr *Barnett* (S/UK), Mr *Albers* (S/NL), Mr *Albertsen* (S/DK), Lady *Fisher of Rednal* and Mr *Prescott* (S/UK) asked the Commission about the possibility of using the European Social Fund or Regional Fund or a special Community fund to improve inner-city areas.

Mr *Thomson* reported on the Commission's moves in this direction. He mentioned the Regional Policy Committee, whose work took in the problems of conurbations, and five separate study projects now in preparation. The results of an initial study would be to hand this year. Mr *Thomson* reminded the House that in July last year the Council had agreed that a series of pilot schemes should be carried out and that the Community would contribute six million u.a. to finance them. Twenty-five such projects concern urban renewal.

Protecting the Mediterranean
(14 May)

2419. The petition by a Member of the French National Assembly gave rise to a report on the

¹ Bull. EC 9-1975, point 2411.

protection of the Mediterranean. It comprised a summary of Community action to date to solve the pollution problem in the Mediterranean. In the Resolution Parliament urged the Council to ratify forthwith the Directive on titanium dioxide ('red mud') which was now before it.

Standards for jam manufacture
(14 May)

2420. The report by Mr Brégégère (F) on the consumer policy aspects of the manufacture and marketing of jams, jellies and similar products was referred back to committee for a more detailed appraisal of health considerations. Further points had arisen as a result of the statements by the Member of the Commission responsible.

Transport

*Proof of qualifications for carriers
in inland waterway transport*
(14 May)

2421. Two proposals for Directives were approved on access to the occupation of carrier in inland waterway transport and on mutual recognition of formal qualifications for road or waterway hauliers. The House appreciated that the aim of the Directives was to improve the professional qualifications of operators and the efficiency of transport services.

Concorde
(14 May)

2422. Answering an oral question from Mr Normanton (C/UK), Mr Thomson, Member of the Commission pointed out that overflying and landing rights for aircraft were strictly a matter for the countries concerned. Mr Normanton had asked the Commission if it would use its influ-

ence to get Concorde quickly put into service on routes around the world.

Agriculture

*Restructuring inshore fishing
and replenishing fish stocks*
(13 May)

2423. Parliament approved the Commission's proposal for restructuring the non-industrial inshore fishing industry.¹ But the House considered that it was essential to maintain a viable inshore fishing industry to prevent the depopulation of the Community's peripheral regions. The planned measures must be backed up by a scientifically based Community policy for the conservation of fish stocks, in which financial support for fishery research centres should be considered.

Aid for beekeepers and budgetary powers
(13 May)

2424. The Commission's Regulation on aid for beekeepers, which at first glance seemed to be simply technicalities, turned into a basic issue of Parliament's budgetary rights.

About 80 % of Community beekeepers should receive 1.2 u.a. per financial year for each hive. The Regulation became a budget issue because the funds provided (2 500 000 u.a.) had been approved and entered by Parliament into the 1976 draft budget with certain set objectives, to which, according to a majority of the House, the Commission's proposal did not correspond.² Parliament is now awaiting a new, improved proposal from Mr Lardinois, Member of the Commission, whose first proposal was rejected.

¹ OJ C 6 of 10.1.1976.

² Bull. EC 11-1975, points 2405 and 2466.

Finance

Clarification of the budget

2425. Parliament endorsed the conclusions of an *ad hoc* working party of the Committee on Budgets concerning the possibilities for improving the interinstitutional dialogue as part of the Community's budget procedure. The Committee will use these conclusions in further work on this matter. They concern inclusion of Community loans, financial cooperation appropriations and the European Development Fund in the budget, the financing of multiannual measures by extended application of commitment authorizations, avoidance of supplementary budgets, lucidity of budget presentation and transparency.

Fourth financial report of the EAGGF (13 May)

2426. Parliament reviewed the financial report of the European Agricultural Guidance and Guarantee Fund with reference to the current problems in a stocktaking of the common agricultural policy.

Internal common market

Technical barriers to trade (14 May)

2427. Parliament approved the Commission's proposals for Directives on the emission of pollutants from diesel engines for use in wheeled agricultural or forestry tractors, the field of vision of motor-vehicle drivers and permissible sound level and exhaust system of motor cycles.

Question time (12 May)

Gerrymandering in the direct elections

2428. Answering a question from Mr *Dondelinger* (S/L) who asked whether the Council could take an appropriate decision to prevent gerrymandering in the direct elections to the European Parliament, the President of the Council, Mr *Thorn*, reminded the House that when passing its own draft Convention it had had trouble in finding a solution which satisfied everyone and had therefore abandoned its attempts.

New powers only in the second term of office?

2429. To a question from Mr *Seefeld* (S/D), President *Ortoli* of the Commission replied that the personal statement by Vice-President *Scarascia Mugnozza* in the press that it might be dangerous to transfer constituent authority to the directly elected European Parliament in its first term did not reflect the views of the Commission as a whole.

Council

In May the Council held four meetings on external affairs, economic and financial affairs and agriculture.

394th meeting — External affairs (Brussels, 3 and 4 May)

2430. *President: Mr Thorn*, Luxembourg Minister of Foreign Affairs.

From the Commission: Mr Ortoli, President, Mr *Scarascia Mugnozza*, Sir *Christopher Soames*, Vice-Presidents, Mr *Borschette*, Mr *Brunner* and Mr *Cheysson*, Members.

Development and cooperation: The Council noted the progress made by the Commissions of the Conference on International Economic Cooperation at their third session and then went on to discuss the fourth UNCTAD session and the joint positions which the Community would take in Nairobi.¹

Election of the European Parliament by direct universal suffrage: The Council held a wide-ranging discussion on how seats should be distributed within such a Parliament and agreed to continue the discussion at its meeting on 31 May and 1 June.

Community commitments towards Mediterranean countries: The Council again discussed in detail the possible volume of total Community financial commitments (EIB own resources and budget resources) towards the various Mediterranean countries with which negotiations are either under way or planned.

Portugal: The Council took the necessary decisions to continue current negotiations with Portugal, in particular as regards details of the financial cooperation which is to take over from the emergency aid which Portugal was granted in October 1975.

Greece: The Council noted that preparatory work on the examination of Greece's application for membership had begun on schedule.

Summer time: The Council considered the matter of introducing summer time throughout the Community and, although it discussed possible dates on which the arrangements might begin and end in 1977, 1978 and 1979, it failed to reach any agreement.

395th meeting — Economic and financial affairs (Brussels, 17 May)

2431. *President:* Mr Vouël, Luxembourg Minister of Finance.

From the Commission: Mr Haferkamp and Dr Hillery, Vice-Presidents.

Economic and social situation within the Community: The Council used a Commission working paper to make a detailed appraisal of the economic and social situation within the Community in preparation for the Tripartite Conference on 24 June between the Council, the Commission and the two sides of industry.

The Council asked the Commission to prepare the basic documents for the Conference, bearing in mind the opinions expressed by members of the Council and the need to promote employment and stability.²

Financial mechanism: The Council formally adopted the Regulation setting up a financial mechanism.³

396th meeting — Agriculture (Brussels, 17 and 18 May)

2432. *President:* Mr Hamilius, Luxembourg Minister of Agriculture.

From the Commission: Mr Lardinois, Member.

Rebuilding Friuli: The Council noted a communication from the Italian delegation pointing out that assistance from the EAGGF Guidance Section could be provided for a number of projects to rebuild agricultural installations destroyed in the earthquake.

Mr Lardinois, the Commission representative, gave a progress report on the Commission's aid plan which might well be extended to include these projects.

The Council hoped the Commission would present a package of proposals as soon as possible

¹ Points 1201 to 1213.

² Points 2201 and 2202.

³ Point 2470.

covering the different sectors where effective aid could be provided for the reconstruction of the area.¹

Italy's monetary measures: The Council discussed in detail the possible effects of Italy's recent monetary measures on its agricultural imports and recorded broad agreement on the proposal for a Regulation amending the Regulation laying down general rules on the granting of aid for skimmed milk powder to be used as animal feed.²

Malt: The Commission communicated to the Council its draft Regulation on special arrangements for implementing the system of import and export licences for cereals and rice.

The Council requested the Special Committee on Agriculture to seek an agreement on the matter and agreed to adopt the Regulation at the earliest possible moment by written procedure.

Cereals: The Council adopted a number of Regulations implementing decisions fixing cereal prices taken at its meeting from 2 to 6 March.³

Sugar: It was agreed that the Commission should continue the negotiations with the ACP countries, following the directives already adopted.

Potatoes: The Council approved a final extension of the Regulation temporarily suspending the Common Customs Tariff for new potatoes.

Tomatoes: The Council formally adopted the Regulation fixing the minimum price and the special minimum price of tomato concentrates for 1976/77.⁴

Apples: The Council agreed to extend until the end of June the Regulation setting the basic price and the buying-in price of apples.⁵

Wine: Further to the agreements in principle reached in March this year, the Council formally adopted a number of Regulations on wine.⁶

At its meeting from 2 to 6 March the Council had given the go-ahead for wine to be distilled. It now agreed in principle that this operation

should be resumed for a fortnight at the end of May.

Beef and veal: The Council endorsed the Regulation amending the arrangements for imports of beef and veal originating in certain African, Caribbean and Pacific States.⁷

Mutton and lamb: The Council discussed all aspects of the introduction of a transitional common organization of the market in mutton and lamb.⁸

397th meeting — External affairs (Brussels, 31 May and 1 June)

2433. *President:* Mr Thorn, Luxembourg Minister of Foreign Affairs.

From the Commission: Mr Ortoli, President, Sir Christopher Soames, Vice-President, Mr Cheysson and Mr Gundelach, Members.

Aid to Friuli: The Council noted a letter from Mr Ortoli following his visit to the Friuli region where he had met several Ministers and senior civil servants to see how Community aid could help in rebuilding the region.

Pending formal proposals from the Commission, the Council, in a gesture of solidarity towards the stricken inhabitants, stated in advance that it would adopt a favourable attitude towards whatever measures were recommended by the Commission.¹

1 Points 1501 to 1507.

2 Points 2203 to 2206.

3 Point 2243.

4 Point 2245.

5 Point 2244.

6 Points 2235 to 2239.

7 Point 2247.

8 Point 2249.

Outcome of the fourth UNCTAD session: Mr Cheysson, Member of the Commission, reported on the proceedings and outcome of the fourth UNCTAD session and the Council expressed its satisfaction at the successful completion of the Conference.¹

International wheat agreement: The Council agreed that the Community should accede to the Protocols further extending the Wheat Trade Convention and the Food Aid Convention which together form the 1971 International Wheat Agreement.²

Election of the European Parliament: No progress was made towards reaching agreement on this matter.

Miscellaneous: The Council agreed to instruct the Commission that a cooperation agreement should be negotiated between the EAEC and Switzerland on controlled thermonuclear fusion and plasma physics.³

Commission

Internal arrangements

2434. On 11 May Mr Albert *Borschette*, Member of the Commission, suffered a disturbance of the circulatory system. This necessitated his being admitted to hospital in Strasbourg where he underwent surgery. His condition, which was serious, has remained unchanged since. The Commission has therefore had to make arrangements for the replacement of Mr Borschette during his illness.

On 19 May, the Commission decided that while Mr Borschette was absent for health reasons his responsibilities would be temporarily assumed by the President, Mr Francois-Xavier *Ortoli* for personnel and administration and by Mr George *Thomson* for competition.

Mr Altiero *Spinelli*, Member of the Commission, informed the Commission on 17 May that he

had decided to stand in the Parliamentary elections in Italy. As is the custom in such circumstances, he will not be taking part in the work of the Commission during the election campaign. On 19 May, the Commission decided that, during his absence, responsibility for industrial and technological affairs will be temporarily assumed by Mr Henri *Simonet*, Vice-President.

Activities

2435. The Commission held four meetings in May. Attention focused on preparing the Community budget for 1977, the earthquake in Friuli,⁴ preparations for the Tripartite Conference⁵ and the economic and monetary situation in Italy.

1977 Budget: The Commission got down to its first appraisal of the preliminary draft budget of the Communities for 1977.⁶

Adoption of emergency measures by Italy: The Commission devoted most of its meeting of 5 May to the emergency measures made necessary by the situation in Italy. Speculation against the lira had assumed alarming proportions, obliging the Italian Government to take drastic steps.⁷

At this meeting, the Commission considered the situation at length in direct liaison with those in charge of the Italian economy. On the basis of Article 108(3) of the Treaty, the Commission adopted a Decision authorizing the Italian Government to implement the intended measures immediately.

Medium-term economic policy programme: The Commission received the preliminary draft of the

¹ Points 1201 to 1213.

² Point 2319.

³ Point 2274.

⁴ Points 1501 to 1507.

⁵ Point 2201.

⁶ Points 2466 to 2468.

⁷ Points 2203 to 2206.

fourth medium-term economic policy programme for 1976-80. The discussion led to general agreement on the guidelines for the programme. A number of further suggestions were put forward which will be considered as the preparatory work goes on. The Commission is expected to adopt the draft of the programme in June.

Multiannual research programme: The Commission adopted the draft of the multiannual research programme for the Joint Research Centre. It covers the period 1977-80 and is concentrated into ten clear-cut programmes where the accent is heavily laid on energy, the environment and public service activities. The programmes will be carried out with the present staff of the JRC.¹

Shipbuilding: In a Communication to the Council on shipbuilding, the Commission highlighted the serious crisis threatening the industry. The Commission has come to the conclusion that coordinated action at international level is the best way of bringing supply and demand closely and smoothly into line, and of ensuring that each country bears a fair share of the economic and social effects. The Commission is proposing to the Council that the Community, as such, should back up the action already initiated within the OECD concerning reduction of production capacities in the main shipbuilding countries.²

Relations with workers' and employers' organizations

2436. During May the Commission organized various meetings with the two sides of industry. Most of the contacts this month were with the Secretariat of the European Confederation of Trade Unions (ETUC).

A briefing session was held in Luxembourg on the Court of Justice of the Communities; it dealt with the general case law of the Court, and disputes and actions in social law in particular.

With an eye on the Tripartite Conference, ETUC experts held a meeting where they prepared the

draft of a position to be finally adopted by the Executive Committee meeting in June.

The Working Group on the Problems of Women's Employment met to prepare a position on discrimination between men and women in social security.

A briefing session was held on the scope for ECSC and EIB financing.

Several trade union committees were also advised of progress in the multilateral GATT negotiations to enable them to prepare a position. These were the European Federation of Agricultural Workers in the Community (EFA) and the European Committee of Food, Tobacco and Hotel Industry Trade Unions (CESA); the EEC Coordination Committee of the International Federation of Chemical and General Workers Unions (ICF) and the European Metalworkers Federation of the Community (EMF). The EMF was also briefed on Community competition policy.

Court of Justice

New cases

Case 39/76 — Bestuur der Bedrijfsvereniging voor de Metaalnijverheid v M.L.J. Moutaans, Alphen a/d Rijn

2437. In an action concerning the grant of unemployment benefits to a Dutch national, resident in the Netherlands and employed by a Dutch undertaking hiring out labour, for whom he was working in Germany, the Centrale Raad van Beroep requested the Court of Justice on 7 May for a preliminary ruling on the interpretation of Articles 1, 13, 14 and 71 of Regulation (EEC) No 1408/71 on the application of social

¹ Points 1301 to 1306.

² Points 1401 to 1407.

security schemes to employed persons and their families moving within the Community,¹ in order to determine the law applicable to the case described above.

Case 40/76 — Mrs S. Kermaschek, Bottrop, v Bundesanstalt für Arbeit, Nürnberg

2438. On 12 May, the Gelsenkirchen Social Court requested the Court of Justice to give a preliminary ruling on whether a national of a non-member country who had worked in the Netherlands and who had given up her employment to marry a German national, may receive in Germany under Article 67 *et seq.* of Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community,¹ unemployment benefits, potential entitlement to which had accrued prior to the marriage.

In the context of this case the German court raised a question concerning fundamental rights, i.e., whether the above rules, which provide for very few cases of persons being entitled to unemployment benefits in a Member State other than that in which they were last employed, are compatible with the legal concept of the protection of marriage and the family as expressed in the Basic Law of the Federal Republic of Germany.

Case 41/76 — (i) Mrs S. Donckerwolcke-Criel, Heusden, and (ii) Mr H. Schou, Sint-Denijs-Westrem, v (i) Procureur de la république au tribunal de grande instance de Lille, and (ii) Directeur général des douanes, Paris.

2439. In an action concerning customs formalities to be observed on the importation into France of fabrics and packaging bags originating in Syria and Lebanon but in free circulation in the country from which they come, in the case in question, Belgium, the Court of Appeal of Douai asked the Court of Justice on 13 May for a preliminary ruling on whether the requirement by the importing Member State that the country

of origin be indicated on the customs declaration and that an application for an import licence be submitted—with a view to the possible introduction of protective measures pursuant to Article 115 of the EEC Treaty—constitute measures having an effect equivalent to quantitative restrictions.

Case 42/76 — Mr J. De Wolf, Turnhout, v BV Harry Cox, Boxmeer

2440. The Hoge Raad der Nederlanden requested the Court of Justice on 14 May to interpret Article 31 of the Convention on Jurisdiction and the Enforcement of Civil and Commercial Judgments of 27 September 1968. The question was whether this Article precludes an applicant, to whom a court in a contracting state has given a favourable decision, from bringing proceedings in a court of another contracting state instead of requesting it to issue an order for enforcement which would be more expensive in the instant case than bringing fresh proceedings.

2441. *Case 43/76 — This case has not yet been notified.*

Case 44/76 — Firma Milch-, Fett- und Eier-Kontor GmbH, Hamburg, v (i) Council, and (ii) Commission

2442. Following a referral for a preliminary ruling by the Hamburg Finance Court,² a German company which exported butter to Czechoslovakia by forwarding it through Morocco in order to receive a higher refund, has brought proceedings for damages against the Council and Commission on the grounds that it has not received the refunds on the exports to Morocco.

¹ OJ L 149 of 5.7.1971.

² Case 125/75, Bull. EC 12-1975, point 2429.

Case 45/76 — BV Comet, Sassenheim, v Produktschap voor Siergewassen, The Hague

2443. On 26 May the Centrale Raad van Beroep voor het Bedrijfsleven asked the Court of Justice for a preliminary ruling on whether, under Community law a failure to observe the time limit for bringing proceedings prescribed by national law may be invoked against a private individual who challenges before a national court a decision of a national body on the ground that it is contrary to Community law. A similar question was asked by the Federal Constitutional Court.¹

Judgments

Case 26/74 — SA Roquette Frères, Lestrem, v Commission

2444. On 26 March 1974 a French company specializing in the manufacture of starch products produced from maize, and obliged to pay monetary compensatory amounts in respect of its exports pursuant to Regulation (EEC) No 218/74 fixing the monetary compensatory amounts and certain rates for their application,² an obligation which it regarded as unfair, brought an action before the Court of Justice for the payment of damages, on the basis of the second paragraph of Article 215 of the EEC Treaty, to recoup the compensatory amounts paid by it since 28 January 1974.

At the same time the applicant had brought an action against the French State in the Lille Court which, after referring the matter to the Court of Justice for a preliminary ruling,³ ordered the French Republic to refund to the applicant the monetary compensatory amounts which, according to the judgment of the Court, had been improperly levied.

Since the applicant did not receive interest on these amounts he maintained his action for damages against the Commission for this further

sum. The Court dismissed this action by its Judgment of 21 May.

Case 47/75 — Federal Republic of Germany v Commission

2445. As a result of the termination of leases by the owners of silos, the German intervention agency for cereals had been obliged to bear additional transport costs during the period from 1971 to 1974. The German Government had requested the Commission to reimburse this expenditure on the basis of Article 4 of Regulation No 787/69 on the financing of intervention expenditure in respect of the domestic markets in cereals and rice.⁴ The Commission had refused this request by letter of 20 March 1975. The German Government brought an action in the Court of Justice on 27 May 1975 to annul the Commission's decision.

By Judgment of 4 May, the Court decided in favour of the Federal Republic of Germany.

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

2446. Dealing with a case concerning the payment by a German social security body of its share of the contribution paid under a Dutch mutual insurance undertaking's voluntary sickness insurance scheme, joined by a German pensioner resident in the Netherlands, the Higher Social Court in Berlin asked the Court of Justice on 29 September 1975 for a preliminary ruling on the interpretation of Article 27 of Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community.⁵

¹ Case 33/76, Bull. EC 4-1976, point 2431.

² OJ L 24 of 28.1.1974.

³ Bull. EC 11-1974, point 2440.

⁴ OJ L 105 of 2.5.1969.

⁵ OJ L 149 of 5.7.1971.

In its Judgment of 26 May the Court held that this Article refers only to sickness or maternity benefits granted by the appropriate institution in the State of residence of the pensioner upon the occurrence of those risks and cannot affect any right of the pensioner to receive a benefit under the law of another Member State, such as a share of the contribution paid under a voluntary sickness insurance scheme.

Case 104/75 — Officier van Justitie in het Arrondissement Rotterdam v Mr A. de Peijper, Nieuwerkerk aan den IJssel

2447. In criminal proceedings brought against a manager of companies manufacturing pharmaceutical products who was charged with having failed to comply with the formalities prescribed in the Netherlands Decree governing pharmaceutical preparations with regard to the import of certain proprietary products from the United Kingdom, the Kantongerecht of Rotterdam asked the Court of Justice on 2 October 1975 for a preliminary ruling on whether these national rules are compatible with Article 36 of the EEC Treaty, or whether they should be regarded as a disguised restriction on trade between Member States.

In its Judgment of 20 May the Court held that a body of national rules which results in imports being channelled in such a way that only certain traders may import, while others are excluded, constitutes a measure having an equivalent effect to a quantitative restriction within the meaning of Article 30 of the EEC Treaty. The Court also stated that such a body of rules, which enables the manufacturer of the product in question and his approved representatives to monopolize its import and sale by refusing to issue the necessary documents, must be regarded as being more restrictive than necessary and cannot benefit from the exception under Article 36 of the EEC Treaty.

Case 111/75 — Impresa Costruzione Comm. Q. Mazzalai v Ferrovia del Renon SpA, Bolzano

2448. On 24 October 1975 the Tribunal at Trento asked the Court of Justice to interpret Article 6(4) of the second Directive on the harmonization of legislation of Member States concerning turnover taxes.¹ The Court was required to rule on when the chargeable event occurs where services are provided, and in particular with regard to works contracts.

The Court held in its Judgment of 20 May that this provision could not be interpreted as meaning that the time when the service is provided can be identified with the time at which the invoice is issued or a payment on account is received if these operations occur after the service has been provided.

Case 117/75 — Commission v French Republic

2449. On 27 November 1975 the Commission brought an action before the Court of Justice for a ruling that France had failed to fulfil its obligations under Articles 9 and 12 of the EEC Treaty and Article 31(1)(a) of Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine,² by introducing a tax on table wines originating in Italy, imported in containers of more than two litres.

Since France has abolished the tax, the Commission has withdrawn its action and the Court, by Order of 10 May, ruled that the case be removed from the Court record.

¹ OJ 71 of 14.4.1967.

² OJ L99 of 5.5.1970.

Economic and Social Committee

139th plenary session

2450. The Economic and Social Committee held its 139th plenary session in Brussels on 25 and 26 May, with the Committee Chairman, Mr *Canonge*, in the chair. It was attended by Mr *Marcel Mart*, President of the Council and Luxembourg Minister of Economic Affairs, Transport and Tourism who spoke to the Committee. Seventeen Opinions and a study were adopted.

Opinions

Possibilities for developing Community advanced technology industries by a policy of opening up public contracts

2451. The Committee felt that to establish, in Europe, a common market for public procurement in this sector would have a strategic impact on Community industries by opening up an internal market for European companies comparable to that commanded by American firms and would enable them to step up research and development, use more aggressive selling techniques and cut down their production costs. The main conclusions of the Opinion were that transparency should be fostered in public procurement of advanced technology equipment and governments should clearly indicate the procurement agencies and supply sectors concerned.

Present economic situation in the Community and short-term economic policy to be pursued

2452. This is the first time that the Committee has pronounced on the social and economic policies to be pursued in the short term before the Council has adopted the economic policy guidelines which the Member States should consider

when drawing up their budgets for the forthcoming year and before the national parliaments have approved the governments' draft budgets. The Committee warned that the growing disparity between the economic situations of the Member States and the various regions constituted a very real threat to the Community's harmonious development. It then considered the problem of the Community's very high level of largely structural unemployment. The three basic criteria which the Committee set for Member States' short-term economic policies are that: short-term economic policy measures must not lead to even wider disparities between national conditions; all policies must be geared to the need to safeguard existing jobs and create new ones; inflation rates must be brought down.

Trend of the social situation in the Community

2453. The Committee's Opinion deals with the Community's activity in the social sphere in 1975 and general features of the trend of the social situation during the year. The Committee pointed out that the employment situation had further deteriorated to the point where it was affecting every social category. The hardest hit were the 15 to 25-year olds, women, the elderly, and migrant workers. The Committee proposed wide-ranging action including a substantial increase in new jobs; training and retraining especially when firms reorganize; an effort to develop vocational guidance, training, briefing and advancement; and an active policy on the part of the Member States to promote multi-purpose training.

Energy policy

2454. In its Opinion on the Commission's Communication on implementing the energy policy guidelines issued by the European Council when it met in Rome on 1 and 2 December 1975, the Committee found that the minimum-price mechanism for petroleum imports was the main

innovation in the Community's energy policy. On this point, the Committee felt that the Commission must give details of the methods to apply this mechanism and outline how it might beneficially or adversely affect the various Community regions. The Commission should also show what impact the mechanism could have on the energy-producing industries, on the energy-using industries and on the individual consumer.

European Export Bank

2455. In its Opinion on the proposal for a Council Regulation to establish a European Export Bank, the Committee agreed that such a bank should be set up at European level to provide a system of export credit insurance as a back-up to the activities of existing credit institutions. The system should not only cater for groups of exporters from several countries, as proposed by the Commission, but should also cover projects originating in a single country. The Committee pointed out that this was an instrument of common commercial policy whose value was emerging in the light of competition conditions on the world markets.

Transport policy

2456. The Committee approved in principle:

- (a) the proposal for a Council Directive on access to the occupation of carrier of goods or of passengers by waterway in national and international transport;
- (b) the proposal for a Council Directive aiming at the mutual recognition of diplomas, certificates and other evidence of formal qualifications for road or waterway passenger transport and goods haulage operators, including measures intended to encourage these operators effectively to exercise their right to freedom of establishment;

- (c) the amended proposal for a Council Directive on harmonizing laws governing driving licences for road vehicles;

With regard to the proposal for a Council Regulation on harmonizing certain social provisions in road transport, the Committee found that it would not be able to examine this important proposal within a few weeks and so could not give an Opinion in the time required by the Council.

It undertook, however, to deliver an Opinion on the substance of the proposal by the end of 1976.

Environment

2457. The Committee approved the proposal for a Council Directive on the dumping of wastes at sea but felt that this was only the first step in the unending process of improving the environment by reducing the discharge of wastes into the aquatic environment. It also considered that certain provisions of the Commission's proposed Directive should be tightened and that even further provisions should be adopted at the earliest opportunity.

Agricultural policy

2458. The Committee approved:

- (a) the proposal for a Council Regulation on a Programme for restructuring the non-industrial inshore fishing industry;
- (b) the proposal for a Council Regulation amending the Regulation No 1696/71 concerning the common organization of the market in hops;
- (c) the proposal for a Council Regulation fixing for 1976/77 the main intervention centres for oil seeds and the derived intervention prices applicable to them.

Removal of technical barriers

2459. The Committee issued Opinions on a series of proposals for Council Directives on approximation of Member States' laws relating to:

- (a) permissible sound levels for tower cranes, current generators for welding and current generators for power supply;
- (b) the field of vision of motor-vehicle drivers;
- (c) measures to be taken against the emission of pollutants from diesel engines for use in wheeled agricultural or forestry tractors;
- (d) check-weighing and grading machines.

Repayment or remittance of import or export duties

2460. In its Opinion on the proposal for a Council Regulation on the repayment or remittance of import or export duties, the Committee considered it important to define a common policy and common procedures for repaying import or export duties. The Committee felt that in the last analysis these duties should not be finally levied unless the goods in question remained within the Community.

Objectives and priorities for a common research and development policy

2461. This study is based on the Community's general long-term economic and social objectives. The Committee believed that these must include the enhanced wellbeing of all citizens, balanced economic and social development and the promotion of international cooperation.

Emphasizing that research and development is one of the main tools available to shape the future of society, the Committee held that specific objectives for Community activity in this sphere must be deeper scientific and technical knowledge, social progress, development of advanced

technologies for economic ends, the mastery of progress and the management of raw materials.

European Investment Bank**Loans granted***Italy*

2462. The European Investment Bank has granted a loan equal to Lit 3'500 million (3.7 million units of account) to IRI-Istituto per la Ricostruzione Industriale for a steel processing plant at Taranto (Apulia).

Provided for 8 years at an interest rate of 9%, the loan will be used to extend sheet steel grading and cutting facilities at the works of SIDERCOMIT — Siderurgica Commerciale Italiana SpA, a company controlled by FINSIDER, part of the IRI group.

The new installations will raise the plant's handling capacity to 280 000 tonnes per year, enabling SIDERCOMIT to extend and improve its service through the offer of a whole range of sheet steels suitable for different industrial requirements. This processing activity lies 'downstream' from the ITALSIDER steelworks at Taranto and adds to the value of its production.

The project involves a total investment in the order of Lit 8 600 million and will double the amount of employment provided by these activities.

United Kingdom

2463. The Bank has granted the British Gas Corporation a second loan, equivalent to £ 8.6 million (14.6 million units of account), to help finance a pipeline across Southern England which will transmit North Sea natural gas towards the South-West.

The loan is for eight years at an interest rate of 9%. Last month £ 17.3 million was provided on similar terms for the same project.¹

This new loan brings to £ 387 million the total finance provided by the European Investment Bank for projects in the United Kingdom since the country's membership of the European Economic Community.

Ivory Coast

2464. The Commission and the Bank have concluded a contract with the Republic of the Ivory Coast for the granting of a loan on special conditions for the equivalent of 1 032 327 units of account (approximately CFAF 269.4 million). The EIB, which is entrusted with the management of the loan, is acting as the agent of the EEC.

The loan will help finance extension of the water supply system of Korhogo, the chief town in the northern region of the Ivory Coast. The project, the estimated cost of which is CFAF 440 million, forms part of the National Water Resources Programme. When completed, it will extend the potable water distribution to the entire urban area and will enable the needs of the population to be met up until 1990.

The loan on special conditions is being granted to the Republic of the Ivory Coast from the balance of the 2nd European Development Fund (First Yaoundé Convention); the term of the loan will be 40 years, including a five-year grace period and the rate of interest payable will be 1% per annum. The Republic of the Ivory Coast is also meeting part of the cost of financing the project.

New Caledonia

2465. The Commission and the Bank have concluded a contract with the French Overseas Territory of New Caledonia for the granting of a loan on special conditions equivalent to 2.4 mil-

lion units of account (approx. FF 12.6 million). The EIB, entrusted with management of the loan, is acting as agent of the EEC.

The loan will be used to help finance the first stage of rebuilding (including major structural works) of the 26 km long Moindou-Bourail section of Route No 1, the island's main trunk road. The project meets a pressing need as traffic on the old route, which is very mountainous, is nearing saturation point.

The loan is drawn from the resources of the 3rd European Development Fund (EDF) and the terms are 25 years (including a 5-year grace period) with an interest rate of 3%. The remaining finance required to carry out the project will be supplied by the Caisse des Dépôts et Consignations and from funds provided from the Territory's own resources.

Financing Community activities

General Budget 1977

Guidelines for the preliminary draft budget for 1977

2466. The Communication from the Commission to the joint Council of 5 April indicated the broad lines of Community budget policy. The joint Council, for its part, issued certain instructions which the Commission followed in preparing the estimates for 1977.²

As in the past, notably when drawing up the preliminary draft budget for 1976, the Commission was guided by the need for austerity in preparing the estimates for the appropriations, particularly those for the administrative sector for which it is responsible. The Commission has therefore decided to ask for the absolute mini-

¹ Bull. EC 4-1976, point 2444.

² Bull. EC 4-1976, point 2447.

mum as regards new staff and administrative appropriations.

The Commission repeats that it believes that the Budget should be, above all, a forecasting policy document, and therefore considers it essential that the Budgetary Authority should enter appropriations in the Budget to cover all foreseeable expenditure. Supplementary budgets should be envisaged solely for expenditure which could not be foreseen when the Budget was adopted or which results from new decisions taken during the financial year to satisfy a pressing need.

Consequently, the Commission considers that greater use should be made of the method of entering contingency appropriations in Chapter 100¹ where Council decisions are expected in 1977: this applies in particular to the decision on agricultural prices, to be taken by the Council in spring 1977, for which a contingency amount of 200 million u.a. has been proposed.

Certain major policies must be expanded as part of the continued efforts to strengthen European integration: consequently, the budgetary estimates for 1977 provide for an increase in appropriations to the social, research, industry, energy and aid to developing countries sectors. Although the Commission is endeavouring to keep EAGGF Guarantee Section expenditure under control its financial implications will again increase in 1977.

The preliminary draft budget for 1977 also contains a few new operations whose financial implications for the Budget as a whole are minor but which are designed to meet very urgent requirements.

The financial year 1975 ushered in a new budgetary era with the first application of Article 78 of the ECSC Treaty, Article 203 of the EEC Treaty and Article 177 of the Euratom Treaty. Although this caused some problems (refinement of the distinction between mandatory (compulsory) and discretionary (non-compulsory) expenditure, the method of calculating the maximum rate of in-

crease, and the exercise of budgetary powers by Council and Parliament)), the Commission is pleased that the experience gained from the budgetary procedures in 1974 and 1975 has made it possible to overcome these difficulties and to implement the new provisions flexibly and pragmatically. Consequently, the current budgetary procedure for the 1977 Budget has got off to a promising start.

Summary of expenditure as a whole

2467. The preliminary draft budget for 1977 stands at 9 260 731 297 u.a., 22.22 % up (1 683 872 149 u.a.) on the 1976 Budget.

Table 4 summarizes the appropriations as distributed between the institutions.

It must be emphasized, however, that this comparison is only provisional since the supplementary budgets to be drawn up shortly for the EAGGF Guarantee Section, food aid, and aid to the Friuli disaster area will increase the Commission's appropriations for 1976.

Survey of the changes in appropriations

2468. Table 5 gives an overall view of the changes in all the appropriations, between 1976 and 1977, by major policy category.

To permit an objective comparison, this table distinguishes between appropriations intended to cover commitments and appropriations intended for payments. This new method of presentation is indispensable, because the Commission is proposing for 1977 that the distinction between 'appropriations for commitment' and 'appropriations for payment' should be applied more widely.

For various categories of intervention appropriations, in line with the wishes expressed in partic-

¹ Chapter 98 in previous years.

ular by the European Parliament, the Commission has made a distinction, in the preliminary draft budget for 1977, between 'appropriations for commitment' and 'appropriations for payment' for operations covering several years, in order to make the Budget more transparent and to improve the way in which it is implemented. More general application of this distinction is intended to make it possible to include appropriations which will be needed to cover legal obligations (appropriations for commitment), while limiting the appropriations for payment to actual requirements each year.

The salient points of this comparison can be summarized as follows:

- (i) *The agricultural sector*, freed of the effect of the dual exchange rate in the new presentation of the Budget, accounts for 63 % of the appropriations for commitment and 67 % of the appropriations for payment in 1977. Hence the new presentation will reduce the agricultural policy's real share in the Budget as a whole (it was over 70 % in 1976 by the old method); however, the following points must be borne in mind:
- (a) the 1976 appropriations do not take account of the supplementary budget which is to be presented shortly, and

- (b) the 1977 appropriations include the sum of 200 million u.a. as a reserve to cover the price review.

Consequently, the real increase will be very much lower than this provisional percentage.

- (ii) *In the social sector* there is an increase of some 20 % in commitments, mainly because of an increase of 100 million u.a. for the Social Fund: however, by making the distinction between appropriations for commitment and appropriations for payment the latter will decrease by 59 %, enabling actual requirements to be satisfied.

- (iii) *In the regional sector* commitments have stabilized: however, there is a 66 % increase in payments from 300 million u.a. to 500 million u.a.

- (iv) *In the research, energy, industry and transport sector* there is a 9 % increase in commitments and a 44 % increase in payments. A distinction must be made between:

- (a) Euratom research proper (Chapter 33), for which there is a large reduction in appropriations for commitment compared with 1976 but an increase in payments, and

- (b) the energy and industry sectors for which there is a marked increase in 1977 because of cer-

Table 4 — Breakdown of appropriations by institution

Institution	Appropriations 1976		Preliminary draft budget for 1977		Increase from 1976 to 1977
	Amount	%	Amount	%	
Parliament	52 121 209	0.69	55 274 994	0.60	+ 6.05
Council	64 450 658	0.85	70 685 486	0.76	+ 9.67
Commission	7 449 103 901	98.31	9 122 100 017	98.50	+ 22.46
Court of justice	11 183 380	0.15	12 670 800	0.14	+ 13.30
Total	7 576 859 148	100	9 260 731 297	100	+ 22.22

tain new operations and the expansion of operations already in progress.

(v) *In the development cooperation sector* there is an increase of 65 % in commitments and 90 % in payments: it also has a bigger share of the Budget as a whole. The two main headings in this sector are aid to the non-associated developing countries and food aid: however, it must be pointed out that the 1976 appropriations do not take account of the supplementary budget for food aid. Consequently, the real increase will be appreciably lower.

(vi) *The miscellaneous sector* in 1976 comprised the effect of the dual exchange rate for the EAGGF Guarantee Section (320 million u.a. in 1976, rising to 550 million u.a. in 1977), while in 1977 it also includes the estimated capital (100 million u.a.) for the European Export Bank which the Commission has proposed should be set up and the repayments to the Member States of 10 % of own resources (429 million u.a. in 1976, rising to 546 million u.a. in 1977).

(vii) *In the operating sector* there is an increase of only 13 %. Moreover, it should be pointed out that if the implications of new posts for Titles 1 and 2 are subtracted, the increase is only about 11 %.

Amendment of the Financial Regulation

2469. On 26 May, the Commission sent to the budgetary authority a proposal for a Regulation amending the Financial Regulation of 25 April 1973¹ applicable to the General Budget of the European Communities. On the whole, the institutions have been satisfied with it over the last three years, but the evolution of Community policies and the changes in the respective budgetary powers of the institutions necessitate certain modifications. Amendments have already had to be introduced to take account of the creation of the European Regional Development Fund² and the special conditions for using the appropriations

relating to the Social Fund.³ The Commission has also had to propose other amendments.⁴ These successive changes mean that a number of important provisions are not incorporated in the Financial Regulation itself.

Furthermore, changes in the situation since 1972, when the present Financial Regulation was drafted, mean that alterations must be made to the provisions now in force.

It therefore seemed best that all the changes regarded as essential because of the altered conditions in the Community and as a result of the experience gained should be incorporated in a single proposal to amend the Financial Regulation.

All the changes hinge on three main points:

- the modifications to the manner in which the budgetary powers of the institutions are exercised,
- the updating, modernization and simplification of the budgetary procedures, and
- the financial autonomy of the Communities.

The amendments under the first of these headings have become necessary owing to the greater role of the European Parliament in budgetary decisions and to the decision of the European Council of 1 and 2 December 1975 to speed up ratification of the Treaty of 22 July 1975,⁵ which could come into force in the second half of 1976. The establishment by this Treaty of the Court of Auditors necessitates a number of amendments to the Financial Regulation.

¹ OJ L 114 of 1.5.1973.

² Financial Regulation of 18.3.1975, OJ L 73 of 21.3.1975.

³ Financial Regulation of 24.11.1975, OJ L 307 of 27.11.1975.

⁴ Proposal for a Regulation to extend the distinction between appropriations for commitment and appropriations for payment, OJ C 199 of 30.8.1975.

Proposal for a Regulation authorizing the Commission to effect transfers between the EAGGF, Guarantee Section, and Food Aid chapters; OJ C 240 of 21.10.1975.

⁵ Bull. EC 11-1975, point 1104.

Table 5 — *Trend in Community expenditure by sector*¹

(in u a)

Sector	1976				1977				Change col. 5 col. 1	%	Change col. 7 col. 3	%
	Appropriations for commitment	%	Appropriations for payment	%	Appropriations for commitment	%	Appropriations for payment	%				
	1	2	3	4	5	6	7	8	9	10	11	12
I — COMMISSION												
<i>A — Intervention</i>												
A1 Agricultural sector	5 130 612 500	63.98	5 130 612 500	67.71	6 370 273 500	63.12	6 209 373 500	67.05	+ 1 239 661 000	+ 24.16	+ 1 078 761 000	+ 21.03
A2 Social sector	530 600 001	6.62	452 600 001	5.97	634 722 000	6.29	185 032 000	1.99	+ 104 121 999	+ 19.62	- 267 568 001	- 59.12
A3 Regional sector	500 000 000	6.24	500 000 000	3.96	500 000 000	4.95	500 000 000	5.34	—	—	+ 200 000 000	+ 66.67
A4 Research, energy, industry, transport sector	337 043 270	4.20	172 992 526	2.28	368 615 766	3.65	249 894 179	2.70	+ 31 572 496	+ 9.37	+ 76 901 653	+ 44.45
A5 Development cooperation sector	293 520 750	3.66	293 520 750	3.87	485 632 900	4.81	382 632 900	4.13	+ 192 112 150	+ 65.45	+ 89 112 150	+ 30.36
A6 Repayments and aids to Member States and miscellaneous	320 000 000	3.99	320 000 000	4.22	650 000 000	6.44	650 000 000	7.02	+ 330 000 000	+ 103.13	+ 330 000 000	+ 103.13
	7 111 776 521	88.69	6 669 725 777	88.03	9 009 244 166	89.26	8 176 932 579	88.30	+ 1 897 467 645	+ 26.68	+ 1 507 206 802	+ 22.60
<i>B — Operating appropriations</i>												
B1 Staff	242 860 542	3.03	242 860 542	3.21	274 328 900	2.72	274 328 900	2.96	+ 31 468 358	+ 12.96	+ 31 468 358	+ 12.96
B2 Administrative expenditure	77 577 107	0.97	77 577 107	1.02	87 889 300	0.87	87 889 300	0.95	+ 10 312 193	+ 13.29	+ 10 312 193	+ 13.29
B3 Information	6 340 000	0.08	6 340 000	0.08	7 766 000	0.08	7 766 000	0.08	+ 1 426 000	+ 22.49	+ 1 426 000	+ 22.49
B4 Aids and subsidies	20 414 401	0.25	20 414 401	0.27	23 476 700	0.23	23 476 700	0.25	+ 3 062 299	+ 15.—	+ 3 062 299	+ 15.—
	347 192 050	4.33	347 192 050	4.58	393 460 900	3.90	393 460 900	4.25	+ 46 268 850	+ 13.33	+ 46 268 850	+ 13.33
<i>C — Contingency reserve</i>	3 000 000	0.04	3 000 000	0.04	6 000 000	0.06	6 000 000	0.06	+ 3 000 000	+ 100.—	+ 3 000 000	+ 100.—
<i>D — Repayment to the Member States of 10% of own resources</i>	429 186 074	5.35	429 186 074	5.66	545 706 538	5.41	545 706 538	5.89	+ 116 520 464	+ 27.15	+ 116 520 464	+ 27.15
Commission total	7 891 154 645	98.41	7 449 103 901	98.31	9 954 411 604	98.63	9 122 100 017	98.50	+ 2 063 256 959	+ 26.15	+ 1 672 996 116	+ 22.46
II — OTHER INSTITUTIONS	127 755 247	1.59	127 755 247	1.69	138 631 280	1.37	138 631 280	1.50	+ 10 876 033	+ 8.51	+ 10 876 033	+ 8.51
Grand total	8 018 909 892	100.—	7 576 859 148	100.—	10 093 042 884	100.—	9 260 731 297	100.—	+ 2 074 132 992	+ 25.87	+ 1 683 872 149	+ 22.22

¹ The comparison between 1976 and 1977 shown in this Table is provisional for the agricultural sector and the development cooperation sector because the appropriations shown for 1976 do not take account of the supplementary budgets to be drawn up for the EAGGF Guarantee Section, food aid, and aid to Friuli. Presenting the table in this way permits an objective comparison between the appropriations for 1976 and 1977 because of the wider application proposed by the Commission of the distinction between appropriations for commitment and appropriations for payment. In 1976 appropriations for commitment were authorized for three sectors, research, Regional Fund and Social Fund, authorizations for the latter representing appropriations for commitment. For 1977, this distinction is made for the energy, industry and aid to the developing countries sectors as well.

Budgetary procedures in the following areas have been modernized and simplified:

— the European unit of account (EUA) has been introduced to eliminate the widening gap between the conversion rates based on the present definition of the budgetary unit of account in terms of fine gold and the real value of currencies as shown in the currency market rates;

— appropriation for commitment and appropriations for payment have been introduced throughout the Budget, thus eliminating certain special procedures currently in use;

— the presentation and management of the function-orientated budget for research have been streamlined, thus giving greater budgetary transparency;

— the presentation and management of the budget for the Official Publications Office have been made more functional, so that the current practice of entering the same appropriation twice is eliminated;

— the budgetary nomenclature will be fixed each year in the course of the budget procedure.

The amendments regarding the Community's financial autonomy are the logical consequence of changing over to the system of total own resources and the extension of financial activities outside the former budgetary system (loans). This implies changes on the revenue side as well as in respect of expenditure. Despite its scope, this proposal for amendment does not constitute a general revision of the Financial Regulation. Proposals for revision will have to be made in due course regarding a number of problems which could not be included in this proposal for amendment, since their solution depends on prior agreement as to principles. In particular, there are the problems of replacing national contributions by value added tax (VAT) calculated according to a uniform basis of assessment, and the powers of the Court of Auditors, which cannot be determined until the Court itself has stated its position on the matter. But these questions, which will require amendments to specific sections of

the Financial Regulation, should not hold up the examination, adoption and implementation of the other changes which have proved to be essential.

Adoption of the correcting mechanism

2470. The Regulation setting up a financial mechanism¹ was adopted by the Council on 17 May. This Regulation gives practical expression to the guidelines laid down by the Heads of Government at their meeting in Paris on 9 and 10 December 1974, when they invited the institutions of the Community 'to set up as soon as possible a correcting mechanism of a general application which, in the framework of the system of own resources and in harmony with its normal functioning, based on objective criteria and taking into consideration in particular the suggestions made to this effect by the British Government, could prevent during the period of convergence of the economies of the Member States, the possible development of situations unacceptable for a Member State and incompatible with the smooth working of the Community'.²

On that occasion the Heads of Government confirmed that the system of own resources represents one of the fundamental elements of the economic integration of the Community³ and also recalled the statement made during the accession negotiations by the Community to the effect that 'if unacceptable situations were to arise, the very life of the Community would make it imperative for the institutions to find equitable solutions'.⁴ To comply with the request made by the Heads of Government, the Commission drew up a Communication 'The unacceptable situation

¹ OJ L 131 of 20.5.1976.

² Point 37 of the Communiqué, Bull. EC 12-1974, point 1104.

³ Point 36 of the Communiqué.

⁴ Point 35 of the Communiqué.

and the financial mechanism' describing the criteria and conditions for implementing this mechanism.¹ The Heads of Government meeting in the Council in Dublin on 10 and 11 March 1975 agreed on the substance of this document subject to a few changes.²

The Regulation recently adopted by the Council enters into force on 1 January 1976 for a trial period of seven years. The basic principle is that where a Member State is in an unfavourable economic situation there should not be a disproportionately large imbalance between its economic situation in terms of gross national product and its burden in the financing of the Community Budget. Where there is such an imbalance the Member State in question may receive a payment from the Budget. An application supported by reasons must be submitted not later than 30 June. The Commission shall assess the facts of the situation having established that the following conditions are met simultaneously:

- (a) The per capita gross national product (GNP) of the Member State is less than 85 % of the average per capita GNP for the Community;
- (b) The growth rate of the per capita GNP in real terms is less than 120 % of the average rate for the Community;
- (c) The payments made by the Member State to the Community, for the financial year in progress, pursuant to the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources³ exceed by more than 10 % the amount that Member State would have to pay if the Budget of the Communities were financed by the Member States on the basis of the proportion of their GNP to the total GNP of the Member States for the same financial year.

After assessing the facts of the situation, the Commission will, if necessary, enter in the preliminary draft budget for the year following the year in which the application was made an appropriation equal to the provisional amount of the payment.

The Regulation lays down the criteria for calculating the payment, which may in no case exceed the smaller of the following two amounts: the net transfers from the Member State as part of the implementation of the Community Budget, or the payments by the Member State to the Budget of the Communities in respect of VAT or the interim arrangements in force at present. The total amount of the payments which may be granted for a given financial year must not exceed 3 % of the total expenditure chargeable to that financial year under Article 17 of the Regulation of 2 January 1971 implementing the Decision of 21 April 1970.⁴

Where a Member State has received payments under this Regulation for three consecutive years, the Commission will undertake a special examination of the situation of that State and take all suitable steps reflecting Community solidarity on the basis of the assessment of the convergence of economic situations and policies.

Revenue and expenditure account for the financial year 1975

2471. As required by the Financial Regulation applicable to the General Budget of the Communities, the Commission sent to the Audit Board, on 31 May, the revenue and expenditure account and the financial balance sheet of the European Communities for the budgetary year 1975 as well as the financial analysis relating thereto. The revenue and expenditure account shows the expenditure and the revenue set out in Tables 6-10.

¹ Bull. EC 1-1975, points 2504 to 2510.

² Bull. EC 3-1975, point 1502.

³ OJ L 94 of 28.4.1970.

⁴ OJ L 3 of 5.1.1971.

Table 6 — Revenue required to cover the expenditure chargeable to the financial year 1975 within the meaning of Article 17 of Regulation No 2/71

	million u.a	%
Own resources		
(i) customs duties	3 151.0	50.71
(ii) agricultural levies	510.4	8.22
(iii) sugar levies	79.7	1.28
Contributions by the Member States	2 152.0	34.63
Other contributions	12.6	0.20
Miscellaneous revenue	307.9	4.96
Total	6 213.6	100

Table 7 — Expenditure authorized under the Budget for the financial year 1975¹

(million u.a.)	
Initial Budget	5 825.28
First Supplementary Budget	152.13
Second Supplementary Budget	84.18
Third Supplementary Budget	206.70
Total appropriations for the financial year 1975	6 268.29

(¹) Figures rounded off

Table 8 — Utilization of appropriations

(million u.a.)	
Appropriations committed ¹	6 102
Appropriations for which carry-over applications have been submitted to the Budgetary Authority, which has not yet taken a decision	141
Cancelled appropriations	25

(¹) Including ERDF commitments in respect of appropriations for payment (150 million u.a.) With all the ERDF commitments this amount is 6 239 million u.a.

Table 9 — Expenditure chargeable to the financial year 1975 (appropriations committed or carried forward)

		Expenditure authorized (u.a.)	Appropriations committed or carried forward (u.a.)	Percentage of expenditure authorized
Section I	European Parliament	41 597 229	39 688 436	95.4 %
Section II	Council	50 472 467	45 761 010	90.7 %
Section III	Commission	6 166 904 181	6 149 269 744	99.7 %
Section IV	Court of Justice	9 320 020	8 126 983	87.2 %
		6 268 293 897	6 242 846 173	99.6 %

Table 10 — *Expenditure chargeable to the financial year 1975, by Title of the Budget, for all the institutions*

(million u.a.)

Heading	Final appropriations	Appropriations committed or carried forward	% utilization
1. Expenditure on staff	249.70	245.51	98.32 %
2. Buildings, equipment and operating expenditure (except point 10 below)	94.98	90.61	95.40 %
3. { Operational expenditure (ex. Chap. 33)	53.58	52.21	97.44 %
{ Expenditure on research and investment	AC 97.46	86.29	88.54 %
{ Expenditure on research and investment	AP 101.23	97.87	98.66 %
4. Aids, subsidies and financial contributions	20.22	17.42	86.15 %
5. { Social Fund	366.14	361.95	98.86 %
{ European Regional Development Fund	AC 300.00	299.83	99.94 %
{ European Regional Development Fund	CP 150.00	150.00	100.00 %
6/7. EAGGF Guarantee Section	4 336.33	4 336.33	100.00 %
8. EAGGF Guidance Section	262.50	262.23	99.90 %
9. Food aid and expenditure on cooperation with developing countries	252.81	252.54	99.89 %
Contingency amount	2.06	—	—
Total	AC 397.46	386.12	97.15 %
	AP 5 889.55	5 868.67	99.65 %
10. Repayment to the Member States of 10% of own resources	378.74	374.17	98.79 %
Grand total	AC 397.46	386.12	97.15 %
	AP 6 268.29	6 242.84	99.59 %

AC = appropriations for commitment
AP = appropriations for payment

5. Institutional questions — European policy

Political cooperation

2501. The Ministers of Foreign Affairs, who were in Brussels for a Council meeting, met on 3 May, to discuss political cooperation. The proceedings bore mainly on the progress of the Euro-Arab Dialogue and on matters concerning central Africa and the United Nations.

Euro-Arab Dialogue

2502. The General Committee of the Euro-Arab Dialogue held its first meeting, at ambassador level, in Luxembourg from 18 to 20 May.¹

Election of the European Parliament

2503. At the Council meetings on 3 and 4 May and 31 May and 1 June, and during a private meeting in the castle of Senningen near Luxembourg, the Foreign Ministers considered the problem of allocating the seats between the Member States in the European Parliament to be elected by direct universal suffrage. No agreement was reached.

European union

2504. The Foreign Ministers held an initial discussion on the substance of Mr Tindemans's report on European union at an informal meeting on 14 and 15 May in the castle of Senningen attended by the Belgian Prime Minister.

¹ Points 1101 to 1107.



3_{RD} PART

DOCUMENTATION

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Quinta Relazione sulla politica di concorrenza.

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7047 (3)

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1976. 48 p. (E)

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7059

Fifth Symposium on Microdosimetry. Verbania Pallanza (Italy), 22-26 September 1975. EUR 5452.

1976. Vol. I 608 p. (Mult.). Vol. II p. 608-1154 (Mult.).

Vol. I & II

FB 2700.-

* *Energistatistik.* Kvartalsbulletin

Energiestatistik. Vierteljährliches Bulletin

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X/105/76 (4)

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Nouvelles de la politique agricole commune.

N° 1. Janvier 1976.

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X/105/76 (5)

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Notizie sulla politica agricola comune.

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7182 (1)

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1976. 7 s. (DK.D.E.F.I.NL)

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7182 (2)

Sprachbarrieren in der Landwirtschaft gab es scheinbar nicht, als Triptolemus von Demeter das Getreidekorn mit den Geheimnissen des Landbaues empfing, um sie in aller Welt zu verbreiten – und heute?...

1976. 8 S. (DK.D.E.F.I.NL)

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7182 (3)

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7182 (4)

La barriera des langues en agriculture n'existait guère quand Triptolème reçut de Déméter la graine contenant les secrets de l'Agriculture afin de les disséminer dans le monde – mais aujourd'hui?...

1976. 8 p. (DK.D.E.F.I.NL)

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7182 (5)

Le barriere linguistice in agricoltura forse non esistevano quando Trittolemo ricevette da Demetra il seme di grano con i segreti dell'agricoltura da diffondere in tutti gli angoli della terra – e oggi?...

1976. 7 p. (DK.D.E.F.I.NL)

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7182 (6)

Taalbarrieres in de landbouw bestonden er kennelijk niet, toen Triptolemos van Demeter het graanzaadje ontving, dat de geheimen van de Landbouw bevatte, om ze over de gehele wereld te verbreiden – maar vandaag de dag?...

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7172 (2)
Bei den Organen der Gemeinschaft bestehende Ausschüsse mit Tätigkeiten im Bereich der Wissenschafts- und Technologiepolitik.
Politik auf dem Gebiet der Wissenschaft und Technologie.
EUR 5437. 1976.
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7172 (3)
Committees attached to the Community Institutions active in the field of scientific and technical policy.
Science and technology policy. EUR 5437. 1976.
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Politique de la science et technologie. EUR 5437. 1976.
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7134 (2)
Automatisierter Kohlenhobelstreb.
Bergbautechnik. Abschlußbericht 1976.
Forschungshefte „Kohle“. Heft Nr. 72. EUR 5318.
1976. 15 S. (D) FB 150.-

7138
Program Biologi - Sundhedsbeskyttelse. Årsberetning 1975
Programm Biologie - Gesundheitsschutz. Jahresbericht 1975
Programme Biology - Health protection. Annual Report 1975
Programme biologie - Protection sanitaire. Rapport annuel 1975
Programma biologia - Protezione sanitaria. Relazione annuale 1975
Programma biologie - Gezondheidsbescherming. Jaarverslag 1975. EUR 5484.
(1976) 945 p. (Mult, D/E/F/I/NL)
Vol. I. 618 p.
Vol. II. 619-945.
Volume I and II FB 2000.-

18974 (3)
Fifth Report on Specifications and Testing Conditions relating to Fire-Resistant Fluids used for Power Transmission. Mines Safety Commission.
1976. 165 p. (D.E.F) Gratis

7059
Fifth Symposium on Microdosimetry. Verbania Pallanza (Italy), 22-26 September 1975. EUR 5452.
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7069 (2)
Verbesserung von Metall-Schlacke-Reaktionen durch Anwendung der Gegenstrommetallurgie. Stahlwerke. Abschlußbericht 1976. Forschungshefte „Stahl“ EUR 5304.
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7070 (4)
Cinétique de la réduction des minerais de fer en lit fluidisé. Fabrication de la fonte et réduction directe. Rapport final. Recueil de recherches « acier ». EUR 5350.
1976. 44 p. (F) FB 150.-

3289/TUSR/20 (3)
Progress Report No. 20 - Period July-December 1975. -
European Institute for Transuranium Elements Karlsruhe.
No. 13.1.-1976.
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7067 (4)
Optimisation de la fabrication d'acier de masse au four électrique. Liège - Convention n° 6210-56/2/021. Recueil de recherches « acier ». EUR 5346 F.
1976. 73 p. (F) FB 250.-

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7152/2 (2)
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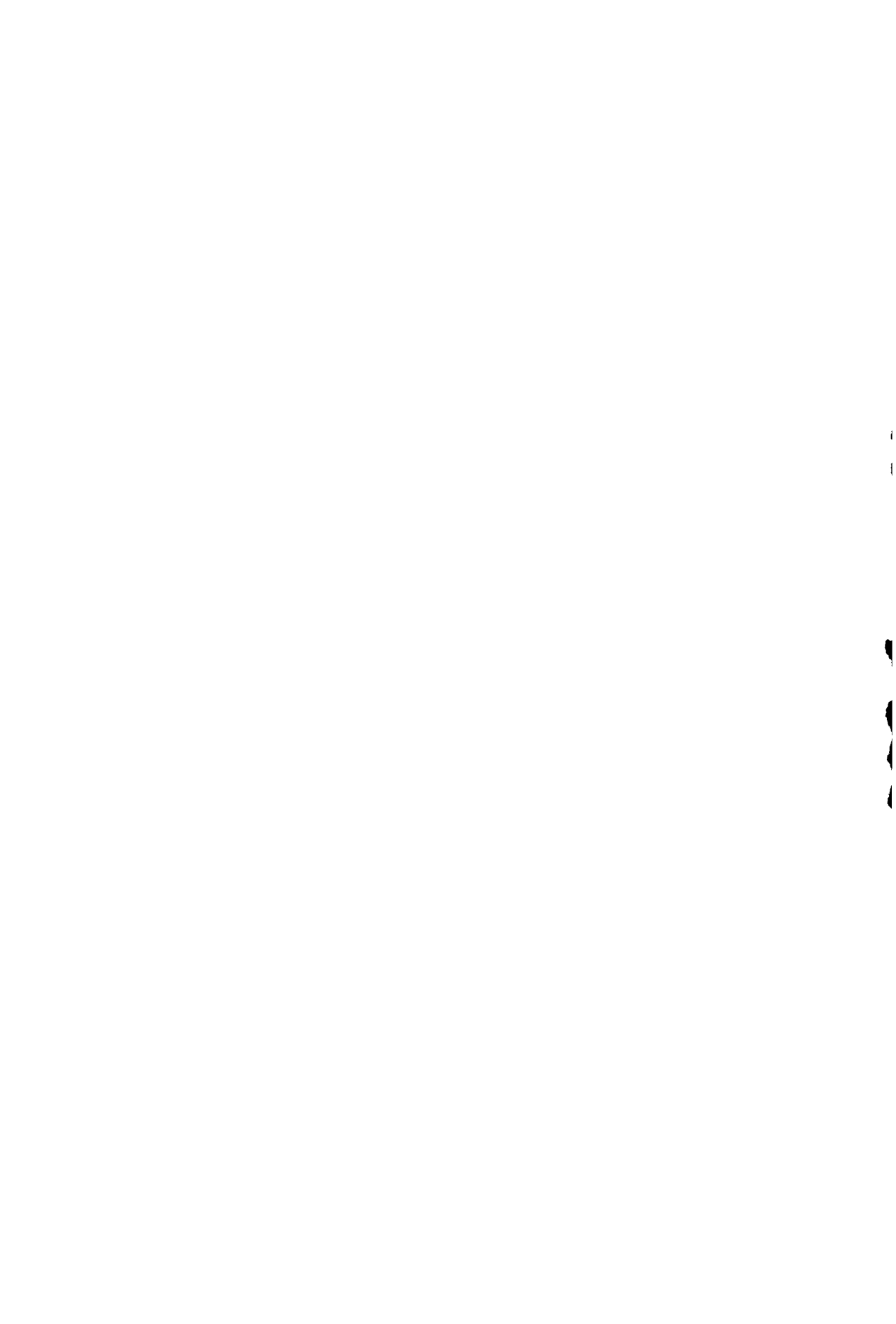
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