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NOTE TO READER

Appearing at the same time as the English edition are editions in the six other official languages of the Communities: Danish, German, Greek, French, Italian and Dutch. The English edition contains the original texts of the interventions in English and an English translation of those made in other languages. In these cases there are, after the name of the speaker, the following letters, in brackets, to indicate the language spoken: *(DA)* for Danish, *(DE)* for German, *(GR)* for Greek, *(FR)* for French, *(IT)* for Italian and *(NL)* for Dutch.

The original texts of these interventions appear in the edition published in the language spoken.

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IN THE CHAIR: MR DANKERT

President

(The sitting was opened at 5 p.m.)

1. Resumption of the session

President. — I declare resumed the session of the European Parliament which was adjourned on 23 April 1982.

2. Approval of the minutes

President. — The minutes of the sitting of 23 April have been distributed.

During that sitting, the President announced, at the request of the CDI Group, that Mrs Castellina and Mr Pannella had been appointed, respectively, to the positions which Mrs Macciocchi occupied on the Committee of Inquiry into the Situation of Women in Europe and on the Committee on the Verification of Credentials.

Objections have been made to these appointments by the Socialist Group and by Mrs Macciocchi herself. I shall therefore submit this matter to the Bureau, which is responsible therefore, pending which, the approval of this item of the minutes is deferred.

Are there any comments?

I call Mr Pannella.

Mr Panella. — (FR) Mr President, I should like first of all to ask you a question: have not the minutes already been approved?

President. — No, Mr Pannella, they have not, thus making it possible to suspend the approval of this item.

Mr Pannella. — (FR) Mr President, may I say that the procedure we followed was absolutely correct. I can appreciate that there is food for thought here as the situation is without precedent, no doubt because in similar circumstances in the past a certain reticence has prevented such problems arising.

President. — It has already been agreed that the matter needs to be studied; for the moment, there has been no judgement on the merits but merely an observation in the minutes made by the Socialist Group. I think then that you can agree to having approval of this item of the minutes deferred, before discussion on the merits, tomorrow in the Bureau.

Mr Pannella. — (FR) Mr President, according to every parliamentary tradition all groups are represented in the Bureau, which is not the case as far as our own group is concerned. It occurs to me, therefore, that perhaps this matter should be referred to the enlarged Bureau.

President. — Mr Pannella, the Bureau's terms of reference are clearly laid down in the Rules of Procedure. I consider therefore that it is up to the Bureau to deal with it. If there is any problem as to the interpretation of the texts, I am prepared to continue the discussion in the enlarged Bureau.

Mr Pannella. — (FR) Thank you, Mr President.

(Parliament approved the Minutes excepting the first paragraph of Item 21)¹

3. Agenda

President. — At its meeting of 20 April 1982 the enlarged Bureau drew up the draft agenda, which has been distributed.

At this morning's meeting the chairmen of the political groups authorized me to propose a number of amendments.

(The President read out the amendments)²

¹ Membership of Parliament — Petitions — Transfers of appropriations — Authorization to draw up reports — Withdrawal of a motion for a resolution — Documents received — Texts of treaties forwarded by the Council — Conciliation procedure — Directive on trade in fresh meat — Withdrawal of a report — Interpretations of the Rules of Procedure: see Minutes.

² See Minutes.

I call Mr Seligman.

Mr Seligman. — Mr President, the announcement that you are bringing in the Moreland resolution and the Rogalla resolution presents a number of problems. We only cleared this report in the Committee on Energy and Research ten days ago and I should like to know when is the last moment for putting in our plenary amendments, whether the Purvis oral question which goes with those reports will be accepted and available and whether the resolutions themselves will be printed in their final form in time for that debate.

Finally, I understand that Mr Davignon will not be there, so we shall be talking to thin air as usual on an energy matter.

President. — Mr Seligman, the text of the resolution is printed and was available this morning. As regards amendments, I would propose to close the deadline for amendments tomorrow at 12 noon. The Purvis question has come in too late, so it depends on the Commission whether it is acceptable to include it in that debate or not. And I have no reply so far, so we have to find out. There is a further reason for putting it on the agenda of May, and that is that we have a very overcrowded agenda for the month of June and we shall be in considerable difficulties if these reports have to be added to the June agenda, where some 50 reports at the moment are waiting to be dealt with, which is rather an impossibility.

I call Mr Papaefstratiou.

Mr Papaefstratiou. — Mr President, if my understanding is correct you said that on Thursday or Friday we were due to debate the report by the chairman of the Committee on Budgets, Mr Lange, on Greece's contribution in relation to repayments to the United Kingdom. In this connection I would like to remind you, firstly, that two decisions have already been taken following full Parliamentary votes, and secondly that according to a letter written by yourself, Mr President, the Committee on the Rules of Procedure and Petitions decided a month ago that the subject was finally closed and cannot be brought back for debate before the full House.

I therefore express my surprise that this matter has been raised yet again.

President. — Mr Papaefstratiou, the Committee on Budgets has brought forward this report to be dealt with without debate. If you oppose this move, I think we can still do it with debate on Friday, but the committee is entitled to bring it forward.

I call Mr Beumer.

Mr Beumer. — (NL) Mr President, I take it that you wish to remove from the agenda the oral questions by Mr Schwencke and myself since the Council will not be present. I understand that in the event of the Council being present on Thursday they could be tabled at that time. Secondly, questions to both the Council and the Commission are involved here. I would therefore prefer that the questions to the Commission be moved to the same date as those to the Council. If that can be arranged then I am satisfied.

President. — No, Mr Beumer, we have indeed asked the Council if it would be in a position to answer questions next Thursday on the Falkland Islands problem, as well as the other questions put by you to the Commission. It appears that the Council is unable to be present in the House on Thursday and, consequently, the matter has been deferred to the June part-session.

I call Mr Bournias.

Mr Bournias. — Mr President, the matter raised by Mr Papaefstratiou, which concerns the entire group of Greek members of the European Parliament, is an important one in its own right and you know yourself, Mr President, that you too are involved in it. The matter must be debated, and we must be allowed time to prepare for the debate, which cannot therefore be reasonably held on Friday, the day when we are obliged to depart. We are leaving at a certain time in the morning. How then can we debate so broad a matter? If necessary, we ask that this be postponed until June. It is essential that all the Greek members should take part in the debate.

President. — I call Mr Arndt.

Mr Arndt. — (DE) I am able to reassure our Greek friends. All we have here is the acceptance of Parliament's formal decision by the Committee on Budgets. This simply has to be done, and the House can deal with the matter in a matter of seconds on Friday and in the way that our Greek friends want it.

President. — I call Mr von der Vring.

Mr von der Vring. — (DE) Mr President, I would ask you to be rather more explicit about the reorganization of Wednesday's agenda. We have removed the oral questions. You said that the vote will be taken immediately after the debate on the Falklands and that votes might also be taken on reports on which debates had been concluded. This can only apply to the Vaysade report on the situation of women.

Question Time will be held from 5.30 to 7 p.m. You have now said that we may continue after 7 p.m. Can

you designate a time for the vote that will then be taken, or would that mean delaying Question Time?

President. — Mr von der Vring, it was proposed that the voting should start at 7 p.m. It will probably go on for about half an hour.

I call Mrs Viehoff.

Mrs Viehoff. — (NL) Mr President, I would like to comment on the report on illiteracy. At the time of tabling the report for this May part-session it was requested that it be dealt with early in the week as it was known that the delegation was due to leave for Japan the following week. I understand that you have received questions from the political group chairmen and a letter from our committee's chairman requesting you to place the report on the agenda for today or tomorrow. You have now put it back to Thursday morning. This is of little avail to me because it means that I still cannot leave at 6 p.m. on Thursday. I am, as you are well aware, one of those Members of the House who always remains to the end on Friday, but in this case it is extremely difficult for me as I must be at home on Friday in order to deal with a number of matters.

Given that the oral questions from Mr Beumer and Mr Schwencke have been deleted from Wednesday's agenda, I would request that you reconsider putting the report on illiteracy on Wednesday's agenda after all.

President. — Mrs Viehoff, we have carefully considered all the possibilities. Assuming that on Wednesday each of the political group spokesmen takes the maximum of 10 minutes on the Falklands crisis — and that is not excessive — it would be totally impossible to include your report in that day's proceedings. There may perhaps be a few minutes left over for dealing with the Bersani report on the Stabex which is urgent, given the fact that the Council is due to take a decision on it this week, but there is no possibility of your report also being dealt with then. It seems to me that, by holding it over until Thursday there would be a reasonable chance that you could at least introduce the report although I am not sure that you would be able to take part in the whole proceedings.

I call Mr Megahy.

Mr Megahy. — Mr President, I refer to this whole question of the agenda today and tomorrow and the proposed Fifth Directive. I want to complain bitterly about the notice that has been given to Members about this being on the agenda and about the opportunity given to submit amendments. I know that you yourself did say that this agenda was approved by the Bureau on 20 April, which would be the Tuesday of last part-

Megahy

session, and I know that if Members read Minutes assiduously they can very often pick this sort of thing out. I am not sure when they receive the Minutes, but in this Parliament I have in fact always been used to receiving, in reasonable time, notice of the agenda for the following plenary sittings and the deadline for amendments, which gives me an opportunity, if I so wish, to table amendments. Now the proposed Fifth Directive, Mr President, has been before this Parliament for 10 years, and it has been before the present Committee on Legal Affairs ever since its inception. Yet it was only when I came to Brussels last week that I was officially notified for the first time that it was on the agenda. I thought that was short notice, but then I discovered that the final date for proposing amendments was the previous Friday and that as I had submitted in committee quite a considerable number of amendments which were different from those proposed by some members of my group I had missed the opportunity to do so for the plenary sitting. I really do think that with a subject as important as this and under discussion for so long, to push it in at such short notice gives Members of this House no opportunity to submit amendments of their own, and irrespective of the problem of the political groups and their secretariats, I think that those of us who are ordinary Members ought at least to have the opportunity of being able to look at this. I know the answer will be given that we ought to look at our Minutes very carefully at the previous part-session, and perhaps I will do so in future, but I think it is very unfortunate if one wants to give the impression that this House is giving serious and due concern to a subject that is important enough for it to have been consulted for 10 years, and you could have done something better on this occasion. I wish to protest at this.

President. — Mr Megahy, I have to inform you that on 23 April the Bulletin was made up which announced quite clearly that the deadline for amendments was 30 April. The groups had all been very much aware of that fact already, since the Bureau meeting of mid-April, where the only problem was whether to deal with it on the Wednesday or on the Monday and Tuesday. So the secretariats of the groups were fully informed. The fact that they were informed is, I think, also indicated by the fact that I already have 110 amendments and still have a problem with the Socialist Group, which is coming on a little later.

I call Sir James Scott-Hopkins.

Sir James Scott-Hopkins. — Mr President, I wish to be quite certain in my own mind as to exactly how the Wednesday afternoon is going to be organized. Am I right in saying that we vote between 3 and 3.30 on Wednesday afternoon on the urgencies and then 3.30 to 5.30 we have the Falklands' debate? In that case will the vote on the Falklands be taken after

Question Time? Is that your intention, or shall we vote on the Falklands resolution before Question Time?

President. — Yes, you are right. We start with the votes on the contested urgencies. Then we have the Falklands debate followed by Question Time and at the end of Question Time the vote on the resolutions on the Falklands and finally the vote on the Vayssade resolution which will be dealt with in the morning.

I call Mr Flanagan.

Mr Flanagan. — Mr President, while accepting that a deteriorating situation in the South Atlantic should certainly call for amendment of the agenda and time for discussion, could I say, following Mr Megahy's remarks, that bringing forward items, to the evident surprise of the Committee on Energy and Research, in the fashion in which this has been done today, poses a problem as to whether a draft agenda should be circulated to Members at all. Indeed the lack of relevance between the draft agenda distributed to Members and the draft agenda submitted to the House on Monday seems to indicate a very casual attitude to the ordinary Members of this Parliament, and even on occasion an attitude of scarcely veiled contempt.

President. — Mr Flanagan, I do not agree. I think the problem with these reports on energy you mention is that, at the moment of establishing the agenda for the session, the reports were not yet finished in the committees. We have found that it is very risky to put reports on the agenda which have not yet been adopted by the relevant committees. In the meantime, these reports have been adopted and Council has made it known that they are urgent. For that reason we thought it wise — also in view of the problems of the June agenda — to try to deal with them now and that is why we have added them to this agenda.

I call Mr Boyes.

Mr Boyes. — Just very briefly, Mr President. Have you made a ruling on whether questions to the Council and questions to the Foreign Ministers of the Ten constitute one Question Time or two Question Times, as I asked for a ruling at the last plenary session on two occasions? I would just remind you that last session I wanted to take over a question to the Foreign Ministers after the questions to the Council had already started and your officials advised, or the President advised, that this was inadmissible as Question Time had already started. But I would maintain that under the Rules of Procedure questions to the Council and questions to the Foreign Ministers are two distinct Question Times. In other words, although two Question Times are scheduled on the agenda, there are in

Boyes

fact three periods of Question Time during a part-session.

President. — Mr Boyes, the situation is that there is one Question Time, two-thirds of which is devoted to questions to the Council of Ministers and one-third to the Ministers of Foreign Affairs meeting in political cooperation.

(Parliament adopted the draft agenda thus amended)

4. Deadline for tabling amendments

President. — At the request of the Socialist Group, I propose that the assembly extends until 6 p.m. this evening the deadline for tabling amendments to the report by Mr Geurtsen on *sociétés anonymes* (Doc. 1-862/81) entered as Item No 59 on the agenda.

I call Mr Glinne.

Mr Glinne. — *(FR)* Mr President, I have a request to make of the House as regards the deadline fixed for tabling amendments to the proposal for a Fifth Directive on the European *société anonyme*. I have to admit that my group made a mistake. To err is only human, but to persist in an error is unforgivable. The amendments we tabled were to the text drawn up by the Legal Affairs Committee, whereas we should have tabled amendments to the Commission's text. By the time we were aware of what had happened we had lost three days. We were thus unable to meet the deadline of 12 o'clock on Friday, 30 April.

I therefore beg the House, as a special token of goodwill and understanding, to agree to extending the deadline for tabling amendments to 6 p.m. Our group's amendments have been on file for several days. They have been translated and are ready for distribution. They were passed unofficially to the other groups at noon today. The request was put this morning to the meeting of political group chairmen. I trust that I can count on the understanding of the House.

President. — I call Mr Berkhouwer.

Mr Berkhouwer. — *(NL)* Mr President, we have already discussed the matter this morning in a meeting of the political group spokesmen at which Mr Glinne appealed for our goodwill, tolerance and conciliation. I would like to begin by assuring them that there is absolutely no question of ill will, vindictiveness or political motives.

Mr President, let us be clear about this. This matter has been dragging on for years. For practically ten

years we have been debating this and that, but this directive has been before Parliament for seven or eight years now. We are constantly upbraiding the Council for taking all kinds of decisions on its own account, etc. On 23 April the plenary sitting itself, and not just the Bureau or the political group chairmen, set the deadline for tabling amendments at 12 noon on Friday, 30 April. After all, Mr Glinne has I am sure a staff of dozens who ought to have been capable of complying with the deadline instead of coming forward with the excuse of a technical hitch. We tabled amendments to the committee's text and not to that of the Commission. Mr President, it is not a question of good or bad will but of a regular parliamentary debate and we ourselves must do our utmost to ensure that it takes place.

We now have Mr Geurtsen's report before us. In addition, we have correctly tabled amendments. All of the foregoing has been exhaustively debated by all the political groups and now we are informed of the existence of yet a further batch of amendments which we are told are available but which have not been distributed, not even informally. Now we are being requested to extend the deadline to 6 p.m. Mr President, what will the result be? It can only result in the debate degenerating into chaos.

(Loud protests from the Socialist Group)

Now sir, please be kind enough to listen, we always listened to your waffling, your plethora of urgencies which have nothing urgent about them.

(Laughter)

Because, sir, the reason you find yourself in this mess is that your people are at odds with one another. That is the heart of the matter.

(Protests)

(DE) I am not in the habit of behaving in that way. You are constantly doing so. I know how to do it too. It is not so? It is so!

(Laughter)

President. — Even in the direct discussion you are entitled to only three minutes and your time is up.

Mr Berkhouwer. — *(NL)* The matter is one of orderly debate. What must the parliamentary groups who, having toiled over this matter for days last week, . . .

President. — Mr Berkhouwer, are you for or against?

Mr Berkhouwer. — *(NL)* I am against.

(Laughter — applause)

President. — I call Mr D'Angelosante.

Mr D'Angelosante. — *(IT)* Mr President, I believe that Mr Berkhouwer has unintentionally given the greatest possible objective support to Mr Glinne's request, with which I too associate myself. Indeed, the arguments advanced by Mr Berkhouwer are anything but consistent, and I would even call them totally inconsistent.

In the first place, it is true that this question has concerned us for ten years, but the text itself, as presented to Parliament today, is more recent, dating from only a year ago. In the second place, I would like to point out to Parliament that in the Legal Affairs Committee the Socialist Group made a valuable contribution to the parliamentary discussion on this problem. To exclude the Socialists does no harm to them; what it does harm is the seriousness of Parliament's debate.

Furthermore, Mr Berkhouwer has not read any of the articles or the amendments, and I doubt that he would understand them even if he did. This being the case, what difference can it make to him when these amendments are presented?

I am of the opinion, Mr President, that if we want to try to hold a serious debate on a very serious issue all parliamentary groups should be present; for this reason I am in favour of Mr Glinne's request to extend the deadline for the presentation of amendments until 18.00.

(Parliament approved this request)¹

5. Speaking time

President. — In accordance with Rule 65 of the Rules of Procedure, I propose that we limit speaking time as follows:

(The President read out the proposed allocation of speaking time)²

Mr Glinne. — *(FR)* Mr President, it was my understanding that in the debate on the Falklands each political group would have ten minutes.

President. — Not exactly, we had to allocate speaking time according to the size of the different groups; the Socialist Group will have nine minutes.

I call Mr Pannella.

Mr Pannella. — *(FR)* Mr President, I too thought speaking time had been allocated on the lines indicated just now by Mr Glinne. However, I duly note that you have decided otherwise. Mr President, you have thereby confirmed my feelings about the way you have allocated speaking time for the whole part-session.

President. — We note that, Mr Pannella.

6. Action taken on the opinions of Parliament

President. — The next item is the communication from the Commission on action taken on the opinions and resolutions of the Parliament.¹

I call the Commission.

Mr Andriessen, Member of the Commission. — *(NL)* Mr President, I should like to begin by making two short remarks. Firstly, in connection with this item there have been moves in certain quarters of this House in recent months to bring about an improvement in the procedure for dealing with it. I have repeatedly given an undertaking to the House that the Commission is considering the matter and will put forward concrete proposals in the near future.

Mr President, I can inform the House that the Commission has resolved to meet with Parliament's Bureau in the very near future, say 14 days, with a view to amending the procedure for dealing with this item. While awaiting the outcome of the discussions we had to follow the existing procedure.

Secondly: I would draw the attention of the House to the fact that the document currently under consideration by the Commission contains, in particular, over seven resolutions drawn up by this House together with the modifications made as a result of the debates which have taken place in the House. Given the short period which has elapsed since the previous part-session the Commission was unable to come up with a final set of proposals. It goes without saying, Mr President, that as soon as the Commission has completed its deliberations, it will inform the House immediately.

Mr Irmer. — *(DE)* Mr President, I have protested on several occasions against having to sit where no one notices me, where I cannot see you and where I am almost completely excluded from the debates.

I asked for the floor after the vote on the procedural motion moved by the Socialist Group. The official

¹ Deadline for tabling amendments (continued): see Minutes.

² See Minutes.

¹ See annex.

Irmer

who noted my wish to speak nodded at me. I then asked for the floor a second time. Despite this, you called first Mr Glinne and then Mr Pannella to speak to the Rules of Procedure and then moved on to the next item on the agenda. I have simply been ignored. I protest very strongly once again against the failure to allocate other seats to Mr Jürgens and myself and request that something be done about this matter this week.

President. — Mr Irmer, according to the Rules of Procedure only one speaker for and one speaker against can be heard on a procedural motion. That is why you were not called just now.

Mr Irmer. — *(DE)* Mr President, I understand that, but I did ask to speak a second time. That too was noted by a nod of the head.

What I wanted to say on the Rules of Procedure was this: we should instruct our Committee on the Rules of Procedure and Petitions to amend the Rules of Procedure so that there are no deadlines for the tabling of amendments. The decision that was taken just now has set a dangerous precedent. If we apply this method, we can completely ignore these deadlines in future, because anyone can get up and say 'To err is human' or 'We missed the deadline', and we shall still be tabling amendments at 6 p.m.

I wish to make it clear to the House that this is a very dangerous decision. Anyone can refer to it in the future, and I do not think this is the right way to treat our Rules of Procedure.

Mr Hord. — I wish to ask the Commission what action it has taken in regard to the Aigner report, Doc. 846/81. This, as you may recall, was approved by the House at the first March session and the Commission was requested to provide a substantial amount of information to the Parliament. At the last session, the Commission said that it had nothing to report on Parliament's resolution with regard to the Aigner report, and we have nothing today. I would like the Commissioner to indicate when Parliament will hear from the Commission what information they have for us.

Mr Andriessen. — *(NL)* Mr President, if I understand the honourable Member correctly, the report he refers to forms part of the discharge on which the House adopted a large number of resolutions at its last part-session. On that occasion the Commissioner responsible gave an undertaking which I can only reiterate, namely that the Commission would do everything possible to provide the House, in good time for 1 September, with all the information at its disposal or which it could reasonably be expected to have and I would like to inform the honourable Member that the same

applies to the action to be taken on the practices mentioned by him.

Sir James Scott-Hopkins. — Mr President, going on to the wider implications of what the Commissioner has just said concerning the new way that he hopes or intends to present his report to Parliament every month: I hope he will include a report of what has actually happened to the various recommendations of Parliament when they have gone on to the next stage. This document which we have here deals with the immediate past, but what one wants to know is what has happened to the things that have gone through just a little bit before that. For instance, the horticultural question of the subsidizing by his own country of their energy prices — what has happened about that? And when the Council make changes, as they frequently do, we do not get to hear about it. Is there no way that in his report he can let us know when the Council have made changes without coming back to Parliament and include those in his report as well? What we really want is a running commentary all the time on what has been going on and what has happened. Not just the immediate past. I hope he will be able to include that in the new method of reporting to the House.

President. — Sir James, may I remind you here that the purpose of this debate is to have, let us say, an immediate reply by the Commission on what happened the month before and that Question Time should deal mainly with problems of the longer term and inquire into what the Commission activities were. I think this distinction should be made. This is not a question time.

Sir James Scott-Hopkins. — I do not question your ruling, obviously, but I think you are perhaps a little mistaken. What one is trying to do here — as I was trying to do — is to get clarification from the Commission on the actions that they and the Council have taken, or are taking, on what the House has actually done, on the recommendations the House has actually made. Of course, when they make a wrong decision, we can start questioning them, but unless we know what the devil they are doing, how the hell can we question them?

President. — Okay, we agree that if you could use that as a base for further questions in Question Time, then the problem is solved.

Mr Andriessen. — *(NL)* I fully agree with your interpretation that the discussion now being held on this point of agenda ought to have relevance to what happened during the preceding part-session but I can well imagine that the proposals we intend to make concerning the provision of information to this House regarding the Commission's follow-up of Parliament's

Andriessen

recommendations shall themselves contain further proposals based on the points that have just been raised by Mr Scott-Hopkins.

Mr Pannella. — (FR) Mr President, on 22 April 1982 Parliament adopted unanimously, with the exception of the Communist Group which abstained, a resolution calling on the Commission immediately to submit to the Council and Parliament the proposals stipulated in resolution 1-375/81. These are an emergency plan to ensure the survival of five million human beings and the presentation of a supplementary budget for that purpose.

As I say, therefore, on 22 April 1982 Parliament unanimously called for immediate action on these two points because, Mr President, these human beings have already begun to die as a result of a murderous, neo-Nazi policy.

I should like to know what has been done.

Mr Andriessen. — (NL) Mr President, the subject now being raised by Mr Pannella is one which has been before the House on numerous occasions in recent months. The House is well aware that the Commission has repeatedly expressed its willingness to discuss this matter both in principle and with reference to the point just raised. If I understand correctly this discussion will take place during the forthcoming part-session and I believe the Commission is ready to follow up on the ideas that have been developed here in this House, albeit in a somewhat different context and form than that just raised by the honourable Member.

Mr Kallias. — Mr President, in accordance with a resolution of 22 April Parliament unanimously requested the Council to issue immediate directives to the Commission to enter into negotiations with the Republic of Cyprus for the second phase, the renewal and extension of the trade agreements. This is a very urgent matter because the provisional extension lapses on 30 June.

I ask the Commissioner to tell us whether the Council has already issued these directives, or whether it has delayed yet again, which would be reprehensible.

Mr Andriessen. — (NL) Mr President, the House's recommendation was addressed to the Council and not to the Commission. As far as I am aware the Council has not yet taken any initiative on this matter affecting the Commission.

Mrs Ewing. — Mr President, I am referring to Page 7 of the De Pasquale report and I am really just looking for some reassurance. Am I right in thinking that the standpoint of the Commissioner is just a basic sum-

mary of the Commission's standpoint? The assurance I am seeking is that the Commission in their standpoint are taking account of the amendment which was passed by the Parliament overwhelmingly in the name of myself and Mr Harris, trying to introduce a new criterion for funding for areas that were far away. I defined them as areas with low density and areas under threat of depopulation.

Mr Andriessen. — (NL) Mr President, as already stated the summary contained in the documents is indeed a very simplified version of the Commission's work in this sphere. It contains, essentially, the statement that the Commission was in broad general agreement with the House's recommendations. I am afraid I have at this point no answer to the honourable Member's very specific question as to whether the Commission's standpoint embraces low-density remote areas under threat of depopulation but I can in any event give an undertaking that this aspect will also be examined thoroughly. I am not in a position to give a definite answer. Within a few weeks the Commission's amended proposals will be available to the honourable Member.

Mr Harris. — I wonder if I could revert to the point raised by my colleague, Mr Hord, on the Aigner report. The Commissioner will know that the Aigner report called on the Commission to give a full report of the transactions over the sale of surplus agricultural products in 1980 to State-trading countries. Now, am I right in understanding from his reply that the Commission is now going to comply with that request in dealing with the discharge issue and that it will, indeed, bring forward before September a full report on the background to those transactions? Is that what the Commissioner is saying? I hope it is.

Mr Andriessen. — (NL) Very briefly, Mr President. I have already stated that the Commission will provide all currently lacking and supplementary information available to it. Whether or not that complies with what the honourable Member is now requesting I cannot really say.

Mrs Kellett-Bowman. — May I say that I strongly disagree with Commissioner Andriessen's observation that questions must refer to the most recent resolution of Parliament. That is not what it says in my agenda and I would remind him that the subsidization of gas for horticulture, raised by my friend Sir James Scott-Hopkins, is a continuing problem and until the Commission has taken satisfactory action on the matter, I maintain that we are entitled to continue to question him on the matter.

President. — Yes, Mrs Kellett-Bowman, but only during Question Time. That is the difference in proce-

President

ture. We are only talking here about what happened during the last session preceding this one.

Mr Pearce. — I wonder if the Commission would consider particularly some discussion that came up under the De Pasquale report in which a number of requests were made for much better and fuller and more timely information to be given to the Parliament about grants made under the European Regional Development Fund? Exactly the same point applies to Social Fund grants and EAGGF grants and I wonder whether in his consideration of this new reporting procedure, he would give some thought to reporting on this more quickly. With respect, Mr President, I do not think Question Time is the time for that because if we were to use Question Time for that, it would mean cluttering up the whole agenda with endless repetitive questions on the same subject, month after month, trying to get the same information out. I think that if the Commission could come up with a new formula on this one, it would put us better in the picture and save a lot of time.

President. — If it could save time I would be in favour, Mr Pearce.

Mr Andriessen. — (NL) Mr President, in my answer to Mr Scott-Hopkins' question I have already stated that the proposals currently being worked out by the Commission with a view to improving the provision of information to the House on the Commission's action upon the House's recommendations, will also contain proposals concerning matters which were not on the agenda in the previous part-session but in an earlier one. I hope, therefore, that when these proposals come before the House for debate in due course they will meet with the approval of the honourable Member. As to the specific question on whether the Commission is willing and able to provide more timely information on payments from the various funds, I can say that it certainly is willing Mr President, albeit within the technical constraints imposed upon it.

Mr Price. — Mr President, would the Commissioner tell Parliament what action the Commission has taken during the past month in relation to the conflict over Dutch gas prices?

President. — Mr Price, we are discussing here what was decided or debated during the last session of Parliament, i.e. the April session, so the Commission is entitled to stay silent about the issue you are raising.

Mr Price. — If I may say so, Mr President, on a point of order, this brings out the problem that I think Sir James was raising because I am asking a question relating to Commission action during the past month.

Now, the mechanics of parliamentary questions are such that it would not be possible to put down such a question and to have it answered within the timetable for recent Commission action and this agenda slot gives us an opportunity to obtain information about recent Commission actions. I would suggest, therefore, that this is in order under this particular agenda item.

President. — No, Mr Price, I do not think we should use this moment for that debate. Perhaps we should agree with the Commission to work out a more flexible form of question time which should include more recent developments than those dealt with by the questions already introduced. That is another change we have to discuss with the Commission. I am glad that Commissioner Andriessen has already proposed some changes which would give more information to Parliament about what happened during the last period.

7. Structure of sociétés anonymes

President. — The next item is the report (Doc. 862/81) by Mr Geurtsen, on behalf of the Legal Affairs Committee on the

proposal from the Commission to the Council (Doc. 187/72) for a Fifth Directive to coordinate the safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, as regards the structure of *sociétés anonymes* and the powers and obligations of their organs.

I call the rapporteur.

Mr Geurtsen, rapporteur. — (NL) Mr President, in preparing my introduction I was unable to take the Socialist Group's amendments into consideration as they have still not been presented in my mother tongue, one of the official languages of the Community. I would ask my colleagues for their understanding in this matter.

Mr President, almost nine and a half years after the Council consulted the European Parliament on the Commission's proposal for a Fifth Directive concerning the structure of *sociétés anonymes* and the powers and obligations of their organs, we shall I hope at last be presenting our report this morning. I offer no apology for the (to put it mildly) somewhat lengthy preparatory work. There are explanations. Shortly after the submission of the Commission's proposal the Community was enlarged from six to nine Member States which necessitated a re-examination of the situation by the Commission. This resulted in the 'green

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book' — presented to Parliament in mid-January 1976 and, after renewed debate in the Legal Affairs Committee, in the working paper of March 1978, not an amended proposal as such but in reality almost indistinguishable from one.

In its July 1979 part-session the directly-elected Parliament adopted a draft report by Mr Schmidt which returned to the Legal Affairs Committee in September of that same year. Two years later, in November 1981, this committee approved my report after having dealt with my draft in 14 sittings. Whoever considers this pace to be slow is probably right. But when one considers the number of reports dealt with and drafted by our Committee the verdict will probably be less harsh, all the more so when one takes account of the complexity and importance of the subject under consideration. A complex matter therefore. It involves the coordination of the safeguards which, for the protection of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, as regards the structure of *sociétés anonymes* and the powers and obligations of their organs. Three kinds of legal safeguard thus; those of shareholders and of two groups of third parties involved, employees of the *société anonyme* and outsiders. I am certainly doing you no favour by elaborating on the legal and technical issues which are part and parcel of the protection of minority shareholders' interests, in the drawing up and verification of the annual accounts or in the regulation governing the responsibility of company directors, supervisory directors and accountants. To those most concerned, and that naturally means first and foremost my colleagues, may I refer them to my report and, in particular, to the proposed amendments to Chapters 3 and 4 of the draft directive.

Apart from some reservations which I shall come back to later, suffice it to say that the Commission has succeeded in presenting a thorough and well-balanced statute of legal protection for the three above-mentioned groups of interested parties in the *société anonyme*. Of these, that of the employees of the *société anonyme* forms the focal point, and rightly so. Not only because the manner in which their legal protection is enshrined forms part of the 'espace social' as well as being one of its pillars, but also because it has a considerable influence on the way in which the *société anonyme* is structured.

In the committee's recommendations the legal protection of employees covers two aspects, that of the right to information and enquiry (Article 11) and that of co-determination on important decisions as set out in Article 12. Co-determination: the possibility to have a real say in the decision-making process, a real voice but, at the same time, a managerial voice. In its opinion of 19 September 1974 the Economic and Social Committee took up this point and reiterated that employees must have the right of collective representation of their interests within the enterprise and to a say

in certain decision-making, in so far as they comply with management responsibility and an efficient conduct of affairs. Co-determination as an ethical prerequisite because it is contrary to human dignity that decisions affecting workers' future be taken without consultation or the possibility of influencing such decisions. Co-determination also as a practical prerequisite because it is clear that the challenge posed by the industrial restructuring which lies before us can only be met when all interested parties concerned — suppliers of capital, employees and management join forces to determine their future collectively. Only when that restructuring process functions smoothly will we once more have prospects of economic growth which is a prerequisite for further progress.

In the regulation of co-determination the European Commission deems it necessary, after a five-year transitional period, to achieve worker participation in the composition of the supervisory organ in *sociétés anonymes* having the obligatory two-tier structure envisaged.

The Legal Affairs Committee considers that the Commission has been too precipitate and by showing insufficient flexibility has lost sight of the main objective, namely that of worker co-determination. In trying to attain too much all at once one runs the risk of going away empty-handed. The Legal Affairs Committee has opted for a step-by-step approach. The diverse political, social and cultural evolution of our countries has given rise to diverse co-determination models in the Member States. Article 54 of the Treaty of Rome instructs us to make the various models equivalent, not to reduce them to one uniform model. A majority on our Legal Affairs Committee therefore favours adopting the existing systems as a starting point, and of making the co-determination aspects of those systems equivalent. After five years it proposes a re-examination by means of a report carried out by the Commission of general lines offering possibilities for further harmonization.

As a consequence of this type of approach the Legal Affairs Committee came up with the recommendation that the minimum number of employees needed to determine the introduction of co-determination in a *société anonyme* should be set by way of compromise at 1 000 and not, as contained in the European Commission proposal, 500.

Ultimately — and I would like to emphasize this — our committee envisages nothing more than does the Commission, namely a good and effective regulation of employee co-determination. Co-determination — and it is not by accident that I put the emphasis on the 'co' — restores the balance of power. By emphasizing the need for cooperation it promotes internal harmony and tranquillity, thereby heightening the prospects of the enterprise.

Whilst agreeing that the Commission's draft directive can create that harmony which can lead to sociological

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progress, I nevertheless consider their rhythm to be too fast at present and the step it now envisages too great. By following the direction outlined, but at a suitable pace and in smaller steps we shall make a substantial contribution to the formulation of a real and workable employee co-determination model. We shall have set one of the primary human rights on a solid footing: a say in the decision-making process as it affects one's future. We shall have furthered human dignity and increased the prospects of a substantial number of our Community's citizens. We shall have contributed to the accomplishment of one of the primary objectives set out in the Treaty of Rome: that of improving the living conditions of the Community's citizens.

Mr President, it is both my hope and my wish that the outcome of the debate taking place today and tomorrow will be the achievement of that goal.

IN THE CHAIR: MR MØLLER

Vice-President

President. — I call the Committee on Economic and Monetary Affairs.

Mr von Bismarck, draftsman of an opinion. — (DE) Mr President, ladies and gentlemen, co-determination coupled with co-responsibility is a postulate of Christian-Democratic moral principles. From this it follows that we are aware of the responsibility for all aspects of this significant institution of economic and social policy in every discussion and every decision.

I therefore very much welcome the fact that the Committee on Economic and Monetary Affairs has borne in mind this principle of coupling co-determination and co-responsibility. It has come to the conclusion that account must be taken of a number of fundamental truths in the decision-making process. Above all, this means that, as the previous speaker said, we must do our duty towards all citizens, from the young to the elderly, including those who are not involved as employees or joint owners. We can only achieve this if we reject the Marxist model of capital and labour or even of the class struggle and accept the principles of partnership and cooperation.

It was our task to adopt a report which reflects these views. The committee, I am particularly happy to say, has noted that the private sector does things without which, in a world based on the division of labour, the majority and the most important of political objectives such as peace, freedom, social security, prosperity and full employment could not be achieved, that the pri-

vate sector can function in a market economy system as prescribed by our Treaties, in a market economy with social commitments, only if the decision-making processes in the private sector continue to be oriented towards this basic structure, that its decisions, which affect all aspects of life, particularly in the areas of increased productivity, investments and action to create jobs, must be optimally attuned to the interests of society, that employees are directly affected by decisions taken by the employers not only as employees but also as fathers, as children, as old people.

Furthermore, the private sector is the chief recipient of the citizen's investments, the savings of the very poor and the very rich. Seen from this angle, the majority of the Committee on Economic and Monetary Affairs believes that an optimal result has been achieved with Mr Geurtsen's report. All the arrangements that have so far been made for worker participation will remain untouched and possible, even where they go furthest, in the Federal Republic of Germany. Or they can all be changed. No one is being forced to proceed at a pace that could not be maintained because of the structure of the limited company, the structure of the trade unions or tradition as a whole.

What point would there have been in proposing a model which the Council would have rejected because the parliamentary majorities in our Member States or even their constitutions would not have permitted it? This model is therefore the best conceivable today. I should like to express my great respect for the rapporteur and also to thank my own group for making this compromise possible. I call on all the other Members of this House to respect the wisdom of this report by voting for it tomorrow.

President. — I call the Committee on Social Affairs and Employment.

Mr Didò, draftsman of an opinion. — (IT) Mr President, with the Fifth Directive the European Community aims at reforming and harmonizing company law, both in the interests of shareholders — particularly the small shareholders — and in the interests of third parties, primarily the workers; it aims at guaranteeing transparency in company managements, at providing a better organized administrative structure, and, finally, at introducing participation of workers in the decision-making process through a rebalancing of powers and responsibilities between capital and labour, the two aspects of a necessary process of economic democratization.

In fact, the vast process of restructuring and reconversion taking place in all productive sectors, a process which stems both from the economic crisis and from the new international division of labour as well as the current technological revolution, has disturbing consequences for the quality of work, for employment lev-

Didò

els, and for the quality of life itself. In our opinion, this kind of economic evolution demands that a consensus be reached; it calls for new rules in industrial relations within the general framework of a planned economy where the workers can have access to all information concerning the life of the company and its prospects for economic development and enjoy the right to participate in the related decisions on an informed and responsible basis.

The workers, through their trade unions, are therefore asking for responsibility in respect to both problems of work organization and problems of company efficiency, in the context of an economic development which takes problems of employment and working conditions into account.

For this reason we feel that this sitting is very important, for Parliament must finally decide upon the Fifth Directive proposed ten years ago by the Commission. The problem of a new type of economic development capable of bringing full employment and overcoming regional imbalances calls for a planned industrial policy both on the national level and on the Community level. It is precisely for this reason that the harmonization of legislation on limited public companies and the rights of the workers in the Community countries as a whole is of decisive importance.

The Committee on Social Affairs and Employment has expressed an opinion that is much closer to the Commission's proposal than the one furnished by the majority of the Legal Affairs Committee. The latter, indeed, seems to me to nullify the Commission's position in regard to several important points.

Mr Geurtsen's motion for a resolution is especially inconsistent when it asserts that in every case the final right to take a decision should belong to the shareholders. This formula is in complete contradiction to the spirit of the Fifth Directive and it does not take into account the advisability of creating the conditions for a consensus.

I would like, therefore, to call Parliament's attention to some significant points in the opinion delivered by the Committee on Social Affairs and Employment. In the first place, in regard to the administrative structure of limited public companies, the dualist system should be established in the Member States where it does not already exist. A period of transition should also be established, during which the relevant modifications would be considered optional. In the second place, we think that the 500-employee limit is a suitable level at which to begin to apply legislation in favour of worker participation. The workers should also have the right — on a permanent basis, and not only during the period of transition — to choose between two alternative systems, that is, between participating in the supervisory organ or forming their own representative body similar to the staff councils, for example.

The Legal Affairs Committee has accepted the principle of equal rights for workers' representatives and members of the supervisory body. In the case of participation in the supervisory body, we feel that worker representatives should always be chosen by means of free elections, and for this reason we believe that the co-option model does not represent a form of genuine worker participation in the company institutions.

On the contrary it is necessary, in regard to the composition of the supervisory body, to return to the interdependence of the draft Fifth Directive and the provisions of the statute on European limited public companies approved by this Parliament with the resolution of 11 July 1974. The supervisory body should therefore be composed as follows: one-third shareholders' representatives, one-third workers' representatives, and one-third persons to be co-opted by these two representative groups.

In conclusion, we hope that the Assembly will take the overall approach of the Committee on Social Affairs and Employment into account. The Committee certainly has a feeling for these problems which differs from the viewpoint of those who deal only with the legal aspects, and we hope that the Assembly will adopt our opinion, which is certainly more realistic in respect to the present economic and social problems of the European Community.

President. — I call the Socialist Group.

Mr Vetter. — (DE) Mr President, ladies and gentlemen, the European Parliament considered the Fifth Directive as long ago as 1979, before the first direct elections. The debate at that time was based on a report by Mr Manfred Schmidt. This report contained proposals on two central issues, which were endorsed by the Group of the European People's Party and by the Socialist Group in particular. These proposals concerned company structure and employee representation in the supervisory bodies.

Immediately after its constitution this Parliament again considered the Fifth Directive, because it had proved impossible to find a quorum for the vote on the reports by Mr Schmidt and by Mr Caro and Mr Schmidt. We now have to consider this report, submitted to us by Mr Geurtsen on behalf of the Legal Affairs Committee.

Mr Geurtsen has established a basis for a decision with a great deal of commitment and perseverance. We must undoubtedly respect him for this. But to this I must add that my group very regrets that the compromise reached in 1979 between the Socialist Group and the Group of the European People's Party no longer forms the basis of this report and the motion for a resolution it contains. Nor is it difficult to see from the amendments tabled by my group that, if it

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remains unchanged, we shall have to deny the Legal Affairs Committee's report our approval where it concerns aspects we consider to form the central issue.

Allow me to explain the reasons for our adopting this position. In October 1972, getting on for ten years ago, the Commission submitted to the Council a proposal for a Fifth directive on the structure of *sociétés anonymes*. The declared object of this proposal was to make the necessary adjustment of national company law to the common market. The national difference that still exist hamper companies in their activities in the common market, because they cannot move with the same freedom as in their own national markets. The Commission itself summarized the situation in Bulletin 8/1975. I quote: In addition, the establishment of a common market for companies should not be approached as if it were a politically neutral, essentially technical matter. The way in which a legal system structures industrial and commercial enterprises is intimately connected with fundamental elements in the general social and economic policies adopted by the society in question. At the Community level, it is necessary, in order to construct a common market for companies, to ensure that the Community framework will take proper account of the way in which relevant social and economic policies are developing in the Member States. Furthermore, the creation of a common market for companies is not an end in itself. It is only one means of achieving the Community's fundamental objectives which include a harmonious development of economic activities, including a fairer distribution of economic activity between the various regions of the Community, an increase in stability, and the improvement of the living and working conditions of the Community's citizens. Accordingly, in constructing the common market, the Community must necessarily take steps to approximate relevant economic and social policies in a way which will ensure that sufficient progress is made as to the realization of the Community's fundamental objectives in all Member States.

That, then, was what the Commission had to say on the matter.

What would be left of this clear-sighted, economically and socially reasonable objective if the Fifth Directive was amended as Mr Geurtsen is proposing? One of the most important aims of the directive is the approximation of company structures, and the Commission's proposal provided for the introduction of the two-tier system, that is, having two separate bodies, each independent of the other, responsible for management and supervisory activities.

Mr Schmidt's report suggested a transitional period of five years followed by the introduction of the two-tier system in all the Member States. Mr Geurtsen's report, on the other hand, suggests the *status quo* should be maintained. If he has his way, we shall continue to have different company structures in the Community,

which would mean neglecting a very basic assignment — I cannot unfortunately express it in stronger terms — a very basic assignment the Community has been given by the Treaties of Rome, and that is the harmonization of economic and social conditions.

At this stage we must ask: What point is there in issuing a directive whose declared objective is the approximation of company structures in the medium term if this is the very thing that this directive will prevent? Surely it would then be better *not* to issue a directive, so that at least the option of finding a reasonable solution that ties in with the Community's aims remains open. If we are not going to abandon the goal of a coordinated economic and social policy, a goal that has the support of almost every Member of this Parliament, we cannot endorse a proposal which seeks the perpetuation of existing differences in the laws of the Member States which are harmful to the common market.

The second point which would result in my group rejecting Mr Geurtsen's report if it remained unchanged is the proposal regarding employee representation in the company's supervisory body. The Schmidt report and the agreement between the two largest political groups to which I have already referred proposed that one-third of the supervisory board should consist of shareholders' representatives, one-third of employees' representatives and one-third of persons elected by these two groups. The number of members of the supervisory board was also to be divisible by three.

Mr Geurtsen's report, however, contains the following words: 'The members of the supervisory organ shall be appointed by the general meeting as regards a maximum of two-thirds and by employees of the company practising participation as regards a minimum of one-third but subject to a maximum of one-half where compensatory measures provide a functional safeguard' — and this is the important part — 'for the *shareholders*' right to take the final decision.' We regard this proposal, to be quite frank, as a provocation. Quite apart from the fact that the contention that these would still be companies *practising participation* seems to me blatantly cold-blooded in social terms, the adoption of this wording would signify nothing other than the perpetuation of the shareholders' right to take the final decision.

Against this background, the reference to a maximum of one half of the supervisory body consisting of employees' representatives is in my view just deceptive, empty, talk. Anyone who seeks to exile employees to the powerless observers' bench for cosmetic reasons, anyone who seeks to deny them any real say in their own destiny must allow himself to be asked whether he is not consciously trying to destroy all that is needed if a social consensus is to be achieved.

We will not be party to this. We want equal rights for employees, not paternalistic degradation. This direc-

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tive could be a major step forward, but if it is amended as Mr Geurtsen proposes, it will be exactly the opposite. It would cause irreparable damage to social relations in this Community, and I hope a coalition of social reason can be achieved in this Parliament, particularly as regards the way in which employees are to be represented in the supervisory bodies.

To conclude, I should like to point out that the legal affairs committees of *all* parliaments tend to be rather conservative. I am therefore all the happier to hear that the Committee on Social Affairs and Employment of this Parliament largely endorses my views.

President. — I call the Group of the European People's Party (Christian-Democratic Group).

Mr Janssen van Raay. — (NL) Mr President, colleagues, the Fifth Directive covers four topics: firstly, the structure of the *société anonyme*, secondly, co-determination — we in the Netherlands also often use the German word 'Mitbestimmung' — thirdly, the general meeting of shareholders and fourthly the annual accounts. I shall follow the lead given by Mr Geurtsen and concentrate essentially on the second point, given that the other three are of particular importance to the shareholders, accountants etc., but, without doubt the subject having the greatest political significance is that of co-determination.

I would like to begin by congratulating Mr Geurtsen, on behalf of my group, not only on his voluminous report but also on its resourcefulness. Some are of the opinion that Mr Geurtsen managed to achieve compromises and perhaps even one considerable compromise but, fellow colleagues whilst, it may well be that his report contains compromises here and there, what he has actually managed to achieve is to give complete realization to the idea of the directive itself and that is no compromise. That is the first thing with which I would like to reproach my colleague Mr Vetter. Had the Commission really wished to harmonize the structure of, and co-determination within, the *sociétés anonymes* throughout the Community then it should have made use of legal means available to it, namely that of the regulation rather than the directive.

The ingenuity displayed in the Treaty of Rome in inventing a new legal device hitherto unknown in constitutional law, namely the directive, is that we can on a European level sketch out and attain certain objectives without having to encounter an unnecessary degree of opposition at national level. When one tries to resolve an issue all at once, to introduce appropriate legislation to be at once applicable in all ten Member States of the Community then one must wield the regulation. However, when one considers the attainment of an objective to be important on a European level, one lays down for the Member States guidelines for its attainment whilst leaving them a free hand

regarding the manner of achieving those objectives. Why? Because the attainment of the objective is rendered that much easier having dispensed with unnecessary opposition. At this point one can say that the legal system of the Community has brought the new instrument of the directive into operation.

What has Mr Geurtsen set out to do in his report? To ensure that employee co-determination within the enterprise is not just a sham but a real voice. It was never meant to be a right of speaking for its own sake to be followed invariably by a management decision which takes no account of worker reservations. Genuine co-determination within the enterprise is the principal political objective involved here rather than a rigorous modification of the structure of *sociétés anonymes*. This is therefore, Mr Geurtsen, not so much a compromise — on the contrary, you have done exactly that for which the instrument of the directive was introduced into European law.

What is involved here, what are the wishes of my group, and what do I ask of my colleagues? We all realize that the German model of 'Mitbestimmung' (co-determination) as it affects employees is at present the most refined. Second only to the German model is, I am proud to say, that of the Netherlands. It is in no way the intention of this directive to try to resolve an internal German debate on the issue nor indeed a Dutch debate as to whether we have at last got the employee/management quotients right or whether we should amend it. The aim of this directive is, naturally, that of making co-determination acceptable to those Member States who have not yet been exposed to it. Consequently I hope that the debate will not become an internal German affair but rather that we can focus attention on Member States such as Great Britain who are totally unaware of the concept of co-determination. If we, the European Parliament, consider adopting the directive and if it is subsequently accepted by the social partners in all Member States then the debate taking place over the next few days could be one of historical momentum in the annals on industrial relations, not of the Federal Republic of Germany and not of the Netherlands, but of Europe. This is, I am convinced, the real significance of this debate and therein lies the ingenuity of the answers contained in the Geurtsen report.

One example springs immediately to mind. To those countries already familiar with the system of a board of directors and, above it, a supervisory organ it is obvious that employee co-determination takes place in the supervisory boards ('Aufsichtsräte') as provided for in the system. Only two of the Member States of the Community are familiar with the above-mentioned structure within the enterprise. If we try to thrust upon our British, Greek, Luxembourg, etc. colleagues this system, then we can be certain in advance that such a proposal will never have the unanimous approval of the Council of Ministers.

Janssen van Raay

What we Christian Democrats approve of in the Geurtsen report is that he presents the objective involved i.e. co-determination in such a variety of possibilities that the Member States not familiar with such a system can integrate it into their own national system. I find it regrettable that I do not have at my disposal in the House some up-to-date audiovisual equipment. One slide would suffice to demonstrate clearly the system. The main difference can best be illustrated by contrasting it with the British one-tier system represented by a wide circle within which is the Board of Directors who are simultaneously the supervisory board. What is the Geurtsen report proposing? That the group of non-managing directors, who do not have direct responsibility, can also be constituted on the same lines as that contained in the proposal on supervisory boards. If one keeps in mind this picture of the circle, the system adopted by Germany and the Netherlands was to remove the inner circle and place it underneath but the greatest difference is that, by definition, a member of the supervisory board cannot be on the Board of Directors.

In reality the Geurtsen proposals achieve the same ends as those desired by us in Germany and the Netherlands concerning supervisory boards without obliging the eight Member States unfamiliar with such a system to adapt theirs, with the resultant direct and indirect effects such action would give rise to. The same applies to the other recommendations contained in the report. It therefore meets with our approval and I regret that Mr Vetter can no longer give it his, but I hope that my German Socialist colleagues can convey to him what I am saying to you, namely that we do not consider it the aim of this directive to harmonize the structure of *sociétés anonymes* within the Member States but rather to set the principle of co-determination as quickly as possible on a firm footing. That is our desire and that is what the Geurtsen report proposes.

Shortly, when we come to take a vote on the various amendments I would ask you to consider the Christian Democrat voting pattern against this background, that is to say that we as Dutch or Germans could perhaps be of the same opinion on certain points, but as soon as we realize that such points are encountering the opposition of other countries to such an extent that an undue preoccupation with refinement would cause us, as we say in Dutch, to throw out the good with the bad, then we are farther afield. We therefore wish to embed the essentials of this directive in a range of possibilities acceptable to the French, Italians and British because I thoroughly agree with the general point of view of Mr Vetter, on which I consider the old compromise between Christian Democrats and Socialists in the previous Parliament to have been based.

It is my fond hope that the idea of co-determination — something completely new which deviates from, for example, the corporate structure in U.S. enterprises and which differs from corporate structure in Marxist

countries, a concept that is totally new and European — will find broad support as much among Christian Democrats as with Socialists and Liberals. The idea is that those who are employed in the enterprise should also have a voice, and a decisive one, in matters which most affect them.

I fully agree with Mr Geurtsen's introduction on the subject of human values that the enterprise forms one big family, that there need no longer be any polarization between management and shareholders, on the one hand, and employees on the other but rather that enterprises should be jointly operated. In this respect we can support the Geurtsen proposal not just in its broad outlines but in its totality.

President. — I call the European Democratic Group.

Mr Turner. — Mr President, I must say straight away that I entirely agree with Mr Janssen van Raay that one needs understanding between the different countries of the EEC in this extremely difficult matter. In the Legal Affairs Committee we have worked on it for 2½ years, and it was quite a long time before we began to understand what very different problems we each had.

I must apologize for speaking mostly from the point of view of Great Britain, the reason being that we probably have the greatest problems of the whole lot. Nonetheless, I believe I speak for all the countries who have basically at the present time a unitary board system. That includes France, Ireland and Italy, for instance. We have given great thought to the German system and the Dutch system and we recognize how well they work in a well-ordered atmosphere such as the Dutch and the Germans have. I must say that the compromise — and I think it is correct to call it a compromise — which the rapporteur has arrived at after all this discussion is one which will be a revolution in Britain. That shows you how far we have to come in Britain. It could lead to a beneficent revolution in Britain if the European Parliament tomorrow does vote through what the rapporteur has proposed. If, on the other hand, the Legal Affairs Committee's proposals are rejected tomorrow, then I am afraid that this directive has no chance of effective survival so far as British industrial relations are concerned.

All of us who have been concerned with this directive over the past 2½ years have had to talk to a great many people in industry in Britain and discuss with them the practical problems, and we know that we have moved as far as is practical in going for the Geurtsen proposals. So, Mr President, the possibilities tomorrow are great, but equally the dangers are great if tomorrow the vote goes wrong, because then, as I say, we have wasted 2½ years. We have achieved a result which cannot be put into effect in countries such as Britain where we have very serious problems, as I know you all understand.

Turner

I think that this directive, more than any other directive before the European Parliament, has had to be adapted to meet an amazingly broad spectrum of European experience. I don't think I know of any other field we have dealt with where the differences between each country are so great. At one end you have the orderly formality of Germany, Holland and Denmark. At the other end you have the full-blooded, disorderly and often explosive conditions that have grown up in Britain and to a lesser extent in Italy and France. The Legal Affairs Committee decided to search for a set of formulae which, with good will on all sides, could have a positive effect in the difficult countries such as Great Britain in bringing about an improvement in our industrial relations.

My group is very grateful to the other members of the Legal Affairs Committee who have kept in mind the demanding circumstances that exist in Britain. It would have been so easy for them to have taken a superior attitude and said: Oh well, you ought to be able to do this, that or the other. But they haven't; they have been understanding and they have attempted to arrive at a practical solution. It is easy for some colleagues to laugh, as I think I heard one do just now, but it is not so easy to laugh in Britain about a problem like this.

The committee has attempted, and I believe successfully, to formulate a proposal that can really help in this difficult field. The Commission has also played its part. It started off with a point of view which was very different, one which it had in 1972, but I believe that as it listened to our very long debates, it came to realize the importance of what we were trying to do in the Legal Affairs Committee by way of producing an effective and practical solution rather than something based on principles and formalities that have existed in the successful countries like Germany and Holland. I hope that the Commission will remain equally sympathetic now and after we have had our vote.

Our objective has been quite clear and simple. We sought to find systems of working in industrial relations between shareholders and employees which are adapted to the history of each country but essentially equivalent in their effects, so far as employees' relations with their employers and the relationship between shareholders and their employees are concerned. First of all we found, Mr President, that the further we got away from the orderly traditions of Germany, Denmark and Holland, the more certain it became that improvements in industrial relations could not be obtained by trying to force complicated constitutional checks and balances on employee participation. They work in some countries, they would not work in ours. Quite simply such systems would not produce order and harmony in Britain for instance. They would produce deadlock and confrontation. We therefore decided on the introduction of simple, democratic procedures for employee participation in representative councils in companies, with genuine

consultation between the employer and the employee over all vital decisions concerning the future of the company. I believe that this could grow into an increasingly constructive involvement of all employees in company affairs in Britain, if we adopt it tomorrow.

In Parliament we have to understand each other's positions and problems in this particular matter. We cannot just forge ahead with what has succeeded in one country and assume it will succeed in the other. I think the Legal Affairs Committee was completely right in trying to search for the highest common factor of agreement it could get. I believe we have done that. But, of course, the proposals of Mr Geurtsen are complicated. They are, in fact, an enormous appletart. This appletart has been carefully balanced and it must go through complete, otherwise we shall get nothing out of this directive at all. Therefore I urge you all to give very serious consideration to supporting the Geurtsen proposals as they stand.

We have had great trouble and exertions in Britain trying to sell these proposals at home, it being extremely hard to persuade British industry that a European solution for industrial relations is a practical one. It was naturally very hard to get them at home to accept new ideas where they have such difficult problems themselves. We have been doing this for 2½ years at home, while Parliament itself was working through the committee, and I think we have been doing harder work at home on this than we have actually done in committee. Let me tell you, we have been under great stress from people at home to provide a solution which they can accept, and they are doubtful about what we have done. I am quite sure we shall succeed at home if we get these proposals, but it is not going to be easy.

These proposals are the furthest we could possibly go. I may say that they are all summed up in Article 21a of the Geurtsen proposals. If we adopt Article 21a, then I am convinced that we will get an improvement in industrial relations in Britain — I think the same goes for France and Italy and Ireland — that we could not otherwise get. In other words, the European Parliament could start a revolution in Britain if it went for something which was practical. If it went for something which was impractical, then it won't be listened to at all. As I say, it has been a tough job in Britain trying to get this view across.

Mr President, it would be a tragedy if tomorrow Parliament got its vote wrong. Then nobody in Britain would take any notice of this directive. It would never come into force in Britain and it could never have any effect. That, I think, is what we have got to watch out for. We have this opportunity of improving affairs in Britain through the European Parliament in a very concrete way.

I would refer particularly to one aspect, and that is the requirement for democratic procedures which Mr

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Geurtsen put in and which were not in the original proposals. I think it is the single most inspiring point about Mr Geurtsen's proposals that he requires democratic procedures for the election of employee representatives. To many of you this is perfectly ordinary and taken for granted, but I have said again and again, particularly to the Socialists, that that is not the case in Britain and that to require secret ballots is itself a revolution in Britain where a show of hands has always been good enough — hasn't it, Mr Megahy? Yes. So it is very important, and I must stress that for Britain this is the cardinal thing — those democratic procedures which you probably all take for granted but which we do not.

I would be very proud if, after tomorrow night, I could go back to Britain and say that the European Parliament required democracy in British industrial relations, that the European Parliament demanded it, a thing which nobody in Britain has ever yet dared do. With your support we could do that. We could say that Europe insists on this. It is second nature to Europe, although we have never had the courage to do it ourselves by ourselves. The idea of secret ballots, which are provided for by Mr Geurtsen but not by the Commission originally, is cardinal to the whole thing.

I therefore appeal to the Members of this Parliament to support the Geurtsen proposals tomorrow, and most notably all those in Article 21a, which is tailored to the problems of Britain. That is essential. If we get Article 21a, you can be quite assured that we shall then have a long job in Britain persuading British industry to put those proposals in 21a into force, but we shall succeed in doing it if we have your support. If tomorrow you vote against this, you will knock away a ladder which we could climb up in Britain. I beg you not to do that. I hope therefore, Mr President, that tomorrow this Parliament will realize that if it supports the Geurtsen proposals, it will be starting a revolution of a beneficent nature in Britain for which we would all be extremely grateful.

President. — I call the Liberal and Democratic Group.

Mr Donnez. — (FR) Mr President, we are all of us aware of the need for Community rules to coordinate the safeguards required of companies to protect the interests of both shareholders and employees. It must be obvious to everyone how necessary it is for companies in each of our countries to be helped to extricate themselves from the veritable legal morass which hampers their efforts to expand their activities into the Community and it is equally certain, on a social level, that we in Europe cannot entertain the notion of a second-class employee.

These two criteria must be the guiding light in our discussion of the excellent, not to say outstanding, report by my friend Mr Geurtsen. Indeed, our first concern

should be to broaden the areas of employee participation. Companies have to adapt their structures and their methods, recognizing that workers today are far better qualified than they were in the past. And I need scarcely add that these workers are far more aware of the technical, social and even psychological problems than were their predecessors.

This leads on to another point. It is imperative to enhance the responsibilities of management in our companies. Every level of management, from the highest to the lowest, today plays an essential and determining role in our economic life. It is vital, therefore, that they should be made to participate more fully in the economic activity of their undertaking. It seems to me to be a strange paradox that a company director, who spends no more than a few hours a month — or year — in a company, can be involved in highly important decisions affecting it, whereas even the most senior managers, who most often live for and whose livelihood depends on that company, are left out of the decision-making process. Clearly, therefore, management must play a more active role in the shaping of company strategy.

This brings us to yet a third consideration. It is vital to acknowledge the employees' right to information. This certainly must not be taken to mean that we could tolerate the emergence of shopfloor councils within our companies of a kind that could gradually lead to an effective sovietization of the undertaking. Whilst employee participation and the right to information are essential, we could not allow our economic system to be brought to a standstill.

But it would be less than honest of me to pretend that there are not likely to be difficulties in persuading our respective countries to implement this Fifth Directive. Firstly, as regards the status of *sociétés anonymes*, we have in France the unitary system with one board of directors and the dualist system, introduced in 1966, comprising executive and supervisory boards. It has to be said that, since traditions and customs die hard, the dualist system, after an initial success, is now in decline. Today it represents no more than 10% of our *sociétés anonymes*. Accordingly, if we want the dualist system to be widely accepted, we shall have to proceed very carefully and also very patiently. This applies equally to the question of employee participation in the supervisory organs.

When one speaks of employee participation one of course implies participation by the trade unions. Now, the way things are with our trade unions, there is every reason to fear that the Fifth Directive will be difficult to implement in France. Firstly, because the vast majority — some 80% — of workers do not belong to any union. Secondly, because the largest trade union, the Confédération Générale du Travail, is not reformist but nevertheless claims to be revolutionary and rejects, as it puts it, any class collaboration.

Donnez

Thirdly, because the other unions, which are reformist — namely the CFDT, the FO, and the CFTC — all more or less categorically refuse to accept any obligation to ensure even a minority representation of the workforce, in an advisory capacity, on the supervisory or executive organs. Only the CGC, the trade union representing management, wants the right to take part in decisions. That is important for the quality, but no doubt disappointing for the number of employees it covers.

We have therefore to proceed with great caution, while at the same time remaining faithful to the objectives set out in the Fifth Directive and seeking continually for a harmonious balance between social progress and economic performance.

President. — I call the Group of European Progressive Democrats.

Mr Vié. — (*FR*) Mr President, it is customary to begin by congratulating the rapporteur, but I should like on this particular occasion to do so in an original manner. Indeed, we have only to look at the documents before us to see just how impressive Mr Geurtsen's report is, both quantitatively and qualitatively. It is therefore only right that we should pay tribute to him. I am sure, however, that he will not take it amiss if I ask him to share this tribute with Mr Ferri, former chairman of our Legal Affairs Committee whose courtesy, profound knowledge of everything that passed through the committee and political dexterity acquired in the course of his long parliamentary career allowed our discussions, the difficult nature of which is known to all, to take place in an ideally free and constructive atmosphere.

I referred just now to the difficult nature of our discussions. It is an undeniable fact that the subject in question is one of those on which one might expect the views legitimately held by the various political groups to clash and the rapporteur, with great impartiality, has not failed to give space to the opinion of the minority within our committee. The latter deplored the fact that Mr Geurtsen's text differs significantly from the Commission's proposal, that the exceptions provided for are scarcely consistent with a move towards genuine harmonization and that the exclusion of the multinational groups from the scope of the directive substantially reduces its value.

Where our group is concerned the Geurtsen report, whilst not being embraced with enthusiasm, does however have our full support.

It has not been embraced with enthusiasm because, and I make no secret of it, the French members of our group are making employee participation the cornerstone of a new economic and social order giving us reason to hope that we shall one day finally see an end

to the old conflict between employers and workers. I say French members, but in fact our Irish colleagues are working on broadly similar lines. So far as this question of participation goes, the least one could say about the Geurtsen report is that it is rather modest. But we support it because, whilst our political attitudes may be absolutely clear-cut and unwavering, we are nevertheless inclined to take a pragmatic view. Participation is not something that can be ordained by decree — the very word 'participation' suggests as much — it is made possible by a gradual change in mental attitudes. It is an inescapable fact that now, just as before, and in my country even more so now than before, participation as we understand it is far from gaining acceptance among employers or trade unions, and still less among the latter than among the former. The false and outdated concept of class struggle is being propagated with renewed vigour and to reiterate in 1982 the slogans of a century and a half ago is a disturbing sign of a lack of imagination which more than anything else could spell the death of our civilization.

Class struggle is a false concept because what separates the human species from the instinctive animal species is that in every human being there is a person endowed with reason, free will and the capacity for self-determination. It follows that, in human relations, no one can take another unto himself as his own without violating him, without dehumanizing him. Only brotherhood or love — call it what you will — have any place in genuine human relations. Without it, you are left simply with a desire to dominate, to exert power or to subjugate. Let us be under no illusion. It is a fact that in economic and social relations, the desire for power has been a factor, and still is today. But the fact of having broken a rule does not make the rule a bad one. What we need to do is keep the rule and see that people follow it.

Class struggle is a false concept because to respond to war with war is to justify war. Now, who will win the war? The strongest. And what we are seeking is not strength but justice. Justice will not be served by class struggle but by respect for others. This is but one aspect of our Parliament's unceasing battle for human rights. The undertaking, like the family, like the town, is a natural community in which man can fulfil himself. The family is not built on a suicidal dialectic between husband and wife, but on the search for a basis on which to develop together.

The fact that in my country, and perhaps in others too, the town hall is called the 'maison commune' says clearly enough that the town is not a place for rivalry, but a place for harmony. Likewise it is unnatural for the undertaking to become a scene of battle.

Furthermore, if we readily accept this report, it is because it is European. It is a modest contribution, perhaps, but still a vital contribution to the process of European integration to which our group is deeply committed. Provided, of course — and here again we

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are being pragmatic — that we are working towards not a Europe of dreams but of realities. One can trace back the beginnings of this Europe of realities beyond the Treaty of Rome to that historic gesture of Franco-German reconciliation instigated by Chancellor Adenauer and General De Gaulle. We had to wait almost 40 years before coming across an example of creative imagination of comparable scope in the gesture of the late lamented President Sadat towards Israel. One imaginative stroke every 40 years, what is that if we are to save our free world? One has the feeling nowadays that it is precisely this lack of inspiration, this lack of poetry, in the creative sense, which is liable to bring about the death of our Western world. There is of course no lack of fertile minds when it comes to anything that might serve armed confrontation, but a singular lack when it comes to the freedom to live together in harmony.

I repeat, the Geurtsen report may be only a small building block compared to the immensity of the edifice we are constructing, but it is a solid building block and we would be mad to throw it away.

President. — I call the Non-Attached Members Group.

Mr Eisma. — (NL) Mr President, the legal foundation of this Fifth Directive is Article 54, paragraph 3, section g of the Treaty of Rome. This article stipulates that Member States must coordinate to the necessary extent the safeguards which for the protection of the interests of members and others are required of companies or firms and, further, to make such safeguards equivalent throughout the Community. The Fifth Directive does not, for all that, envisage harmonization but exclusively equivalence. This means that on specific points the Member States are free to introduce measures which, despite differing in nature *vis-à-vis* each other, must nevertheless be equivalent; they must comply with that criterion. The proposal from the Commission aims to regulate the legal safeguards of workers and shareholders in an equivalent manner. The opinion of the Legal Affairs Committee of the Parliament is further removed from this equivalence than the Commission proposed and we regret this.

A more flexible solution to the issue of rights and obligations of workers and shareholders is, we believe, undesirable. Mr Janssen van Raay also referred to this aspect and that is, regrettably, the only part of his argument that we would subscribe to. He pointed out that in the Netherlands a dualistic system already exists which differentiates between the management and executive branches within the enterprise and also legally regulates worker co-determination through a supervisory organ.

On the assumption that certain Member States come up with different models for governing this matter a

majority of the Legal Affairs Committee favours a less far-reaching form of equivalence in the Member States. A combination of a one-tier and two-tier system still does not mean equivalence. In our opinion the report of the Legal Affairs Committee voices a certain reservation in relation to farther-reaching forms of co-determination which are camouflaged behind technical complaints and the raising of socio-psychological insurmountable barriers in the various Member States regarding the introduction of the dualistic system and this notwithstanding the Legal Affairs Committee's admission, in so many words, that the possibilities offered for control by workers or enterprises are greater in the two-tier system. The Legal Affairs Committee is postponing the real decisions by requesting a more detailed report from the Commission concerning the need for further harmonization.

If this Parliament wishes to set about giving directives on enterprise democratization then the political decisions should not be allowed to be postponed. That is what is being done by a majority of the Legal Affairs Committee and we refuse to go along with this, all the more so in view of the Commission's proposal which provides for a long transition period of five years before this directive must be adopted in national legislation.

Mr President, just three more remarks on the directive. The directive should, in our opinion, be applicable to enterprises with a minimum of 100 workers and not 500. A considerable argument in support of this view is furnished by the so-called Vredeling directive which is shortly to come before the House and for which the size of enterprises affected will be fixed at 100 employees. It would seem that a degree of harmonization as regards this aspect is called for.

Mr President, the opinion of the Legal Affairs Committee concerning the composition of the supervisory board cannot meet with our approval. The proposal, in a departure from that of the Commission, that a maximum of one half of the supervisory board be nominated by the workers and, in cases of abstention, to give the employers' side the casting vote seems to us to prevent the national legislator from exceeding the committee's norm.

Finally, Mr President, we consider a maximum of ten dual mandates on the supervisory board to be permissible. To allow the possibility of a larger number of mandates per person is, for us, inadmissible. That leads to such a doubling of functions that none can be efficiently carried out. We have noticed such a phenomenon ourselves in this House where some Members still exercise a double mandate.

To sum up, Mr President, we shall not lend our support to amendments which represent a further drift away from the Commission's original proposal. I was also amazed to hear the rapporteur, Mr Geurtsen, say that the Commission in trying to attain too much all at

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once ultimately achieves nothing. It is a reproach that is rarely levelled at the Commission. We are in the habit of reproaching the Commission with exactly the contrary and we, least of all, can be expected to align ourselves behind these recriminations of the rapporteur of the Legal Affairs Committee.

Mr President, we shall support those amendments which give the directive a further degree of democratization. No one could reasonably have expected anything else of the members of a party which is committed to fundamental democratization and counts it as one of its principles.

President. — I call the Commission.

Mr Narjes, Member of the Commission. — (DE) Mr President, I should like to begin by apologizing for speaking so early in the debate. I unfortunately have a number of commitments tomorrow that I cannot put off, not least among them being that I have to represent the Commission at a world conference of the United Nations in Nairobi, which means that I shall not be able to follow the remainder of the debate tomorrow. I therefore apologize in particular to those ladies and gentlemen who will not be speaking in the debate until tomorrow. My colleague Mr Andriessen will be following the debate attentively tomorrow.

First, my colleagues and I wish to congratulate the Legal Affairs Committee of this House on the magnificent report it has drawn up for the plenary. Our thanks go in particular to Mr Geurtsen, the rapporteur, and also to Mr von Bismarck and Mr Didò, the draftsmen of the opinions of the Committee on Economic and Monetary Affairs and the Committee on Social Affairs and Employment.

As you will recall, the Legal Affairs Committee's first report, drawn up by Mr Manfred Schmidt, came to grief on a procedural technicality in 1979. We hope that this report by Mr Geurtsen will not suffer the same fate. It owes its quality to the thoroughness and imagination with which all the controversial issues were considered during the committee's deliberations and new concepts were established to resolve them. I am therefore certain that what we now have is a document which will enable you to take a final decision.

The proposal for a directive which is being debated today and tomorrow is the fifth designed to coordinate European company law. The four preceding directives have already been adopted by the Council. They all concern issues of particular importance for the continued development of the internal market where they concern the position of companies in the internal market.

Whenever this proposal for a directive is discussed, the talk immediately turns to two aspects: the structure of

the *société anonyme* and, in that context, worker participation. However, the Commission's Fifth Directive proposal covers far more ground than these two aspects. It contains a no less important chapter on the general meeting of shareholders. This governs the convening of the meeting, the agenda, participation, representation, the right to information, and sanctions in the event of faulty decisions. This is all extremely important for the shareholders. I also see it as helping to reawaken interest in shares in the European capital market. We are happy to say that there appear to be no fundamental differences of opinion in this area.

Another chapter, which similarly must not be overlooked, is devoted to the auditing of accounts. Its particular aim is to provide better safeguards than in the past for the independence and accountability of auditors. Again, although there is a crying need for provisions on this aspect, it is a section that hardly gives rise to violent controversy.

I can therefore turn straight away to the problems of company structure and worker participation, to which, I assume, we are expected to react. This will necessitate a brief review of the chequered history of this proposal for a directive.

When the Commission adopted its first proposal in late 1972, shortly before the enlargement of the Community of the Six, its basic idea was as follows: all limited companies should have the same two-tier structure, in other words, an administration consisting of a management organ and a supervisory organ. Furthermore, there should be worker participation in companies with a certain number of employees, but this would be restricted to the participation of employees in the composition of the supervisory organ. There was fierce resistance to both parts of this proposal, not least in the countries which joined the Community in 1973. The need for further discussion of the whole question with all concerned proved essential. To this end, the Commission put forward the Green Paper to which there has already been frequent reference. This contained a detailed description of the situation in all the Member States and considered how the Commission's proposal might be made more flexible by increasing the number of options. It was only then that the Legal Affairs Committee of your Parliament managed to draft the necessary legal rules. By providing for this greater flexibility we hoped to take greater account of historical developments than we had previously done.

As regards the structure of limited companies, the committee's report calls for a choice between the two-tier system and the single-tier system where the dualist structure was previously unknown. Under the single-tier system the only administrative organ facing the general meeting of shareholders is a board. The Commission will undoubtedly be able to accept this new line of thinking, since the Legal Affairs Com-

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mittee has, after all, succeeded in bringing the two organizational forms very much closer together. However, the committee recommends that this motion and the associated approximation of the two structures apply only to companies with 100 or fewer employees. If a limit is to be imposed as a function of the size of companies, it does not seem to me that the number of employees should be the sole criterion. It should be combined with other criteria, such as the balance-sheet total or total turnover, possibly with options where at least two of three or more criteria are satisfied.

In 1972 the Commission wanted to make worker participation obligatory for companies with 500 workers or more. The figures discussed by the parliamentary committees range from 100 to 2 000. All the figures that have been quoted in this context represent the upper limit. The Member States can impose a lower limit if they wish. I would remind you of the lower limits: 50 in Denmark and 100 in the Netherlands. If the Legal Affairs Committee was now to propose 1 000 and the majority of the House agreed to that proposal, the Commission could endorse the principle. In view of the extremely wide range of figures now in force, however, it realizes that, whatever figure Parliament may decide on, there is likely to be a greater need for adjustment in the transitional provisions.

The decisive step forward in the Legal Affairs Committee's recommendation lies in the possible forms of worker participation it proposes, which are in keeping with the outline solution put forward in the Green Paper. Greater flexibility is achieved here merely by providing that, depending on the choice of company structure, two-tier or single-tier, employees may participate in the appointment of both the supervisory body and the non-executive members of the administrative organ. In addition, the national legislature is to be offered the choice of not just two, but four different worker participation models. This can only make the proposal for a directive more attractive.

At this particular juncture I should like to emphasize that the Commission looks forward with keen interest to the decision the European Parliament will be taking tomorrow, not least because it expects to see considerable progress made in the work on this cornerstone of European company law after ten years of deliberations. As far as possible, the Commission will be aligning its final position on the Geurtsen report and the amendments to it adopted by the European Parliament tomorrow or later this week with the position it adopted in its Green Paper and in the working documents it submitted to the Legal Affairs Committee. It must ask you to understand, however, that, in the interests of consistency in the overall legislative process and with other, associated decisions, it will probably be unable to publish the conclusions it draws from the decisions taken by the House as early as the European Parliament's next part-session. They are unlikely to be published until two or three months later.

For the first of the worker participation models the original Commission proposal sought to set aside at least one third of the seats on the supervisory organ for members appointed by the employees. Following the Legal Affairs Committee's decision, the employees' power of appointment might now be extended to cover a maximum of one half of the seats on the supervisory organ. But the idea is that the final decision should rest with the shareholders' representatives. There is no denying that this formula is an alternative to full equality of representation and also to the idea once discussed by this House of three groups of equal size.

However, equivalence, guarantees and the various alternative models are likely to make not only an upper limit but also a lower limit necessary. Of course, the Community has in many cases made do with simple minimum requirements, but is this acceptable in a situation of equal and non-equal worker participation, in a situation, therefore, where quantity appears to be changing into a different quality? That would require serious consideration. We shall also have to take account of limits that may be imposed by the Constitutions of the Member States.

The second model the Legal Affairs Committee's report proposes to the Member States consists in co-opting the supervisory organ, as is the case under Dutch law. Under this system the participation of shareholders and employees is ensured in the following manner: both the general meeting and the works council may object to a candidate. He may then be appointed only if the objection is declared unfounded by a public-law arbitral body, this being in the Netherlands the Economic and Social Council. This presupposes that the supervisory body is so composed as to protect the interests of shareholders and employees.

The third worker participation model suggested by the Legal Affairs Committee opens the way for the Member States to allow employees to opt for separate representation outside the company's organs. This is designed to help the employees to influence company decisions which are regarded as conflicting with their right under labour and social legislation to be involved and informed, a right which is governed by other provisions.

There are certain limits to the comparability of the third worker participation model with the two previously discussed. The status of this employee representation should — rightly so, I feel — be guided by the powers exercised by the supervisory organ *vis-à-vis* the management organ. But the requirement that the supervisory organ must approve particularly far-reaching transactions is not easily transposed to employee representation of this kind. I can therefore merely express the hope that this institution also helps to improve cooperation between capital and labour where it is chosen by the legislature.

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Finally, as the fourth model, the committee's report recommends that worker participation should be made the subject of a collective agreement. I am personally a little sceptical about this idea. Worker participation is an aspect of the law governing the organization of companies, and this should remain the responsibility of the legislature. It alone has the means of ensuring the enforcement of such rules. The conclusion of a collective agreement, on the other hand, is a matter for the two sides of industry. The option between law and collective agreement might therefore produce different results from one Member State to another, from one sector of the economy to another and even from one company to another, and such differences might again bring us into conflict with the principle of equivalence.

When considering this model, the Commission will have to take into account that, in the Legal Affairs Committee's view, worker participation agreed on this basis must not be inferior in content to statutory worker participation. Nor must there be any restriction of the application of the democratic principles — secret proportional elections, freedom to express opinions, the participation of all employees, the protection of minorities. In addition, there should be provision for statutory arrangements if collective agreements are not concluded within a specified period or not concluded at all.

It is in this wide range of opportunities for employee participation, which is further amplified by the option of two forms of company organization, that the particular advantage of the Legal Affairs Committee's recommendation lies. But this advantage would have been largely forfeited if the committee had taken up the idea that the alternatives should be permitted only during a fixed transitional period, after which all companies would have to adopt one system, the two-tier system, for example. I agree with the critics of this transitional period. I believe we should regard the idea of a transitional period more as a commitment entered into by the legislature to establish today a sound procedure and to set a date for a comprehensive exchange of views on the application of this important directive when sufficient experience has been gained.

To conclude, I should like to refer to a special problem. The Legal Affairs Committee proposes that Member States should allow exemptions from essential provisions of the directive in the case of companies which form part of a group, in other words, companies which control or are controlled by another company. Consideration will undoubtedly have to be shown for national legislation which already governs groups of companies in one way or another. It must be ensured, however, that such exemptions are offset by other, equivalent guarantees to the benefit of both employees and shareholders.

It may be possible, for example, to waive the introduction of worker participation in a subsidiary company if it is ensured that its employees enjoy rights under the

system of worker participation in the parent company. Exemptions from the liability arrangements may also be possible in the case of the organs of a subsidiary where it is ensured that the parent company accepts liability in respect of the subsidiary. In view of the high level of concentration in industry, the exemptions called for could further undermine the Fifth Directive if such assurances were not provided.

We otherwise agree with the Legal Affairs Committee: such exemptions of companies belonging to groups may only apply until coordination is achieved at some future date. I see this as confirming that the Community also needs coordination of legislation on groups of companies. The first step in this direction will be taken with the proposal for a Ninth Directive, which the Commission intends to forward to you shortly.

I conclude, Mr President, by repeating my request to the European Parliament to approve this proposal for a Fifth Directive now and so to prevent the whole development of company law in the Community from being jeopardized. This will be in the interests not only of progress in the legislation governing European companies but also of an improvement in the living conditions of all the citizens of the Community.

President. — I call Mr Megahy.

Mr Megahy. — Mr President, this is an important subject and one that has been under consideration by this Parliament for a very long time. Principally, it has the object, in its more controversial parts, of enabling workers to be more involved in the decisions of industry, and to that extent I would support the general idea. Now that we have achieved political democracy in the countries inside the EEC, we ought to be moving as quickly as possible to a far greater degree of industrial democracy and workers' participation in all sectors of industry. This particular directive deals principally with matters at board level, but I would see that involvement of the workers, in decisions that affect their livelihood, as permeating far below the level of the board and particularly at the level of the plant.

I am particularly glad, despite the reservations I expressed earlier today in respect of my own amendments, that at least the amendments of the Socialist Group have been accepted at this late stage; and with one or two exceptions, which I will come to later, I find I can support them fully. Indeed, insofar as these amendments and certain amendments put forward by Mr d'Angelosante tend to strengthen the directive and oppose those parts of Mr Geurtsen's report which seek to limit the provisions of worker participation to firms of a certain size far greater in number than those envisaged by the Commission in the first place, I fully accept them, and the amendment which says they should apply to firms with either over 100 workers or

Megahy

a turnover of a certain order of ECUs is, I think, one that needs to be passed in order to strengthen this directive.

In particular, I support those amendments which are intended to strengthen the provision to give parity of workers' representation, and I notice that the report suggests a formula which would mean that even though workers' representatives might make up 50% of the total, in the event of a tie the shareholders' views would always be dominant. Had I had an opportunity to present my own amendments, I would have reversed that, and said that in the event of a tie the workers' views should be dominant. With regard to those parts of Mr Geurtsen's report which again seek to limit this, by excluding groups on the rather dubious grounds that they would be covered by the Vredeling directive, I support those amendments that seek to oppose those provisions in Mr Geurtsen's report.

Whilst I am mentioning the name of the rapporteur, although I have sought to be critical of certain aspects of the report, I must join, as a member of the Legal Affairs Committee in the compliments paid to him for the very long, tedious and involved work that he has done as rapporteur. Although I must say that the very first amendment I put down was defeated by 23 votes to nil while I was travelling on a fogbound train from Amsterdam to Luxembourg, I will not necessarily hold that against him.

I now come to two other issues, where to some extent — firstly as a matter of emphasis and secondly as a matter of principle — I depart slightly from the view put forward by the rest of my Socialist colleagues. On this question of the choice of workers' representatives, Mr Turner, of course, made a great virtue of his position. I think the trouble with Mr Turner is, if I might say so in a friendly way, that he actually believes those rumours that have been circulating that in all the mines in my constituency his name is spoken in the same breath as Arthur Scargill and Mick McGahey. For all I know, he may actually have made that rumour up. But in case that gets into such august journals as *The Times*, I hasten to say that that is not true. The idea of a representative of the Conservative Party here standing as the arch-priest of industrial democracy takes me back to some of the words spoken by the late Winston Churchill, who had some very strong words to say about the relationships between big business and the Conservative Party.

Turning to the more particular aspects of what is being said here, I welcome the Socialist Group's amendment which seeks to delete paragraph 80(e), which is intended to give different groups of workers representation, because that, I think, is the old tactic of trying to divide and rule, and we certainly ought not to have that kind of thing. From my point of view, a worker is a worker and I do not see why we should be trying to talk about different classes here.

With regard to the others, I accept the secret ballot, but I am quite at a loss to understand the provisions regarding proportional representation and the protection of minorities, because I do not see what minorities you are talking about. Are you talking about black workers, women workers, clerical workers, manual workers or what? I think they are totally meaningless. The important thing about them for anyone who understands the British situation is that they run completely contrary to the line of argument advanced in the Bullock report on industrial democracy, which stressed the fact, based on the decisions of the United Kingdom, that the representation of workers should come through trade-union circles. That is why I proposed in committee that this whole matter should be left to the Member States and settled by them in the light of their own traditions. I can see that that is what Mr Turner is, very cleverly, trying to undermine as far as the United Kingdom is concerned, and that will not be accepted by the British workers.

My last point, the fundamental point, is this. I am sorry that I cannot agree with the two-tier provision, because I feel that it is quite possible, as the Bullock Committee showed, to have a system of unitary boards in which the workers had representation. On this one point, which is an essential point, I must depart from the views of my other Socialist colleagues.

President. — I believe that most of the Assembly would be very interested to hear what Churchill really said.

Mr Megahy. — I cannot remember the exact quotation but of course Mr Churchill had several spells as a Liberal, and I think it was during one of those spells that he said that the interests of the Conservative Party were dominated by big business. But for the purpose of the record, I shall certainly issue you yourself Mr President, and Mr Turner with the exact quotation which I think you will find very illuminating indeed.

President. — Mr Megahy, I look forward to getting that Churchill quotation.

I call Mr Brok.

Mr Brok. — (DE) Mr President, ladies and gentlemen, I do wish the Labour Party would not only quote Winston Churchill but also recall in their political activities the speech he made on the unification of Europe in Zurich in 1946.

Worker participation is a central principle of the Christian-social idea, beginning with *Rerum novarum* through *Mater et Magistra* to the political activities of European Christian democracy. Worker participation means overcoming the class struggle, a way and a means of achieving industrial partnership. Worker par-

Brok

ticipation is the way of freedom with all citizens involved, in opposition to Mancunian liberalism or even centralist economic bureaucratism. Both systems impose strict limits on the involvement of the workers.

According to my political philosophy, we should be working towards a company that forms a social association, in that every citizen should play three roles, that of shareholder — through the development of worker-controlled capital formation, that of employee and that of consumer. This concept is based on the social market economy and its principles of private ownership, justice, efficiency and freedom.

But worker participation also has a value all its own, and this is something we should make very clear at this time. It is not an instrument for changing the economic system or for doing away with private ownership. The Federal Constitutional Court has drawn very distinct dividing lines in this respect. But worker participation should be in the interests of the individual employee in his company and should not become an instrument of collective efforts to change the power structure.

In this context, I should like to remind the previous speaker that, as I see it, democracy is clearly connected with the rights of minorities, including minorities among employees. This should not be passed over simply as a collectivistic thing. For me worker participation is not a means of preventing companies from functioning, nor is it a means of undermining the principle of the distribution of power. I see worker participation as what is known in Montesquieu's philosophy as the distribution of power in the State, namely the distribution of power in the economy. This is the only way to prevent the accumulation of power and its abuse. This is the way to greater freedom and social justice.

I am happy to see that this is the idea underlying the Geurtsen report. The various options contained in this report will also enable account to be taken of the differences in the experience and systems of the Member States of the European Community. I feel — and Mr Narjes made a very clear reference to this — that no one can expect his ideology alone to be fully accepted in this area: we must find solutions capable of being approved by a majority of this House, of being incorporated by the Commission into its proposal and of then being approved by a majority of the Council of Ministers.

Wanting to hang the flags high and then taking decisions that cannot be implemented would mean that ultimately there would be no worker participation at European level, and that is why this House must show that it is capable of compromising.

I believe this is the direction followed by the Geurtsen report. We should also make it clear that it is open to appropriate development, to more worker participa-

tion. As regards Mr Beumer's amendment, I should like to say that, although we wish to make this openness clear, it is our aim to have full equivalence after a transitional period.

This naturally means that we seek to solve the problems connected with the outbreak of disputes and of the final decision in the way suggested by the Beumer amendment. I believe this is the way to achieve worker participation without everyone setting himself up as the keeper of the Holy Grail that is his own idea. This is the way in which a great deal can be done for the workers and democracy in Europe.

President. — I call Mr Pezmazoglou.

Mr Pezmazoglou. — (GR) Mr President, I would like to emphasize the importance of the general principle embodied in the Commission's decision and concerning which the European Parliament is expressing its opinion. I want to stress that as a European Parliament, and as a European Community, it is extremely important for us to recognize the principle of the participation of workers in matters that affect them, and in particular their participation in *sociétés anonymes*. I also want to emphasize the importance of the legal work that has been done in particular by the Legal Affairs Committee, but by other committees as well, and indeed the long history of the subject at the hands of the Commission. I therefore express the wish or, rather, I believe that Parliament will approve the report we have before us with a large majority.

However, I would like straight away to express certain basic reservations, the first of which is particularly important. The fact that in the proposals before us, those *sociétés anonymes* which essentially belong to parent companies and are thus multinational enterprises are excluded, constitutes a serious weakness. I hope that in the amendments about to be discussed, we shall find a way of solving this problem, because I believe that it is amenable to juristic solutions. I will not go into the relevant details, because this would be very difficult in the context of a full debate. It is a most serious weakness that the worker participation being established throughout the European Community will not apply in the case of all the subsidiaries of companies operating outside the Community, or outside a country operating by means of subsidiaries in some other country.

My second comment is against the two-tier system. I have listened to the comments of several fellow-members and I share the view that some experience of this subject must be acquired, and that in due course we shall have to establish throughout the Community either a one-tier or a two-tier system. However, I do not think that the ambiguities associated with the two-tier system serve the general aims of securing and protecting the interests of the workers.

Pezmazoglou

Finally, my third comment, or rather reservation, is that whereas this important matter is being solved, or at any rate is progressing towards a solution, other important matters connected with *sociétés anonymes* remain unresolved. Such matters are, among others — and I stress this because they are particularly important for my own country, Greece — the matters of concern to the smaller companies and to minorities. There are serious matters, of direct concern to shareholder minorities, which must be uniformly regulated and uniformly protected throughout the European Community. The fact that so far as the laws affecting *sociétés anonymes* are concerned there is no uniformly applicable proposal that could be statutorily enforced in all the Member States and in the European Community as a whole, constitutes a serious weakness.

Nevertheless, since the work contributed by the Commission and the European Parliament and its relevant committees towards directing the establishment of worker participation is important, I believe that while the matters I have raised should be called into question by means of appropriate amendments, the principle embodied in the report we are discussing, and on which I wish to congratulate the rapporteur and indeed the previous rapporteurs who have dealt with this matter should, and I hope will, be accepted by a large majority.

President. — I shall interrupt the debate at this point.

*(The sitting was closed at 8 p.m.)*¹

¹ Agenda for next sitting: see Minutes.

*ANNEX***Commission action on opinions on its proposals delivered by the European Parliament at its April 1982 part-session**

1. As arranged with the Bureau of Parliament, the Commission informs Members at the beginning of each part-session of the action it has taken on opinions delivered at the previous part-session in the context of parliamentary consultation.
2. At its April 1982 part-session the European Parliament delivered 24 opinions on Commission proposals in response to Council requests for consultation.
3. At the part-session 17 matters were discussed in connection with which Parliament delivered favourable opinions on or did not request formal amendment of the proposals listed below.

Report by Mr Baudis on a second Directive concerning summer time

Report by Mr Lezzi on proposals for Regulations on food aid in 1982

Report by Mrs Lentz-Cornette on a proposal for microbiological criteria in respect of animal feedingstuffs

Report by Mr Mertens on a proposal for information on atmospheric pollution between Member States

Report by Mrs Scrivener on a proposal for precautions against chlorofluorocarbons in the environment

Report by Mr Seal on two proposals for a Community information system in respect of agricultural market organizations

Report by Mr Moreau on a proposal for borrowings to promote investment in the Community

Report by Mr Newton-Dunn on a proposal for measures in respect of peas and beans in animal feeds

Report by Mr d'Ormesson on a fishery agreement with Senegal

Report by Mr de Courcy Ling on a fishery agreement with Senegal (development aspects)

Report by Mr Battersby on fishing by vessels registered in the Faroe Islands

Report by Mrs Pery on fishing by vessels flying the Spanish flag

Report by Mr Provan on salmon fishing in North Atlantic waters

Report by Mrs Lentz-Cornette on the use of certain dangerous substances and preparations

Report by Mrs Krouwel-Vlam on the packaging and labelling of paints, varnishes etc.

Proposal concerning preservatives which may be used in foodstuffs for human consumption

Proposal for

- a tariff quota of 38 000 heifers and cows
- a tariff quota of 5 000 bulls, cows and heifers

4. In seven cases the European Parliament asked the Commission to alter its proposals under the second paragraph of Article 149 of the Treaty, and in all of them the Commission agreed to make changes.

Report by Mr De Pasquale on the proposal for setting up a European Regional Development Fund

All arrangements have been made for preparing an amended proposal, but the changes are so extensive that it will take another three or four weeks before this is framed and adopted.

Report by Mrs Scrivener on the proposal concerning workers' safety on the job: asbestos

An amended proposal is in preparation and will be submitted to the Council and Parliament shortly.

Report by Mrs Schleicher on a proposal concerning the use of certain dangerous substances and preparations

An amended proposal is in preparation and will be submitted to the Council and Parliament shortly.

Report by Mr Provan on a proposal for concerted action on the effect of processing on the physical properties of foodstuffs

An amended proposal is in preparation and will be submitted to the Council and Parliament shortly.

Report by Mr Dalziel on a proposal for coordination of the requirements for the drawing-up, scrutiny and distribution of the listing particulars to be published when securities are offered for subscription or sale to the public

An amended proposal is in preparation and will be submitted to the Council and Parliament about June 1982.

Second report by Mr Tolman on a proposal concerning protection of battery laying-hens

An amended proposal is in preparation and will be submitted to the Council and Parliament shortly.

Report by Mrs Pery on a proposal concerning fishing off the French Department of Guyane

An amended proposal has been drawn up and will be formally adopted in the next few days for forwarding to the Council and Parliament.

5. The Commission also expressed its views at debates concerning it, and took note of Parliament's opinions on the following.

Resolution on the Falkland Islands conflict

Resolution on action to combat youth unemployment

Resolution on the negotiations on the second stage of the EEC-Cyprus trade agreement

Resolution on non-violent peaceful demonstrations by young Europeans in a number of Warsaw Pact capitals

Resolution on the situation in Lebanon

Resolution on the financing of a fixed cross-Channel link

Resolution deploring the absence of a common fisheries policy

Resolution on the constitution of interparliamentary delegations

Report by Mr Muntingh on control of photochemical pollution

Report by Mr Moreau on the Council line concerning promotion of investment in the Community

Report by Mr Poniowski on economic aid to Egypt

Report by Mr Pfennig on points in connection with two proposals for energy-saving demonstration projects and projects for working alternative energy sources

Parliament also adopted the following reports on discharge for financial 1980 and other budget matters:

Interim report by Mr Key on the reasons for deferring discharge in respect of the implementation of the 1980 budget

Report by Mr Gabert on the delays occurring in the procedure for discharge in respect of the 1980 ECSC budget

Report by Mr Kellett-Bowman on discharge in respect of the European Foundation for the Improvement of Living and Working Conditions

Report by Mr Kellett-Bowman on discharge in respect of the European Centre for the Development of Vocational Training

Report by Mr Irmer on points in connection with the operation of Community food aid

Interim report by Mr Price on the Community institutions' accommodation policy

Report by Mr Wettig on the Tenth Financial Report on the EAGGF Guarantee Section

Report by Mr Filippi on the Tenth Financial Report on the EAGGF Guidance Section

Report by Mr Cousté on Commission borrowing and lending

Report by Mr R. Jackson on the European Parliament's guidelines on Community budget policy

6. The Commission takes the opportunity to inform Parliament of the disaster aid and financial and food aid dispensed since the last part-session.

(a) *Emergency financial aid to third countries*

100 000 ECU to Bolivia, for flood victims

300 000 ECU to Niger, in connection with the fire at the main market in Niamey

1 000 000 ECU to Madagascar, following its devastation by cyclones Benedict, Electra, Frieda and Justine

300 000 ECU to Yemen, for flood victims

(b) *Food aid*

5 000 tonnes of cereals to Mozambique

5 000 tonnes of cereals to Niger

3 000 tonnes of cereals to Chad, through WFP

5 000 tonnes of skimmed milk to India

SITTING OF TUESDAY, 11 MAY 1982

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IN THE CHAIR: MR NIKOLAOU

*Vice-President**(The sitting was opened at 9 a.m.)¹*1. *Structure of sociétés anonymes (continuation)*

President. — The first item is the continuation of the debate on the report (Doc. 1-862/81) by Mr Geurtsen, on behalf of the Legal Affairs Committee, on the structure of *sociétés anonymes*.

I call Mrs Vayssade.

Mrs Vayssade. — (FR) Mr President, the point of this Fifth Directive which we are discussing here today after many years of preparatory work is to determine the kind of structure we are to give to companies in the Europe of the Ten, and above all to decide who is to hold the power in these companies.

This problem lies at the heart of the day-to-day activity of any undertaking and is without doubt central to the whole body of Community law concerned with harmonizing company law in the Member States.

The question of power structure was discussed at some length in the Legal Affairs Committee, the choice

¹ Approval of Minutes — Documents received — Transfers of appropriations — Topical and urgent debate (announcement of motions for resolutions tabled): see Minutes.

lying between two distinct traditional concepts: the dualist system and the unitary system. Personally, I feel that the dualist system is better suited to the complexity of modern undertakings. Undoubtedly it fits in better with one of the major objectives of modern management, the flow of information: it makes greater allowance for different ways of distributing power between decision and supervision. In short, I believe that it is a modern formula.

This formula is embodied in French law; it is one of the options open to French undertakings under company law, but it is certainly a fact that at present it is not much used. In fact I wonder if there is not perhaps some evidence in the attitude of certain undertakings of a continuing preference for more of a monarchic type of organization rather than one which allows power to take its various forms; it is this more monarchic type of organization which survives. However, I believe that the most important aspect of this Fifth Directive is to see what room is to be made in the power structure for the employees, for the workers of an undertaking.

We are faced with European countries which have different traditions, particularly as regards the organization of labour and worker struggle, and have arrived at their own individual solutions, ranging from the kind of joint management we see in Germany or the Netherlands to the usual ways of organizing worker participation that we see in France, Italy and Great Britain.

But I believe that there is at least one universal demand: through whatever means it is expressed, the voice of the workers must really be heard and be able

Vayssade

effectively to influence decisions. It is true that economic decisions of the kind taken by undertakings will, if they are bad, have certain financial consequences for the shareholders, but they will have much more dramatic consequences for all the employees, who risk their livelihood, their income, their employment and who therefore, by the same token, pay perhaps an even higher penalty for the mistakes of management than anyone else.

Now it is my impression that the Geurtsen report, rather than blazing a trail and allowing us to set our sights on more ambitious objectives as regards worker participation, does in fact appear to be somewhat retrograde. I fear that we are going to be told once again that every country is free to do as it wants but at European level not very much is going to happen.

That is a rather dangerous way of looking at the problems since in effect it means that we are always going to go for the lowest common denominator of all the countries and that in the struggles being fought at the present time to uphold and extend workers' rights in the various countries this directive is strengthening the hand not of the workers but of the champions of the capitalist system.

This at times extremely vociferous discussion about how to extend workers' rights, and sometimes simply how to hold on to established rights, is presently being carried on in many countries. The Fifth Directive, in the form in which it emerged from the Legal Affairs Committee of the European Parliament, represents a sad blow to some of these workers' struggles, for what does this Fifth Directive tell us, even if it acknowledges the diversity of traditions and recognizes the need for a minimum level of representation with a minimum right to information? It tells us clearly and distinctly that the only real power is with the shareholders — whatever happens it is they who will decide, it is the general meeting that will decide and it is the rights of shareholders which will come first.

In other words, what we have is a refusal to accept that any form of worker representation must carry with it an effective power ultimately to influence economic decisions. Why? The kind of argument that we have heard used, that has been voiced in the Legal Affairs Committee, runs as follows: Workers are being denied this power because it is thought that they are unable to take a long-term view, to anticipate events, to take more general interests into account and that they would be capable of looking only after their short-term interests or their interests at grass-roots level, at shopfloor level or after their immediate working conditions.

Well, it is clear from what we have seen in our various countries over many years that workers' organizations are often better planners and better forecasters than many economists and company directors and that they have, by their actions, frequently been able to save

undertakings that had been written off by the shareholders. The current refusal to extend these powers is extremely damaging for the European economy as a whole. In conclusion, unless the amendments of the Socialist Group are adopted, unless it is agreed to reduce the figure of one thousand, unless it is agreed to give more power to workers' representatives, unless it is acknowledged that the patterns that have been established, and particularly the German pattern, constitute a minimum which must be safeguarded, we shall not be able to support this text under any circumstances.

President. — I call Mr Fischbach.

Mr Fischbach. — (*FR*) Mr President, ever since it was put forward by the Community authorities in 1972, the Fifth Directive has been a subject of passionate debate among employers and trade unionists who feel concerned by the politically crucial aspect of the proposed reform, namely the aspect of employee participation.

Employee participation has been and always will remain a constant preoccupation of Christian Democracy. Christian Democrats are convinced that democracy can by no means be confined to just the political sphere but must also be applied to social and economic relations. We regard as quite legitimate the desire of employees to give more meaning to their work and to assume more responsibility in the economic sphere and to participate more fully in the running of the undertaking.

The desire for a more humane and more democratic working environment is not at all a national phenomenon: it is being voiced with growing insistence throughout Europe. Furthermore, this desire lies at the very heart of the great social encyclicals of the Catholic Church, which have had a considerable influence on the economic philosophy of Christian Democrats. Leo X's *Rerum Novarum* is just one example that I could quote, but I am convinced that the principle of participation is set forth with absolute clarity in the encyclical *Mater et Magistra* by Pope John XXIII. Let me quote you what is perhaps the most relevant passage: 'If the structures and the working of an economic system are such as to be likely to impair the human dignity of those involved in it, to undermine their sense of responsibility and to deprive them of all personal initiative, we deem them unjust, even if the wealth produced is abundant and is distributed according to the laws of justice and equity'.

If we say 'yes' to effective employee participation that does not mean that we are saying 'yes' to just any form of participation. All too often, in fact, proposals aimed at establishing worker participation are one-sided and consequently unacceptable.

Fischbach

Here, as in many other areas, Christian Democrats have again succeeded in finding a happy medium. Their philosophy can be illustrated by another passage from the encyclical *Mater et Magistra*: 'A human conception of the undertaking must without a doubt safeguard the authority and effectiveness necessary for the administration to be able to exercise its authority, but it cannot reduce its fellow-workers to the level of silent instruments without the possibility of contributing anything of themselves, passively accepting the decisions which regulate their activity.' Two important ideas emerge from this encyclical. The first is the need to make employee participation a reality and to establish a new balance between the forces in an undertaking and in the economy, and by that I mean that participation must go beyond the simply structural level as advocated in the Geurtsen report and extend to participation at the level of what the undertaking actually produces.

The second idea is that this balance of forces must be so arranged as not to undermine management's right to manage.

It is these two considerations, Mr President, that were constantly at the forefront of the minds of the members of the Legal Affairs Committee and that come out again in Mr Geurtsen's report. As regards both the composition of the supervisory organ in the dualist system and the composition of the executive organ in the unitary system, Parliament's Legal Affairs Committee, whilst coming down in favour of the election by the general meeting of at least one-third and at most two-thirds of the members charged with supervisory functions, insists, in cases where one-half of the members of the supervisory organ are elected by the workers, that there should be provision for compensatory measures to guarantee the shareholders' right to take the final decision.

This last provision is vital. It will at all events permit the company to retain and safeguard its decision-making capability. This is also, incidentally, the thrust of an amendment tabled by Mr Beumer and supported by our group. This amendment seeks, after a transitional period to be fixed by the Council, to prescribe equal representation of employees and shareholders, but once again leaving the final decision with the shareholders.

Mr President, the proposal put forward by the Legal Affairs Committee is remarkable for its flexibility and sense of reality. Where the Commission has looked for a solution in the harmonization of national legislation with a view to establishing a European Company which would be the same everywhere, the proposal of the Legal Affairs Committee, on the other hand, seeks to coordinate national legislation while taking account of the traditions and conceptions peculiar to each Member State.

The Commission has come out strongly in favour of a general application of the dualist system, which pro-

vides for an executive organ responsible for the day-to-day affairs of the company and an organ responsible for supervising the executive.

The Commission considers, moreover, that the dualist system is likely to promote the formation of *sociétés anonymes* by shareholders or groups of shareholders from different Member States.

Parliament's Legal Affairs Committee, on the other hand, does not recommend the general application of the dualist system. It considers, in fact, and with good reason, that even in the unitary system, in which there is only one administrative organ, the responsibilities of the persons managing the company are clearly demarcated so that there is no need for any distribution of powers or for duties to be split between two organs.

The Legal Affairs Committee also consider that there is nothing to suggest that the unitary system would prevent the formation of *sociétés anonymes* by shareholders or groups of shareholders from different Member States.

Mr President, given these two considerations, it is the conclusion of the Legal Affairs Committee that the introduction of the dualist system on an optional basis will be sufficient. To coordinate everything as far as possible while still taking into account the individual experiences of the various Member States, that is the thrust of the proposals contained in the Geurtsen report on what is undoubtedly a tricky and complex question, where clearly it would be wrong to discount the pluralistic nature of the Community.

My group's only hope now is that this excellent report of Mr Geurtsen can be adopted by the largest possible majority of the House.

President. — I call Sir Fred Catherwood.

Sir Fred Catherwood. — Mr President, our group welcomes this report and I commend it most warmly myself. The British Institute of Management, when I was Chairman in the mid seventies, led the way in proposals for worker participation in Britain and we were followed by the Confederation of British Industry. But these initiatives were destroyed when the British trade union movement regrettably insisted that participation be through the existing trade union negotiating machinery in the companies. It was my job at a large public meeting, in responding to the then Prime Minister, Jim Callaghan, to point out that this was not actually democracy, this was oligarchy. And that it froze into the legal constitution of every company the crippling liability of inter-union rivalry and for that reason was totally unacceptable even to those of us who most strongly supported the idea of participation. We heard no more of those particular proposals and we hoped that something better might eventually emerge from

Catherwood

the accumulated experience of the European Community. It now has, and one man one vote seems firmly incorporated in all the options before us.

We were also anxious that workers' representatives would not become too far removed from those they represented and that their representation would strengthen the main centres of employment in relation to financial holding companies, whether national or multinational.

Finance is a bit like quicksilver. It is not going to be held by the efforts of workers on the board of a conglomerate. It will simply flow around them and find other channels not subject to workers' control. And that is why, in my view, we need Vredeling in one form or another in addition to the establishment of strong worker representation in the main centres of employment. That representation will restore, in any case, some of the autonomy which the mania for financial mergers has taken away from the place where people work.

Worker representation is the legitimization of *their* financial interest in a company. In most companies, if you look at the balance sheet, the amount paid to the worker is ten times the amount paid to the shareholder. And that financial interest requires proper legal recognition and a power within the company. It cannot be treated for ever as a power, however great, outside the company. It has always been the path of political wisdom to bring great power and financial interest within the framework of constitutional legitimacy. Otherwise it is irresponsible and disruptive. But that step, in a democracy, has got to be democratically based. Trade unions, like political parties, play a vital role but they must earn that role continually by performance and persuasion. They should not be entrenched in the constitution itself.

Finally, participation has a human role. The sense of alienation, as shown in time lost in strikes, rises dramatically as the workforce rises over a thousand employees. Mrs Vayssade said that the Socialist Group wants to bring it down and maybe there is room for argument as to exactly where this point arises. But statistics show in our country that it goes up dramatically after a thousand. Maybe it should be eight hundred, maybe it should be a thousand. The workers no longer feel, at that level, that it is their company.

In my long experience in industry and in my twelve years in public service in bodies related to industry, I found it an unerring rule that proper consultation and involvement result in the most dramatic improvement, not just in human relations but in total economic performance. For instance, 2.5 million jobs in Britain depend on exports to the European Community. But the workers in those export companies are not told that by the management. It is thought to be too political a point to make. Our workers have the right to know where their income comes from. Information

should not be withheld because management believes it may cause an argument. It should come automatically as of right to those who have to look after the needs of the workers. So we need not only to extend and consolidate our systems of worker representation but we must make sure that these systems really function.

The British Conservatives are a party dedicated to small business, not the party of big business. I am sorry that none of our friends on the other side are here today. And it believes that multinational companies are best controlled through multinational political cooperation in bodies like the European Parliament which we in our party wholeheartedly support. And I am sorry again that none of the Members of the British Labour movement are here. But Britain is nearer to America in its company structure which has no worker representation and no urge to have any. I hope, therefore, because this represents an enormous transfer of power within companies — a real transfer of power — and because we want to make that work, that our friends here will not press us today beyond these options which we have and which we believe we can make work in our country.

President. — I call Mr D'Angelosante.

Mr D'Angelosante. — (*IT*) Mr President, ladies and gentlemen, Mr Geurtsen — whose keen legal professionalism is not this time in the service of a just cause — told us yesterday afternoon that the report which bears his name respects Article 54 of the Treaty, which lays down that the coordination of the safeguards which companies must offer to members and others should aim at making the rules drawn up for this purpose equivalent, without imposing rigid models.

Let us look at this more closely: according to the Geurtsen proposal both the unitary and the dualist systems can co-exist within the Community. Employee representation can form part of the supervisory organ or part of the management organ, or it can be separate from the administrative structures of the company. Its composition can be regulated either by the Member States through legislation or by the social partners through collective agreement.

This, in our opinion, corresponds exactly to full legislative sovereignty for the Member States. No Community Act is necessary for this; what is contained in this directive can be performed by the States without any directive whatsoever. Intervention by means of Community legislation can only reduce the autonomy of the States; logic demands it, and precedents demonstrate it.

The Guertsen proposal, then, serves only to continue the undermining of the mechanism of legislative harmonization and, if I may say so, to perform a ridicu-

D'Angelosante

lous action — for it is ridiculous; it is useless. If we look closely, we see that according to this directive, as it has been modified by the majority of the Legal Affairs Committee, the States can do as they please. If, however, they decide to introduce co-management, they are not obliged to impose the most suitable company model; in any case, they cannot do so in undertakings with fewer than a thousand employees, and they cannot do it in companies which are part of an industrial group. In this way, the possibility of introducing participation is restricted to a very small number of enterprises.

It is established, moreover, that whatever the numerical relationship between workers' representatives and the representatives of capital, the latter can take charge at any time. Power thus remains in their hands. This is what the von Bismarck amendment proposes. Ladies and gentlemen, it is interesting that Mr von Bismarck and his friends have never presented an amendment of this sort in the Bundestag, where it certainly would not have passed. It is significant that they presented it in this Chamber. Yesterday evening Mr von Bismarck stated that he was a strong opponent of Marxist-type class struggle and a supporter of the principle of inter-class solidarity. In fact, he wishes to overcome Marxist class struggle by abolishing one of the classes!

(Laughter)

The Guertsen proposal also makes the principle of elections less effective in sanctioning the principle of co-option and appointment.

It should also be observed, ladies and gentlemen, that this freedom of choice between the dualist system, the unitary system, and external worker representation is not an immutable fact, as the rightist majority in the Legal Affairs Committee would have us believe, because the powers of the workers' representatives — depending on whether these representatives are in the supervisory body or among the non-executive members of the administrative body — can change, shrink, be altered. It is not true, for example, that in an English company using the unitary system the workers would have the same powers that they have in a German company using a dualist system, and this not because the company is unitary or dualist but rather because there is no desire to grant these powers.

In other words, ladies and gentlemen, in our opinion the entire proposal is pervaded by an anti-worker bias.

This is not its only limitation, however. As far as the relationship between the company organs is concerned, the delegated bodies are favoured over those having power to delegate: the supervisory body at the expense of the shareholders' assembly and the management body at the expense of the supervisory one. The rules aimed at safeguarding the company, the members, and others from wrongful or prejudicial

behaviour on the part of the members of the supervisory and management organs have been rendered less effective or been totally eliminated.

The liability of the members of the supervisory and management organs in the case of damages occasioned by them through a culpable violation of the statutes is reduced when 'their actions may reasonably be excused', which, from the legal viewpoint, means nothing at all.

It has been made more difficult for the individual shareholders to commence proceedings to enforce liability, under the conditions laid down in Article 16.

The rule that governed compensation for damages suffered by a shareholder or a third party through breaches of law or of the statutes attributable to the members of the management and supervisory organs has been eliminated.

Finally, important rules relative to the civil liability of the aforementioned persons have been declared inapplicable, 'until a new rule is established', to companies belonging to an industrial group.

It is claimed, ladies and gentlemen, that this is motivated by the need for gradual change, so that the countries which were not familiar with certain methods could assimilate them more slowly. Nothing could be more false! In fact, in the previous Community of six there were two large countries — Italy and France — which did not have the dualist system; the Commission insisted in their case, however, and a series of rules was passed which introduced the dualist system, at least in this Parliament.

It is said that the situation has changed with the accession of Great Britain, and that Great Britain is reluctant to accept these rules. This is not true either! On the contrary, it is a complete falsehood. I will make three points which demonstrate this. First: it was in Britain that a committee on industrial democracy was set up, before the elections of 1979. The committee's rapporteur made proposals which were the most advanced in Europe in the areas of co-management and worker representation. In April, 1979 in this Assembly — in the Legal Affairs Committee, for it never got as far as this Chamber — the report presented by Mr Manfred Schmidt — a German Social Democrat — was approved by the Labour Party Members, who were British like the Conservatives. Finally, Mr President, a few minutes ago in this Chamber Sir Fred Catherwood reminded us that he argued with a Labour leader on this issue, which means that it is not England, but the Conservatives, that is, a party which takes advantage of the distorting effects of the elections laws in that country, which is trying to change the balance not only of this Parliament, but of the entire Community as well!

D'Angelosante

At this point we come to the problem of what the Commission is doing . . .

(Interruption by Sir Fred Catherwood)

. . . I don't understand what you are saying, and I don't want to understand it . . .

. . . I have never seen a government representative in a national Parliament submit as abjectly as Mr Narjes did to the rightist majority in this Parliament yesterday evening. The Commissioner has a duty to defend the positions of his institution, and he should not yield to these demonstrations from the extreme right! He should resist!

The Commissioner said that he could not commit himself in regard to the amendments before two or three more part-sessions had been held. Nevertheless, this did not prevent him from expressing a favourable opinion on almost all of them. I wonder: for whom was Mr Narjes speaking yesterday? Perhaps he was speaking for the Commission (which he has still to consult, and which takes months to express an opinion on our amendments, or rather, on their amendments) or perhaps he was speaking for himself. The fact is that he was attracted and drawn in by Parliament's rightist majority, which includes a party to which he belongs. This is not a legitimate interpretation of the relationship between the Community institutions and proper parliamentary dialectic.

We call upon the Commission to defend its position, considering that in the Council there are countries besides the United Kingdom which are blocking this proposal. If the proposal remains as it is, it will never pass, for the workers of all Europe will prevent it.

(Applause from the Communist and Allies Group)

President. — I call Sir Fred Catherwood to make a personal statement.

Sir Fred Catherwood. — On a point of information. Since I was attacked for putting these views simply as a Conservative, I would say that all I asked the British Prime Minister to do was to have industrial democracy — one man one vote, in other words one vote for each worker. That was what was not given in the Bullock report. So I am in favour of industrial democracy. I was then and I am now!

President. — I call Mr De Gucht.

Mr De Gucht. — *(NL)* Mr President, we have a remarkable report before us. The rapporteur has developed his own view of a complex problem in his report. He steered it through the Legal Affairs Committee with irresistible verve. The report is a good

example of parliamentary activity in both senses of the word: diligence, while taking account of the social realities on which a parliamentary assembly most depends and from which it derives its right to exist and its purpose. This remarkable report has been met with similarly remarkable reactions, not least from Mr Narjes on the Commission's behalf, who agreed in his statement with practically everything the rapporteur has to say.

The Commission has now taken the step that was the logical conclusion to be drawn from its Green Paper, and it might have been expected to do this while discussing the matter with the Legal Affairs Committee. This is an indication of the need for the Commissioner rather than his Director to be present for important reports at least. This report may be opposed on two grounds, that it goes too far or that it does not go far enough. Those who think it goes too far and support the ideas of the German Socialists, for example, may well be backing the right horse because, if the report is adopted by Parliament, it is almost certain that the proposal will never get through the Council. This should be a clear warning to those who are well disposed towards worker participation but aim too high. And then I think back to the German Socialists among others.

When we are looking for a basis, a social basis for European integration, we usually revert to our common heritage, to the extent that we have one. But the most important aspect is European diversity, the separate evolution of problems within the national context. This is certainly the case with company law, which is closely linked with civil law in the various Member States, although even in this area totally different legal systems exist side by side.

It is illusory to think that the United Kingdom, for example, will drop the single-tier company structure it has at the moment. The premise that company structures must be harmonized if worker participation is to be achieved is therefore wrong and those who uphold that premise run the risk of tipping the baby out with the bath-water. Furthermore, the evolution of worker participation has varied from one country to another. The problem has arisen everywhere and therefore has social roots, but the reactions of the various branches of society have differed very considerably. Germany, for example, has gone a long way and the structures which have been created blend well with industrial relations there. In France, on the other hand, the attitude is one of scepticism, although the opportunities exist, as we have seen from Mr Donnez's statement.

This leads me to draw an initial conclusion. If there is to be worker participation, it must be introduced gradually. The way in which worker participation and collective labour legislation in general is incorporated in company law also differs from one country to the next. The Netherlands, for instance, has a co-optation system within the supervisory organ and, according to

De Gucht

reports, this works well. Why change this? Italy has collective employment agreements. The objection that this will prevent the directive from being generally applied is unfounded. Here too the Commission can find out whether the directive is being applied to all workers after the period allowed for its introduction. There have, after all, been cases in the past of directives being introduced into the legislation of certain Member States through collective employment agreements. This brings me to draw a second conclusion. If worker participation is to be achieved in the short term, account must be taken of the different views on collective labour legislation in the Member States. The Fifth Directive will impose minimum requirements for worker participation. There is nothing to stop a Member State doing more. At the same time, it must be said that, when introducing the directive, every Member State will undoubtedly adhere to its own legal tradition and that there need be no fear of backsliding here either.

This proposal provides a general framework within which each Member State must introduce worker participation at its own pace and in accordance with its own traditions, and that is precisely what it is all about. We want worker participation to become a reality everywhere because the harmonious co-existence of all factors of production is an economic requirement and above all because it is an essential part of human dignity — I hate using the term 'factor of production' when referring to workers, to human beings — because it is an essential part of human dignity for workers to be involved in the decision-making when their own fate is concerned.

President. — I call Mr Albers.

Mr Albers. — (NL) Mr President, I have listened with growing amazement to this debate on the Fifth Directive. Mr Geurtsen's report has been presented to us here with great excitement as the egg of Columbus, and the rapporteur also tells us that the directive will permit a progressive approach to be adopted. A remarkable thing to say when you remember that the Commission saw fit to submit this Fifth Directive in the form of a proposal ten years ago, remarkable too when you remember that we considered a report by Mr Manfred Schmidt in 1979 and now, two and a half years later, we are debating this one. What has also struck me during the discussions is that, despite all the cheering about the present concept, not enough thought has been given to the major differences that exist in the common market where worker participation is concerned.

There is no denying that the fact that some countries have extensive worker participation systems while others do not have it at all influences decisions on investment and where to site industry. And I feel that at a time when whole sectors of industry are being re-

structured it is extremely important to try to achieve greater equality in this area so as to prevent inequality of competitive positions. In the past we have seen that, while the call has gone out for further-reaching arrangements in the Netherlands and also the Federal Republic than have so far been introduced, the European Community has been used as an argument for saying that this is going too far, this would mean being too much out of step, such arrangements might result in companies turning us, the Dutch and possibly the Germans, down. Let us take things a little easier. And now we are faced with a proposal from the Commission which is based on the Dutch and German model — admittedly with the necessary adjustments — for the introduction of a system in other Member States. And what do we now find? It is now being said that the Germans and the Dutch have gone too far. We must not force the other Member States to follow suit. And so it is decided to allow these major differences to continue. Mr President, this is not in the interests of the employers, this is not in the interests of the employees, to whom reference has repeatedly been made here, and it is not in the interests of the continued existence of the European Community either.

After long and difficult discussions in 1979 we managed to reach a compromise in the Schmidt report, the limit being set at 250 employees. Companies with more than 250 employees were to be required to introduce this system. But there was another criterion, an annual turnover of 1.5 million. And the compromise also provided for a choice between the two-tier and the single-tier system for five years. The two systems were to continue to exist side by side, but after five years the two-tier system would have become compulsory. It took long and difficult discussions to get various people from the EPP Group to agree. And are we now going to forget that a man such as Frans van der Gun, who for many years was considered worthy by his group to chair the Committee on Social Affairs and Employment, called in a report he himself drew up in 1973 for the limit to be set at 100 employees? Mr President, can we ignore all this? Surely we cannot forget all this? I am therefore extremely surprised that Commissioner Narjes, who spoke yesterday, embraced this report in its present form and on the whole paid no heed to the minority view that is also to be found in it. If this is supposed to show companies what democracy and worker participation should look like, we might as well forget it. The employees, who will have been following this debate with keen interest and will be curious to know whether their working conditions can be improved along the lines proposed by the European Community, will also be very disappointed, and that is something the European Community definitely cannot afford at this time. We need fresh vigour, it is so often said, and every possible means is tried to give the Community fresh vigour. Well, Mr President, we might find some of that fresh vigour if we took advantage of the opportunities we have to make improvements to the legislation to the benefit of the workers, as we did with the three directives on the equal treat-

Albers

ment of women. Why was it possible in that case to opt for a system that was advanced in some countries, while other countries lagged far behind? Why can this not be done when we come to worker participation?

Mr President, I believe we must think about this when we come to vote. I also feel that, when the Commission takes its decisions, it must take another close look at Parliament's deliberations on the subject and consider carefully the minority view which is also included in the report.

President. — I call Mr Papaefstratiou.

Mr Papaefstratiou. — (GR) Mr President, the proposal under discussion undoubtedly envisages the protection of the interests of shareholders in companies and of third parties, by defining a system of internal management which will enable control of the way company affairs are handled.

It must also be emphasized that the legislation in favour of workers participation in the decision-making process at all levels of the economy constitutes undoubted progress, from the standpoints of both social and economic considerations. On this point, however, it must be realized that one cannot impose inflexible and universal organizational patterns, granted that there are large differences as regards the structures of different firms.

The participation of workers in their companies in relation to management, control, information and decision-making can be achieved either with the participation of their representatives in the collective organs of the company, or by frequent exchanges of views, in a spirit of responsibility and maturity, between the companies and trade union representatives.

The problem is how to establish the golden mean that will allow the workers to be kept fully informed and to share in the control, granted that they certainly devote themselves to the progress of the company for which they work and from which they gain their livelihood, without at the same time endangering the interests of the company, in view of the fact that under the conditions of free economy obtaining in the Member States of the Community, competition is both a reality and a desirable feature.

It would have been better if this subject had been brought before the European Parliament and been voted on several years ago, when discussions on it commenced. But this does not mean that decisions of this type are inflexible and that the principles involved cannot be modified, when social and economic conditions in every country are changing so rapidly in these times.

At any rate, I would like to emphasize that the directive under discussion refers mainly to managerial problems and does not concern itself with many important matters to do with *sociétés anonymes*, on which the normal functioning and the viability of these enterprises are largely dependent. For example, the directive says nothing about the method of payment of the company's capital, about the issuing of shares and the rights of the shareholders, about the distribution of profits, about the dissolution of the company and the disposal of its assets, and about preference shares, about the granting of loan debentures, about increasing or decreasing the share capital, about the method of share transfer, about the type of company contributions about paying off the capital, about the legal representation of companies, and particularly about the rights of minorities, because there is no doubt that in many companies the minority certainly suffer injustice at the hands of the majority of the shareholders, about State supervision of companies, about the conversion of *sociétés anonymes*, and about their mergers.

We are of the opinion that these matters will also have to be examined by the Commission very soon, so that appropriate solutions can be found to them as well.

President. — I call Sir David Nicolson.

Sir David Nicolson. — Mr President, the criterion for any directive in the field of industry must surely be whether it will improve the quality of life of our citizens, the working of the common market or the performance of European industry in an increasingly competitive world; so we must look at what we are trying to do very carefully. For our future prosperity, we need to encourage and not discourage inward investment into the Community, and we must therefore beware of exposing foreign businessmen or partners to excessive bureaucratic regulations which they do not find necessary at home. In this respect, it is a well-known fact that the non-European business world favours voluntary agreements in the field of worker participation and does not believe that legislation can ever be a substitute for good management procedures when properly applied — and their record of business achievement and living standards is just as good as ours.

Worker participation is not a subject which responds to rigid rules of procedure, which provide infinite opportunities for manipulation by both sides in practice. It is much more something which derives from industrial education on both sides — in which area the Community can help — and the proof in performance which comes from good leadership. It is here that we should make a much greater effort, and we should resist being pushed into social experiments in industry by sectional interests without the fullest and most practical consideration of all the implications. To do otherwise will not improve the image and influence of this Parliament.

Nicolson

Nevertheless, it is true that we cannot develop an effective industrial strategy in Europe without a dynamic social policy, and it should be a cardinal principle that companies should give their employees as much information as they can rather than the minimum they can get away with. There are, however, wide differences in the history and philosophies of management/labour relations in our member countries, and it is very difficult to produce an all-embracing Community directive regarding worker participation at this stage in our evolution. This is now recognized in the amendments proposed, which give a variety of options to member countries; but it would be infinitely preferable that individual companies should select the options rather than leave it to national governments. Not only are there great differences between the industrial-relations cultures of the member countries, but there are also significant differences between individual companies. There is a danger that by imposing uniform requirements some companies may be hindered in the progress they are making, whilst others will only find their present problems exacerbated.

Similar considerations apply to the directive's approach to boards of directors, including the non-executive members of unitary boards, and I have proposed an amendment in this case with the object of ensuring that elected works councils are brought into contact with non-executive directors and the whole board periodically. The success of large limited companies depends critically on the calibre and efficiency of their boards of directors. That success is an essential component of the Community's economic health. We should think very carefully before embarking on formulas which might reduce that calibre or that efficiency.

It is not clear to me why we need two complicated overlapping directives partly covering the same area, as do the fifth company directive and the proposed Vredeling directive. The fact that it is proposed that the former should deal with individual companies and the latter with groups of companies and multinationals is not really practicable, as company structures change and there will, eventually, have to be one approach for all.

Nor is this the only area for reflection. There are many important omissions in both directives, such as the need to define the responsibilities of outside directors; to make the best use of existing annual reports and shareholders' meetings on behalf of employees as well as shareholders; to provide wider opportunities for profit-sharing or share ownership for employees, and to develop further facilities for training for job advancement for the individual. In fact, one wonders whether it is wise to deal with just one aspect of industrial relations when our need is to review the whole spectrum and the balance of policies for the future.

I must also draw attention to the fact that when it comes to the question of confidentiality and the dis-

closure of either share-price-sensitive or commercially sensitive information, there is much still to be resolved. Managements ought not to be forced to disclose data which could lead to a loss of marketing and business opportunities and jeopardize jobs and opportunities for increased employment. Recognition must also be made of the structure and relative power of trade unions in each country, which is not always applied in the best interests of employers and employees generally, particularly at a time of such change caused by advances in technology and other external factors. While many companies have excellent relationships with their employees, often on a formal basis, which would embrace further development without damage, others would suffer immeasurably if the provisions in the consultation option were abused.

European industry is steadily falling behind its principal world competitors in innovation and developing new industries as well as in the renewal of existing industries. In the past ten years, we have created two million new jobs in the Community, compared with 19 million in the United States, which is of comparable size. This situation is getting worse, and we now have 10 million unemployed. The most urgent need at this time is to develop a strategy for our industry before we lose more of our share in the world market and prejudice the future standard of living of our people. At all costs we must avoid the image of the Community becoming a difficult place for companies to make productive investments in. There is already evidence that many foreign companies will reconsider their plans if we pursue this course too far, and the same will even apply to our own industries, who will look overseas.

Despite the doubts which I have expressed, the amended version of this directive as now presented to this House represents a great deal of hard work by MEPs and now incorporates a practicable degree of flexibility in application. Therefore I support it as a first step in the development of our future policies, but I must emphasize that a lot more discussion will be necessary at a later stage, relating to company affairs, and this legislation would require a major upheaval in United Kingdom company law and practice at the very least. I do hope that the Commission will take due note of this and the other points which I have made in considering Parliament's opinion.

IN THE CHAIR: MR GONELLA

Vice-President

President. — I call Mr Alavanos.

Mr Alavanos. — (GR) Mr President, if today, after 10 years of discussion and blocking, and with features so distorted as to be unrecognizable, the subject of worker participation and control comes before the European Parliament for discussion, this is not due either to any abatement of the class war, or to the so-called Christian-Democratic respect for the dignity of the workers, as was claimed by nearly all those who spoke in support of the Geurtsen proposals. On the contrary, it is due to the fierce struggle of the labour movement in the countries of capitalist Europe against the high-handedness of the large-scale employers who are obliged today to discuss matters that a few decades ago would have been considered sacrilege for the principles of free economy. It is also due to the severe crisis faced by the economy of capitalist Europe, which is twisting and turning in an effort to secure the acquiescence of the workers, even though, as Mr D'Angelosante characteristically emphasized, these contortions are clearly inspired by an anti-labour spirit. In relation to Mr Geurtsen's report we must make the following comments, even though we should mention by way of introduction that the fact that the representative of the Greek Right, in other words the representative of the party responsible for Law 330, which considers striking to be a punishable offence, referred to it as undoubted progress, demonstrates just about what the report contains.

Our comments are as follows:

1. Certainly, the subject of statutorily determined worker control is of prime importance, but progressive legislation could grant even greater powers to the labour movement in these matters. However, if finally, and to what extent workers are to play this part, will depend on the true degree of correlation between the strengths of the workers and the employers, and upon the unity, development and class orientation of the labour movement. Thus, in our country we see the organized labour movement fighting against dismissals and so essentially participating in the political activities of the large companies and placing a veto on their decisions, even though there is no statutory safeguard of their participation. While in contrast, for example in the Federal Republic of Germany, there are supervisory councils, as at Volkswagen, in which representatives of the workers take part, and which approve certain unacceptable decisions of the company managements.
2. The proposals of the European Parliament's Legal Affairs Committee aim to delay the adoption of participation, to limit its scope, to weaken it in substance in relation to the Committee's proposals, while the latter are also unable to satisfy the demands of Greek workers. This is particularly important for those who, in our country, portray the European Parliament as an instrument for

promoting the interests of workers and for the democratization of the Community.

3. The Geurtsen report considers that the only criterion for applying the directive on participation is the number of workers, so excluding small firms and mainly also the strategic function of participation in the economy. It denies participation to units that belong to groups, in other words to multinationals, and it denies participation to companies with fewer than 1 000 employees. With these directives, in fact 36 of the 41 problematic large companies in Greece, companies such as Pechiney or the Bodosaki group, will be exempted from the establishment of participation.
4. The establishment of worker control may be of importance in the framework of anti-monopolistic measures and not as a means of hindering these, particularly in the enforcement of nationalization. This latter point precisely seems to be a target for the Geurtsen report when it emphasizes that worker participation should be based on the promotion of the company's interests, or when the right of final decision by the shareholders is safeguarded. This point should be specially noted by the workers in our country because it shows that while the supervisory councils could become means for promoting the labour movement, they might well turn out to be means of applying brakes to change.
5. The Geurtsen report binds the representatives with confidentiality, effectively forbidding the workers' representatives to keep informed those whom they represent, and on the other hand it places restrictions on the dismissal of the representatives. In essence, all these factors do not secure participation so much as aim to isolate the workers' representatives and involve them in the employers' policies.

For all these reasons the representatives of the Communist Party of Greece will vote against the Geurtsen report, at any rate as things stand at present. However, we must recognize that it has performed one positive service: it will help the labour movement in our country to recognize the traps set by our continued membership of the EEC, against the attainment of worker control and the other anti-monopolistic measures.

President. — I call Mr Visentini.

Mr Visentini. — (IT) Mr President, because speaking time is extremely short I am obliged to concentrate on a very few points that I would characterize as negative.

The first concerns the approach adopted by the Community bodies which calls for directives to standardize certain aspects of the legislation of the participating

Visentini

countries. I refer here to this question of limited public companies. The idea that the countries which make up the Community should have uniform legislation in the area of company law is totally abstract and stems from pseudo-Community doctrinairism. It will lead us to destroy and distort the rights of the individual countries without furthering Community integration.

The United States of America, a country which has attained a certain degree of capitalistic development, has no common legislation for incorporated companies and limited public companies. Each of the fifty states of the union has its own laws in this area. Unification took place on the financial markets, the Security Exchange Commission, and in the control of the financial markets, but no attempt was made to have uniform legislation on public companies.

It would be a great advance for the Community if we had something on the free transfer of capital, on the free transfer of securities, on the common financial markets, and also on the supervisory bodies of the financial markets operating on a common basis, but not on legislative unification or standardization of this type, which would destroy and distort the rights of the individual countries. Such legislation would then be extended to all companies, even the small ones, for the control of the financial markets implies uniformity of conduct, not uniformity of rights in company management: for the smaller companies, all this has no reason to exist.

Moreover, the claim for uniform legislation falls to the ground when the laws are subsequently applied in individual countries with different legal traditions and institutions. The same rule, if introduced into Anglo-Saxon law, will have a completely different meaning than it would have in Italian law or other law of Latin origin. This has been the case with the standard law on bills of exchange, which, over fifty years of application, has become the 'diverse' law on bills of exchange, because each country has its own legal institutions which — especially in the case of the Anglo-Saxon and Italian or Latin systems — differ profoundly from one another.

The claim for uniformity in the area we are now examining brings us up against social situations, particularly regarding trade unions, which vary greatly from country to country, and these differences are not taken into account in the insistence on common solutions. Certainly, the solution proposed in the Geurtsen report is greatly preferable to the Commission's, for it permits more freedom of choice. Consider, however, that there are countries like Italy where there is a law called the workers' statute which considerably limits the powers of the companies in matters of labour; and I believe that apart from some errors this law and this approach are fundamentally correct. In Italy, the system calls for the strict limitation of the powers of the companies perhaps too strict, some people may think — from outside, not inside the organs of the com-

pany: this is the source of the workers' statute and of the great power of the trade unions at all levels, at the level of national consultation, at the contractual level — which is not simply a matter of wages but of regulations as well — and at the level of the individual companies. If internal restrictions in the company bodies are added to these already considerable limitations in company power, the life of the companies will be impossible and, I must add, in conflict with the approach adopted in Italy by the trade unions and the laws. I believe that company powers should be limited from outside the company bodies, and supervised in this way.

From a legal viewpoint, I believe that this directive is also contrary to Article 54, which deals with uniformity in regard to the rights of company members and others. We cannot consider the workers as members, much less as 'others', and therefore, also from a legal standpoint — I should say a constitutional viewpoint, in reference to the Community — its provisions cannot be applied within the available context.

But the most serious thing is this: we must always bear in mind that this Europe which is becoming gradually poorer will in the next ten years be competing with two great economic powers: Japan and the United States. We cannot view our affairs solely within the little frame of reference of our own decadent continent, if I may use the term. We must see the issue from a dynamic point of view, and the same for the companies; we can do anything we like to the companies that exist — nationalize them, mistreat them, create all the rules that we like — but we will no longer have a lira for investment, we will have no more capital, we will provoke increased inflexibility and the reduction of capital, and this — especially for countries needing large-scale restructuring, like Italy, for example, but also for all of Europe — is as negative and dangerous a situation as can be created.

For this reason I am totally opposed to such directives, and particularly to this one presented by the Commission; I am also against Mr Geurtsen's proposals, although naturally to a somewhat lesser extent, for they permit more freedom of choice.

President. — I call Mr Nyborg.

Mr Nyborg. — (*DA*) Mr President, we are dealing here with the Geurtsen report, based on the fifth companies directive, which is a very difficult piece of work. I must say that Mr Geurtsen had a monumental task to accomplish here, and I fear that one or two points have not been gone into sufficiently thoroughly. What effects will the implementation of the fifth companies directive produce? I think that ideas on the consequences it will have are as vague and uncertain as they are, because the basic structure to which it relates takes such a variety of forms in the different Member States.

Nyborg

My Group favours the two-tier system, of which we already have experience, but I think we lack a definition of the competence which the board of a joint stock company has. Indeed it varies a great deal. In some countries it only has a supervisory function, in others it also has powers to take decisions. Where only a supervisory function is exercised, there is nothing which in any way affects the prerogative of the shareholders but, where the board participates in the decision-making process, where it does have powers to take decisions, the prerogative of the shareholders is affected and, for that reason, I feel that it is very important to have a clear definition of the competence of a joint stock company board.

We speak a great deal about co-determination and co-responsibility. Here too, we get into difficulty, because co-determination is relatively easy to define. But how do we define the concept of co-responsibility? What is the extent of the responsibility of an employee who has been elected onto the board of a company? Can we require him to share in the financial liability, or does he only bear moral responsibility? Where is the dividing line? I think we shall be hearing rather different noises from the workers' side if we try to make the concept of co-responsibility mean a real and genuine sharing of responsibility.

I therefore believe that it is very important that these matters be discussed in depth by the two sides of industry, and not just here at a legislative level. For it is something which has far-reaching implications, and I feel that, on this issue, we have reached the frontiers of Community legislation. The question is whether we have not taken a step that one bit further than we should have, whether we are about to take a stride so long that our trousers will split.

I should like finally to draw attention to one point, which has not been talked about very much. That is the fact that co-determination and co-responsibility in many cases result in a desire for what, in Denmark at least, is called economic democracy, i.e. a desire to secure direct shares in companies' profits, and in the idea — unfortunately — that the money should be collected into a central fund. This to me is a fearful thought for, if the idea is put into effect, it will over a period of 25-30 years mean that the capital is gathered together in one place, and we thus get the realization in practice of the socialist system in its extreme form and to its ultimate limit, and that to me is a terrifying prospect. I feel the need to draw attention to that prospect here and to warn against it.

President. — I call Mr Sieglerschmidt.

Mr Sieglerschmidt. — (DE) Mr President, ladies and gentlemen, I don't think I need to pay any special tribute to my old comrade-in-arms on the Legal Affairs Committee, Mr Geurtsen, We have worked together

for so many years that he knows how much I value his thorough and constructive work on the Legal Affairs Committee. The same goes for this report. That of course does not necessarily mean that we do not clash occasionally on important points.

First of all, a comment on something Mr Nicolson said. I do not know whether he is still here. I should like to correct a mistake to which he — along with his British Conservative colleagues on the Legal Affairs Committee — is clearly susceptible, namely that the fifth directive and the directive on consultation of the workforce in multinational corporations are much the same thing. No, Mr Nicolson, they are not the same thing. In the one case the issues are concerned with social rights, while the fifth directive is concerned with the involvement of the workforce in the affairs of companies.

Mr President, the Socialist Group has contributed constructively to the work of the Legal Affairs Committee and has not adopted a negative attitude on principle to the proposals of the majority. That fact will emerge when we come to vote. But there are some essential points on which we are not prepared to compromise. As socialists we then feel that we are in the situation of someone who is offered a bad apartment and says: 'if that's what the flat is like and it is to stay that way, then we won't move in. Because if we could find a better one in the immediate future, then we'll be stuck with the other one.' Mr Geurtsen, we may differ on the point of whether the pace is too fast and the step taken too long. We might also say that the result which has been approved by the majority in the Legal Affairs Committee amounts to not much more than making time. Some speakers have said that, given the great differences in structures in this field within the European Community, we should allow maximum possible room for manoeuvre, particularly with the United Kingdom in mind. Mr Turner has just stressed that point especially strongly. Quite right, and we agree, but that does not hold true for all the points on which the majority has voted down the minority here. We cannot in my opinion overlook the fact that it is quite simply necessary for company structures to be brought into line on basic questions, if we are to talk of harmonization at all. We don't expect it to be achieved overnight; we want, as the Commission has proposed, to allow a transition period. I would even say that the time limit for this period of transition is open to discussion. The aim must, however, be clear. For that reason, we deeply deplore — and I can only agree with the previous speakers — that Commissioner Narjes yesterday already trimmed his sails and in his answers to other questions let it be understood that he is clearly not defending the Commission proposal, as any self-respecting government would do in a national parliament. That is a bad omen for the conduct of the Commission in the processing of this directive, and I hope that Commissioner Andriessen will be able to assure us today that that is not the way they mean to continue.

Sieglerschmidt

Mr Vetter has already gone into the question of parity on the supervisory bodies. I should merely like to make it clear here that — in agreement with the European Trade Union Confederation — we want full parity! If we now propose a tripartite arrangement — one third workers, one third representative of capital/shareholders and one third elected jointly by both sides — that is already a compromise offer and I would ask you, colleagues, please to note that.

Mr von Bismarck said that for him co-determination was a question of christian-democratic morality. I know of a christian morality, but I don't know anything of a christian-democratic morality. Aside from that, the question occurs to me: what principle of christian morality is opposed to participation of workers on equal terms in the affairs of the big corporations? Colleagues Brok and Fischbach are going a bit far when they invoke the social teachings of christianity. The Beumer amendment, which aims at full parity, is certainly well meant in this connection, but we could have a tripartite arrangement right now, if only we wanted it.

I should like to draw special attention to the fact that, although the proposal of the Legal Affairs Committee calls for special employee representation, such as we demand in our motions, the structure envisaged for it in the document of the Legal Affairs Committee is as weak as that envisaged for representation on the supervisory bodies. I urge you therefore and all who really want worker participation to adopt the particular form of representation called for in our amendments.

Finally, a remark on the criteria according to which co-determination is to function at all. Here we have the well known figures 100, 500 and 1 000. I would merely point out to my esteemed colleagues that we are increasingly involved in a process in which firms of immense economic importance are, through electronics and rationalization, staffed by relatively small numbers of employees. Participation of the workforce in the affairs of these firms should not be ruled out for that reason, however. We have therefore introduced the criterion of an annual turnover of 1.5 million EUA as well as a demand for the 100 figure.

Let me point out besides, although it should go without saying, that it should not be possible to dismiss the member of the management body referred to in the directive responsible for personnel and industrial relations against the wishes of a majority of the workers' representatives. Here too, I would ask you to support our amendments.

Mr Brok raised the question of minority rights in workers' representation, saying that the poor minorities should be protected. Ladies and gentlemen, the poor minorities concerned here — and Mr Brok really ought to know that from the discussion which took place in Germany — are members of senior manage-

ment. That is the persecuted minority involved here, and that is why we want a unified workers' representation.

Mr Geurtsen, it is worth pointing out, said that co-determination serves the interests of economic growth — or words to that effect.

He spoke of the need to work together in harmony. I agree, and I would be happy if the harmony could be made more harmonious by co-determination. Our experience in countries which have co-determination shows clearly that the danger of friction losses is considerably reduced if workers are involved in the process of economic decision making. Far-sighted industrialists know that. Hence it is only a question of far-sightedness, and I urge those who are still prepared to support the Geurtsen report in its present form to show far-sightedness and imagination in their vote on this important directive.

President. — I call Mr Chanterie.

Mr Chanterie. — (NL) Mr President, some Members of this Parliament have rightly pointed out that the central issues in this Fifth Directive are the decision-making structure of companies and above all the role played by employees in this decision-making. I too should like to emphasize the fundamental importance of this subject matter, for the companies themselves, for the employees and for society as a whole. After all, the way in which a legal system determines the structure of industrial and commercial undertakings is closely associated with basic views on general and economic policy.

I completely agree with the Commission's view that developments in the Member States are a clear indication that the time is ripe for reforms which take account of evolution in a number of important respects. One of these elements is the growing awareness of the democratic need for those affected by the decisions of social and political institutions to be involved in the decision-making process. But this principle, Mr President, which everyone finds it easy to accept in various areas of life in society encounters difficulties when it comes to democratizing economic activities. Nevertheless, there is growing recognition of the fact that in the operations of companies employees have interests that are certainly just as important as the shareholders' interests. The employees earn their incomes in these companies. They devote the best part of their daily lives to the company. The decisions which are taken have a considerable effect on their situation, directly or in the longer term. These decisions even affect their free time and their human notions of dignity and independence.

Taking their inspiration from Christian-social teaching, Christian Democrats are inclined to the view that

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economic development is not an end in itself. Economic development is subordinate to man. It must be geared to improving everyone's living conditions and the quality of every natural and cultural environment. This policy, based on freedom and social justice, must culminate in the participation of as many citizens as possible and in their sharing responsibility.

More specifically, the European People's Party committed itself in its 1979 election programme to improving the participation of the employees in the company, particularly through equal representation on the supervisory board.

The amendments I have tabled with some of my colleagues are based on the principles I have just enumerated and concern the introduction of the two-tier system — supervisory board and management board — in companies with more than 1 000 employees. Secondly, they concern the composition of the supervisory board in accordance with the formula of one third of the members representing the employees, one third the shareholders and one third elected by these two groups. Thirdly, these amendments concern the powers of the supervisory board, fourthly, the appointment of a works director in such companies, and fifthly, the organization of worker participation in companies with between 500 and 1 000 employees.

Various Members of this Parliament, Mr President, have referred to the differences among the various Member States. This is undoubtedly true, but the European Parliament, the European Community's only elected organ and directly accountable to public opinion and over 250 million inhabitants, must ensure that its decisions contribute to the achievement of the Community's fundamental objectives. To permit too wide a variety of arrangements for the role played by employees in the company's decision-making process is, in my opinion, to deny the idea of a community. It is incompatible with this idea that the rights and the legal position of employees in some Member States should be far advanced while they are limited or at a rudimentary stage in others.

There is a need for enough convergence to assure an employee, wherever he goes to work in the European Community, of a legal position which cannot be described as discriminatory. As such uniformity will come about on its own, conscious political decisions are needed. This Fifth Directive offers a unique opportunity for this. Even so, I am afraid that, unless it is amended in certain ways, the Geurtsen report will not provide an adequate basis. That would mean missing an opportunity to recognize workers in the European Community.

Mr President, I will conclude by saying that a glass that is half full can be looked at in two ways.

Looked at negatively, it is half empty. Looked at positively, it is half full. What is certainly positive is the

European recognition of worker participation, and I endorse the step-by-step strategy provided that the steps are taken in a forward direction and that action is taken to bring the laggards up to the required level, thus improving the position of the workers.

President. — I call Mr Tyrrell.

Mr Tyrrell. — Mr President, no one who sat through many days in the Legal Affairs Committee while this report was being discussed there could fail to have been deeply impressed at the formidable command that the rapporteur showed of this subject. I would like to join other speakers in paying tribute to him and also join Mr Vié in his reference to Mr Ferri, the then chairman of the Legal Affairs Committee, whose acuteness and perception played a major role in producing the report which is now before the House — although I should not be taken to suggest that he himself approved of all of that report.

Now, we in my group accept, and have always accepted, the need for a directive, and I will tell you why. This directive is part of a grand design. It is one of nine directives. Some of them have already been made and some of them have been implemented in Member States: others are on the way. This one — No 5 — is there, and if we do not have a directive No 5, then there is a gap in that grand design, an ambitious design, envisaged by Article 54 of the EEC Treaty. And so one does need a directive that is going to deal with the structure of company boards with provisions for general meetings, with the liability of management, with the adoption of the auditing of accounts — one needs such a directive, and the only question is, what form should that directive take. Now it would be quite tempting for me in my country to say, well, let us just accept the Commission proposal because, as other speakers have said, this proposal was published as long ago as 1972, and if we just accept the Commission proposal today, it will not affect the United Kingdom, it will not affect Denmark or Ireland or Greece, it only affects the original Six. So at least one thing the Legal Affairs Committee has done is to extend it to those latecomers into the Community.

In considering what form this directive should take, I go along with those who have said that the keystone should be flexibility. It has been said again and again that harmonization does not necessarily mean uniformity. Harmonization can envisage — and many of the other company-law directives have provisions along these lines — a degree of flexibility so that there is no stereotype imposed artificially on Member States but that the new scheme can fit into the existing structures.

During those long hours to which I have referred on the Legal Affairs Committee, I personally lost any

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doubts that I may have had about employee participation. The experience that was recounted from other Member States persuaded me, beyond a shadow of doubt, that employee participation is desirable, is necessary and, in some Member States, will mark a major step forward. I wholeheartedly support it provided it is founded on a true industrial democracy. I accept that human dignity demands participation. I accept that the days when employees could be regarded simply as providing pairs of hands are gone, and these days they have far more to contribute than they once were permitted to do. And I am happy to say that in the vast majority of companies voluntary arrangements are already in being. But more is needed, and that, I think, is found in the Geurtsen report. I listened with great care to the qualms expressed by Mr Chanterie, who is regrettably no longer with us, and to the principles which he expounded and I can tell him that, as far as I am concerned, the Geurtsen report meets those principles and his amendments which he referred to, designed to meet the principles, are unnecessary because here they are in the Geurtsen report already.

Now, one part of this report which has received very little attention in this debate is that concerning the position of auditors, and I wish to say a word about that in Chapter 3 because it is an enormously important section which has received very little attention. The auditor's profession is a very long-suffering profession, and this one sees as one goes through these nine company-law directives. The company legislation in the Member States depends very heavily on the skill and integrity and independence of that profession. It is a profession which has not yet received any kind of harmonization-of-qualifications provisions; there is no right-of-services directive; no right-of-establishment directive, but nevertheless it is a profession upon which enormous burdens are being placed by Community legislation. Their duties are scattered among a welter of different directives and there are still more to come, such as the banking-accounts directive.

Now they, I think, accept these obligations with good heart, but there one finds tucked away in this directive a provision dealing with their liabilities — Article 62. And instead of dealing with them for what they are, an independent profession which needs special and separate and careful consideration as to their liabilities, what is provided in this directive is that they shall have the same liability as the management of a company. Now that is not good enough.

What does that actually mean, if Articles 14-21 are going to be made to apply to auditors? It would mean that just one shareholder in a company could, in the company name, sue the auditor. It would mean that a creditor of the company who had not been paid could, in the company name, sue the auditor. Now that may or may not be alright for management — I am not dealing with that today — but as far as the auditors are concerned, that would place them in a position of

great jeopardy. It would mean that their insurance premiums would go through the roof and that the price of their services would be utterly uneconomic. It is for that reason that I say the question of auditors' liability should be dealt with in a separate directive, namely, the directive which will in due course be dealing with the harmonization of their qualifications, the Ninth Directive. I hope that Article 62 will be deleted and that position preserved until the whole matter can be looked at with the care which it deserves.

With that minor reservation I commend the Geurtsen report. I bear in mind the reaction of the Commission that this is an excellent report, a report of high quality, and I hope that the House will give it its full support when it votes on it later today.

In my last few seconds I want to tell Mr Siegler-schmidt that I am disappointed with his reaction. Your council flat, Mr Siegler-schmidt, has nothing wrong with it. There is just one room in the flat that you are worried about and you do not turn down that flat because it has got one room that you do not like. I urge you to get this fifth directive through so that we have a complete chain of nine directives.

President. — I call Mrs Tove Nielsen.

Mrs Tove Nielsen. — (DA) Mr President, one thing has struck me, during our discussions over recent years on co-determination, and that is that, on the socialist side, co-determination tends to be taken as an isolated concept. It tends to be forgotten that there is one very important thing which goes together with having a say in the running of a company, and that is having a share in the responsibility. These two things — co-determination and co-responsibility — cannot and must not be separated. The guiding principle, also, must be a striving for greater efficiency and improved competitive conditions. But I would also add, that there is no doubt in my mind that, if workers are informed of what is happening in their companies, they also have greater commitment. They participate in the effort to advance the fortunes of the company in which both workers and employers have a stake.

Our experience in Denmark is that the system of having worker-elected members on company boards works very well indeed. The factor which has ensured this success is that all board members undertake to work solely in the company's interests and that all board members have precisely the same rights and obligations. This applies not least to the question of secrecy, where it is absolutely vital that the management — i.e. the board — alone should decide what matters are to be divulged to a wider circle and the manner in which that is to be done.

I began with this very general point that co-determination and co-responsibility are inextricably interlinked,

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and I also hope that this will be understood when in a few months' time we shall be discussing the multinational corporations here in Parliament. I also hope that in July we shall stick to what Mr Geurtsen has set down in his report and what the Legal Affairs Committee has endorsed in the report which is before us. We should never stage ideological solo performances; that way we achieve nothing. We should concentrate on projects which are of sound substance and which we have a prospect of getting implemented. We have complained many times here in Parliament that things we consider worthwhile are not put into effect, but unless we make an effort and do some realistic work which takes into account the differences existing in the Member States — this has been done in the report — we shall again be in a situation where the Council of Ministers is unable to do anything with what we put forward. Nothing will happen, and it is our own fault. I was therefore pleased with the very positive response which the Commission gave yesterday to the report Mr Geurtsen presented.

Let me say that, in a compromise, it is not possible for us all to have what we want. For example, I should have preferred that Article 4(4) be worded in such a way that worker participation is possible if it is wanted, not that it is excluded if the employees have expressed their opposition to it. But, as I have pointed out, we cannot all have everything we want in a compromise solution. A compromise is something which is very important in a democracy, and it is something that I really think also the Socialists should try to understand.

President. — I call Mr Karl-Heinz Hoffmann.

Mr K.-H. Hoffmann. — (*DE*) Mr President, ladies and gentlemen. If Parliament adopts the fifth directive, Mr Geurtsen's proposal with some amendments, and by a large majority, it could be a great day for this House and for Europe. By taking such a step, the European Community can become a social community, thereby forging a further link to bind it into a wider community.

By introducing co-determination, we introduce a new medium of discussion and a new means of solving disputes in Europe. I think we are in a good position to get this measure through by a large majority.

For myself and many of my friends, bipartite participation is the first and most important goal to attain. I can therefore give my wholehearted support to this fifth directive if, for example, Mr Beumer's amendment is carried by a large majority. The attainment of bipartite participation is the very foundation and cornerstone of this worthwhile initiative. Without parity, the whole thing falls down. We were therefore keen that the Beumer amendment should be introduced and this objective defined. The Beumer amendment also leaves

scope for other possibilities to be explored on the road to attaining parity.

Mr Sieglerschmidt, I do not share your view that, for the sake of settling the tripartite participation question, the unitary system should be discontinued after a transition period. We should be happy that our British colleagues are now willing to join us in establishing the basic machinery for co-determination. However, it would be wrong to deprive them of centuries-old traditions. That would not help the European concept of co-determination. I should like to hear what we would say if the British tried to impose on us their unitary system and abolish our two-tier system! We would oppose it in exactly the same way. At the same time, I wonder if the prospect of incorporating means of resolving disputes into national legislation by way of Europe and by way of co-determination will be received everywhere with the same enthusiasm.

I well remember many discussions with my friends in the TUC who do not at all share my opinion that co-determination is necessary. They want to achieve something entirely different by their objectives. If these people and our British Conservative colleagues are prepared to join us in such a venture, then I think that is a huge step forward for Europe.

I know that co-determination means making compromises. Heinz Kühn and I for many years sat together on the supervisory board of an undertaking covered by the arrangements for co-determination in the coal and steel industries. Even under that system — in spite of the eleventh man and in spite of the twenty-first man — we had to reach compromises. We dispensed with the vote of the eleventh or the twenty-first man, if we were concerned to pursue a common policy, which would be supported by both shareholders and employees alike. This policy has afforded us a full measure of industrial peace for thirty years in the Federal Republic of Germany. I think we also urgently need such objectives for Europe. However, let us allow those countries, those unions and those firms which as yet have no experience in this field a chance to become accustomed to co-determination and to adjust to a system for which we have had to gain experience over thirty, more than thirty years.

An interesting fact of recent post-war history is that the system of co-determination which we have in the coal and steel industries in Federal Germany actually came about with the help of the British Government of the day and the British occupation authorities. I do not think that it is at all the worst thing we have inherited from that time. If we can introduce it today into the European Community, if men and women, Members of this Parliament, fight here to take the first, important and vital step towards achieving co-determination, I think we can be proud. The fact that eight years of debate and argument have been necessary in order to do so is not such an important consideration to me. The important thing is that the debate can now be

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concluded and an important step can be taken in the direction of co-determination. Co-determination which will be to the advantage of the workers and opens up a new dimension for Europe which will facilitate a new dialogue between the two sides of industry in the interests of the workers but also in the interests of the people whom we represent in the European Community.

I urge you therefore, particularly our colleagues on the Conservative benches, to support Amendment No 71, the Beumer amendment. We must work together to secure its adoption. I shall give you the same support in ensuring that no system is imposed upon you at the present time which you are absolutely unable to accept. We must ensure that your system remains intact. In twenty or thirty years' time, we shall be in a different situation and in certain circumstances the whole issue can be re-examined, and we may have gained new knowledge and found new ways of living and working together. Why cannot changes then be made perhaps which correspond to your point of view or ours, or which form the basis of something entirely new?

But now the important thing is to be flexible, not to force on anyone, on any Member State, government, trade union or company anything which is alien to it, which it cannot accept. We must instead light a beacon for Europe by adopting the Geurtsen report by a large majority with the inclusion of some important amendments, such as parity in representation, the parity option. Let us make the first compromise here — for that is what co-determination is — and opt for worker participation on equal terms, for we cannot have a situation in which one, as it were, goes to the ball in full evening dress and the other in torn trousers! They would not be on equal terms. We can however create equal terms by adopting the Beumer amendment. It must therefore be carried. I believe that, if we do this, we shall be taking an important decision for the people of Europe, for the workers, for the trade unions and for the companies, which help bring about the social integration of the Community, a necessary extension of the EEC, leading ultimately to the political union of this Europe of ours.

This integration can only come about if the workers participate on equal terms. I therefore welcome this debate and appeal to this House: show willingness to compromise for the sake of the great objective in view.

President. — I call Mr Tuckman.

Mr Tuckman. — Mr President, I am delighted to be able to speak in this debate and to find that after a period of ten years such an apparently large amount of agreement has been reached. Now what I would like to stress is that this House should have understanding for the enormous step which we British MEPs are

undertaking on behalf of our country, because the way we have to go, the way there is yet to go, is enormous. The learning curve which we shall need — and I think that is the key thing — is a very long one.

There is first of all the fact that people are frightened of this thing. How will workers' and other employees' representatives be able to handle the large amount of information which will come their way, how will they deal with secrets, how can one make sure that they do not use the secrets against their company rather than in its favour? It is not a question of ill will. It is a question of how you do it.

The second great fear is of the people who do want to destroy, the people who think that industry is either a bad thing or in the wrong hands and that only via a collapse can we get somewhere. My great hope is that we in Britain will be able to follow the path which Germany, Denmark and Holland have been following and that, over a period which may well be decades rather than years or months, we will get our workforce to see that there may be one or two people who are out to destroy their place of work and thereby their livelihood, so that they will put people into these positions who are able and willing to be practical and cooperative and who will make these businesses go. I am hoping that out of all this there will come a greater synergy between management and workers, so that in the end, via a very difficult situation, we shall have arrived at something which works better and has less negative antagonism in it.

As far as I am concerned, the fundamental thing is that people who are put in positions of power in companies, power in the sense of getting information which after all you then use, shall by and large represent the workforce and be elected from within the company itself, so that there is an obvious identity of interest.

I am reminded in all this discussion, and particularly when I talk back home to people like the Confederation of British Industry and the like, of the fact that time moves on and we have to accept that there are things which are different today. My grandfather, and I daresay the grandfather or greatgrandfather of most people in this room, would be absolutely appalled that the 60-hour working week has now gone for good. He would see bankruptcy staring him in the face. Well, we manage very nicely on 40 and seem now to be even moving down from that. I don't know where the limit is, but this is a new situation, very much newer than even the last speaker seems to appreciate. He used the word 'co-determination' a number of times and even went as far as 'parity', which is a question still under substantial debate in Germany. Well, if we were to use that kind of language back home they would be absolutely appalled. That is why I welcome the way in which this report, admittedly over the enormous period of 10 years, has developed to take account of different cultures and different backgrounds. We really cannot bake different dishes in the same oven.

Tuckman

All of them would be burnt if we went about it in the same way.

What worries me is how the information will be used. There is so very much information. I have just recently seen a film, which tries to frighten people, in which the information is used like dynamite to stop one's own company from putting in a new product. By holding up the necessary equipment of a new factory and transferring from an old one, the whole of the company's efforts are destroyed because the competitor is allowed to gain time and get there first. It is that kind of thing which is troubling a whole lot of people and which the pure politician, which is what we are here, is unable to cope with. That is the starting point of my plea in which I may well differ from a lot of speakers here. The end of this process is not just a vote today and then ultimately an agreement by the Council of Ministers putting into position a directive translated into each national culture.

What I would like to do from this public platform is to appeal to the managements in all countries, particularly my own, to begin now to get themselves ready to cope with these situations by a gradual process of bringing the whole of the workforce into their confidence and so avoid creating fear.

The other thing I would like to see is, as Mr Tyrrell said, that it should be a springboard. We now have something where management and worker can work together, and presumably also the shareholder. I am worried that the consumer is left out of the account. Nobody ever seems to talk about him. In many respects this is a weakness in this House. In the end there is a market, and nobody seems to think about the fact that unless we can satisfy a consumer we shall not really get very far.

So I am delighted with this directive, but I do say to everybody, regard Germany as an experience to be followed rather than as something which we have arrived at already.

IN THE CHAIR: MR LALOR

Vice-President

President. — I call Mr Michel.

Mr Michel. — (*FR*) Mr President, I too would like to thank Mr Geurtsen for the excellent report he has given us. I must say first of all than when I think and especially when I read about all this continual referral back to committee I am reminded of the Loch Ness Monster. Indeed, a new version of this report seems to

come up during every part-session of Parliament, which ultimately decides to defer any discussion of it. I therefore believe that it is very necessary to take a position on it this time. Parliament must say whether or not it recommends this proposal for a Fifth Directive pursuant to Article 58 of the Treaty.

The second point I wanted to make is that we need to make progress on all fronts and with the participation of everyone concerned. And let me say that I am not referring primarily, I am not referring solely, I am not even referring essentially to the participation of the providers of capital who, in any case, protected by their anonymity, are often involved with a number of companies at the same time and consequently can devote little time to any one of them. When I say participation of all concerned I am referring above all to the managers, the workers and all those who permanently contribute to the life, prosperity and development of an undertaking. And let no one be afraid of their joint responsibility because their sense of responsibility is as great, if not greater, than that of those who spend just three or four hours a month in board-rooms.

Workers are quite capable of taking, carrying and assuming responsibilities, provided they are given the information they ask for and provided they can work in an atmosphere of mutual trust.

My third point is that we have to recognize that the situation varies from country to country and that there is a fundamental difference of approach between Germanic and Latin countries. In the Germanic countries they have for many years, decades even, been laying the foundations for a form of participation based on joint responsibility. The same is true in the Netherlands. In the Latin countries, on the other hand, progress along these lines has been much slower and it is essential to understand that the trade union organizations are not yet ready to sit round the boardroom table, preferring instead to reinforce their presence on supervisory committees and works councils. It is important therefore for these different situations to be taken into account.

My fourth point is that whilst the views of the Legal Affairs Committee count for a great deal in all this, so do the views of the Committee on Social Affairs and Employment because of the social aspects of the problem.

That is why I should like now to make four observations.

The first is that we have put down a number of amendments which Mr Chanterie has already commented on and which have been countersigned by Mr Macario, Mr Verroken and myself. The second is that we do not yet know anything about the amendments of the Socialist Group, nor any others. We are ready to get together with the Socialists to see if we can

Michel

bring our positions closer together. In fact there will have to be compromises if we want this directive to go through.

The third point I should like to stress is that this directive is not going to solve everything, far from it.

Every country will retain the necessary flexibility as regards collective agreements, as regards the criteria governing their implementation and as regards the measures to be taken in accordance with national guidelines in certain industries. Lastly, large undertakings and their subsidiaries will, we hope, in their turn take into account the directive about which we have debated so long, that is to say the Vredeling directive.

When that point is reached — very soon, we hope — we shall have the opportunity to take the whole matter up again in relation to information, so that everyone can act with full knowledge of what is involved. That goes particularly for the multinationals. We hope that this can be done while respecting the dignity of all concerned and that, in any event, it will be possible for the workers, who are so frequently ignored, to be appreciated at last not just for the work they do but for what they are, that is, individuals in their own right.

President. — I call Mrs Ewing.

Mrs Ewing. — Mr President, I rise to put my party's position — perhaps not my group's position — on record with regard to workers' participation. In a nutshell we approve of it. I think it has a lot to do with the history of our industrial revolution which in Scotland and in England occurred very early on, particularly in the central belt of Scotland where the combination of education and mineral wealth combined to develop what we had very very quickly, perhaps ahead of the ability of the society to take account of it. I know that one should not be doctrinaire here because each Member State has inherited a quite different experience in this delicate area, and I am not in any sense offering my position as a judgment on any other Member State which had an industrial revolution a bit later.

What I would like to say is that after the war we had a yawning gulf between management and men. The two did not speak to each other. And in the Clydeside men learnt if they were to get the sack from the evening paper that they bought on the way out of the yards. Now that is not tolerable. In a certain sense it is still happening. In Invergordon, in my area, where 850 men lost their jobs as the result of a multinational's decision, they did not get the news until they heard on the radio. Therefore, have we really progressed too much and have we not to say the yawning gulf is still too yawning?

In saying that, I do not want to be doctrinaire about other countries' problems. I am just really relating it to my own.

There was a great experiment on the Clyde in Fairfield's yard where Sir Ian Stewart decided that the thing to do was to make sure that everybody knew what was happening at every stage of the day. If there was good news for the yard the men got it through a line of communication within the hour, and if it was bad news about a lack of orders they got that communication within the hour as well. That seems to be what we should be aiming at. Lack of communication is one of the things that make us look for some solution to the yawning gulf. I think there has to be some degree of workers' participation.

So I put myself on record. I would support the report, but I do not want to condemn other countries' practices.

President. — I call Mr Schnitker.

Mr Schnitker. — (DE) Mr President, I should also like to express my warmest thanks to Mr Geurtsen for his report. I believe that this report is necessary for industry at the level of the big corporations. But we often overlook the fact that industry consists not only of large conglomerates and corporations — the giants of industry — but also small and medium-sized undertakings. It seems to me therefore necessary to draw attention to another aspect of this question. It seems all the more necessary to me, as one of the few Members who run a small or medium-sized firm themselves and who have to operate it at their own risk and carry liability for it with their own capital. This information ties in closely with the point I now wish to make.

I said that the report was necessary at the level of the big industrial firms. It is frequently overlooked in this connection that Europe has an abundance of small and medium-sized firms — over 13 million — for which the globalization principle — capital on one side, labour on the other — simply does not apply. Capital and labour in these firms shade off into one another. We must be aware of this, if we are to debate the fifth directive in a responsible manner. I am concerned to observe how in many quarters the concepts of co-determination are defined in terms of the big industrial corporations on the one hand and the industrial trade unions on the other. It is said that we are an industrial society. The German trade unions call themselves 'industry unions', so concepts are defined and policy framed in accordance with this terminology.

The reality is entirely different, however. Ninety per cent of all undertakings are small and medium-sized firms. They are in many cases not financed by shareholders' capital but are operated under their owners' own liability. Sixty per cent of the workers in the European Community are employed in these small and medium-sized firms, not in the big corporations. All surveys show clearly that group working has long been the standard procedure for workers in these small and

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medium-sized firms, a procedure which industry has yet to introduce slowly and laboriously, and that worker participation is already a daily routine at the workplace in those firms and does not require complicated and possibly disruptive legal regulation.

The conclusion to be drawn from this is that everything must be done in our debate on the fifth directive to prevent giving the impression that it is the intention here to bring the small and medium-sized firms into a straitjacket of legal and bureaucratic measures governing worker participation. The situation in these small and medium-sized firms creates an entirely different climate. In them, man is still at the centre of the process: the machine serves as a tool for man, he is not there to serve the machine. Altogether, this establishes an entirely different climate and to a large extent prevents the drawing of fronts between the proprietor of the firm and, for example, the shop floor supervisor and his able workmen, unless such fronts have been implanted from outside into the intact operating system and the harmony existing between those who interact in it. In these firms, the shop floor supervisor or the proprietor and his workers are on the same footing at the workplace dealing under joint responsibility — often in the same work clothes — with the work in hand and the customer. Everything must be avoided which could create the impression that the small and medium-sized firms with their sound structures are to be drawn into rigid legal frameworks which would lead to disruption, conflicts or an atmosphere of constraint. This must be borne in mind in all our deliberations, which in the case of the big firms in industry — we are not disputing that — are concerned with a need of our time. Co-determination must not be allowed to lead to a situation in which the interaction of individuals in the process of running the small and medium-sized firms in which they work is made redundant or is disrupted by legalistic or bureaucratized worker participation arrangements.

We must not allow the conclusion to be drawn from the instrument we adopt that co-determination in bipartite form is also to be made applicable to small and medium-sized firms with about 200 employees, to name a figure. Craftmanship always starts at the point where a unique personal performance is required linked to a particular situation. In the small and medium-sized firms production is a personalized process, in contrast to the more instrumental and anonymous production which takes place in the big industrial undertakings. In addition, it requires a high degree of mobility, and that secures jobs. Anyone who is concerned to find a lasting solution to the problem of unemployment in Europe must know that the gap in the small independent producer sector must be closed. Every self-employed producer in the first instance creates one job but usually others are created as a consequence — that is the whole point of starting out on one's own, otherwise there is no need to set up the business in the first place. I make this comment in order to point out the stabilizing function of the small

and medium-sized firms, and it is important that this stabilizing function and the mobility of these firms should not be impaired.

We must therefore avoid a situation in which the desire to become independent and to start one's own firm could be damaged by European co-determination directives and in which young skilled craftsmen, who would like to start a business of their own, are frightened off by the prospect of seeing organs of mass co-determination brought in to rule over the affairs of the small business and of seeing conflicts introduced from outside into places where there would be none otherwise. If that is avoided, I can see a suitable compromise in the fifth directive. I share the view of my colleague, Mr Hoffmann, that we must now build bridges from one social group to another, in order to work together on the endeavour as a whole from a middle position and, most especially, to find solutions for the future.

President. — I call the rapporteur.

Mr Geurtsen, rapporteur. — (NL) Mr President, I should like to thank all those who have helped to throw more light on the subject matter and the problems during this debate. I naturally thank all those who have said they intend to vote for the report, but my thanks also go to Members who are very critical of the solution proposed in the report or even reject it. For the sake of these Members in particular I will endeavour once again to explain the Legal Affairs Committee's position.

I will begin with Mr Vetter. I am especially sorry that he did not hear what the Commission said yesterday about the report and views of the Legal Affairs Committee, although Mr Vetter's fellow group members apparently got the Commission's message. The crux of Mr Narjes' statements was that the idea of flexibility in worker participation for which the report provides can only make the directive more attractive. The Commission also clearly endorses the line adopted by the majority of the Legal Affairs Committee in preferring to have a transitional period during which the legislature is committed to adopting the necessary legislation rather than deciding now what the final result will be.

I have little to add to this. I am rather surprised by Mr Vetter's remark that the directive is acceptable only if it is amended to suit Socialist views. Evidently Mr Vetter places Socialist ideology above the achievement of results in worker participation. Mr Sieglerschmidt has explained why this is so. To keep to his own metaphor, the Legal Affairs Committee is not supplying a ruin but a proper house, which some feel has one deficiency: it is not painted red. Others feel that this is precisely where its great advantage lies.

I am also surprised, Mr President, that Mr Vetter should feel that the assessment of the proposal must be

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linked to the decision on the structure of the company. Perhaps his fellow group member Mr Megahy can explain to him once again the problems that would be caused if the two-tier system were made compulsory in the United Kingdom.

Mr Janssen van Raay has tried to put this problem into perspective, but again at a time when Mr Vetter was unfortunately not present. Coordinating company structures will merely provoke resistance to worker participation. Trying to impose the two-tier system of two countries on eight others would not simply be difficult: it would be inviting the rejection of the worker participation system as a whole.

I would stress once again that the Treaty does not call for the equal protection but for equivalent protection of the interests of, among others, workers. Mr Eisma also emphasized this, but then made a comment that proceeded from the assumption that equivalent means the same as equal. I am sorry, but I find it difficult to draw any other conclusion than that he does not fully appreciate precisely what is involved here, possibly because he has political preoccupations. Whatever the reason, this is a missed opportunity for the pragmatic politician Mr Eisma would have us believe he is.

I do not have the time, of course, Mr President, to go into every point raised in the speeches that have been made during this debate. I should just like to mention a few things. I agree with Mr Janssen van Raay that we should not be trying to settle an internal, national discussion here. We should be looking for a system that is acceptable to all the Member States regardless of their level of development in the field of worker participation. I also agree with what Mr Donnez said about the problem raised by trade unions which do want anything because they do not want to dirty their hands with participation, or rather co-responsibility. Mr President, ladies and gentlemen, people who adopt this attitude will not be persuaded by the Commission's proposals or by my proposals. We must continue to place our hopes in those who are willing to take responsibility for the economic future of Europe.

Leaving aside the question, Mr President, of whether Mr Turner really believes that the solution proposed by the Legal Affairs Committee will lead to a revolution in the United Kingdom, I endorse Mr Vié's view that evolution is the only way to achieve worker participation. There is a strong temptation to try to impose one's own views on the directive, whatever they may be. I quite appreciate that, but I do not think it makes sense. After discussing the matter for days on end, the Legal Affairs Committee decided on an evolutionary system. This may not be the best of all possible solutions, but in my considered opinion it is the best that can be done at the moment.

Apart from its criticism of three aspects, a criticism which I largely endorse, the Commission broadly agrees with that view. I therefore hope that those who

are well disposed towards worker participation and its development will not go to extremes. To do so may seem politically very progressive, but it is essentially counterproductive. I am happy to see that the Commission supports this view. I hope that the majority of our Parliament will also share it. Only gradual evolution is likely to give shape to the democratization of industry. That is not, Mr Sieglerschmidt, marking time. That may be true of some Member States, but for a number of others, including the new ones, the Legal Affairs Committee's proposal represents a gigantic leap forward. In the Community as a whole this proposal means real progress. It can therefore be said that those who try to achieve too much at once will ultimately achieve nothing, and that would be a pity for the employees' cause, worker participation. This worker participation is too important to risk its being jeopardized in this way. I therefore urge Members to follow the line indicated by the Legal Affairs Committee when they vote this afternoon.

President. — I call the Commission.

Mr Andriessen, Member of the Commission. — (NL) Mr President, it is a pleasure for me to speak during this second part of the debate on behalf of the Commission and in particular of my colleague Mr Narjes, who has other commitments and was unfortunately unable to remain for the whole of the debate.

Yesterday's and today's debate has made it very clear that there is a very wide measure of agreement in this Assembly with the objectives set out in this Fifth Directive, and the Commission is, of course, particularly pleased about that. The will to improve cooperation and the creation of the legislative means to do so are inherent in our proposal for a Fifth Directive. Anyone who opts for cooperation shows that he is willing to engage in structures where responsibility can be shared, and that was a course envisaged by the Commission when it put forward these proposals, which are clearly geared to a model of cooperation rather than confrontation, which is something the Commission rejects.

The Commission naturally feels that its position is supported both by Mr Geurtsen's report and by the debate to which it has given rise. In reply to what in fact amounted to a criticism from Mr Sieglerschmidt this morning that the Commission was no longer defending its own position, its own proposal — and he encouraged me to change my tune — I should like to say that it is surely not a bad thing if the Commission is prepared to listen to what is said about its proposals here, not to accept what is said here without a murmur but to do what is so frequently urged in this House: to engage in a dialogue and so arrive at an acceptable solution.

Mr President, as my colleague Mr Narjes said yesterday, we can go along with much of what Mr Geurtsen

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proposes — and I use his name here as *pars pro toto*, for the whole of the Legal Affairs Committee — particularly where, by increasing the flexibility of our proposals — he has just referred to this — by offering options, both through the structure of companies and through the way in which worker participation may be achieved, he in fact improves the viability of our proposals. Mr Narjes also referred yesterday to the aspects of this report about which there is some hesitation on our side, and there is, of course, no reason for me to go into those aspects again. In view of the interest shown in this specific subject by the Assembly, what I will do is consider a number of proposals you have made for changes to the report, particularly where it concerns worker participation.

The first point is perhaps the number of employees in a company above which worker participation must be introduced. Various figures are quoted in various amendments. It seems that a happy compromise must be found somewhere between the figures being discussed, a hundred, a thousand, two thousand, and the Commission looks forward with interest to seeing what the Assembly decides.

As regards worker participation, Mr Geurtsen recommends a choice of four models, and amendments have been tabled to each of these. With respect to the model in which employees' representatives would make up at least one third and a maximum of one half of the supervisory organ, with the safeguard in the latter case that the shareholders' representatives would retain the right to take the final decision in that organ, Mr Vetter proposed on behalf of the Socialist Group that there should be tripartite representation, one third shareholders, one third employees and one third elected by these two groups together.

This is also the proposal made in amendments Nos 98 and 105 by the Socialists, while it would seem from amendment No 68 that some Christian Democrat similarly prefer this system. Mr D'Angelosante proposes non-compulsory equality on a fifty-fifty basis. Amendment No 71 shows that Mr Beumer would like it laid down now that after the transitional period the system will consist in 50% of the members of the supervisory organ being appointed on the recommendation of the employees, albeit with the shareholders having the final say.

Although Mr Beumer's proposal goes somewhat further than Mr Geurtsen's, it does, of course, fall short of complete equality. Mr President, there are many different proposals on this aspect. On the Commission's behalf, I wish to say that, having heard this debate and the arguments which have been advanced, it intends to wait and see what view Parliament ultimately takes on all these proposals and then to adopt its own final position in the light of Parliament's decisions.

As regards the second option offered by the Geurtsen report, co-optation, the Commission has no objections

to the proposal made in amendment No 74 by Mr D'Angelosante that it should also be possible for employees' representatives to object to the appointment of a nominee. The Commission feels this suggestion is an improvement on the Legal Affairs Committee's proposal.

The third option is the separate employees' organ. Here again Mr D'Angelosante has various proposals, particularly in amendment No 75, where the Commission is not very happy with the proposal for paragraph 5(a) because it seeks to provide for the application of a veto. We also find a veto of this kind referred to in amendments Nos 99 and 106 tabled by the Socialist Group. The Commission has objections to these views because in the present circumstances they conflict with the philosophy of cooperation that underlies the proposal, and we therefore feel that they go rather too far.

To the fourth model proposed by the Geurtsen report, worker participation governed by collective agreements, the Socialist Group has again tabled amendments, Nos 97 and 104. Our reservations about this fourth model and therefore about any variations on it were expressed yesterday by Mr Narjes. These objections still apply and we shall have to adopt our final position on the matter when Parliament has taken its final decision.

Mr President, the Legal Affairs Committee has set out the democratic principles of worker participation in Article 4(8) (a) to (e), and the Commission agrees with the Legal Affairs Committee in this respect. The Commission cannot endorse Mr D'Angelosante's proposal in amendment No 76 that there should be no distinction between groups of employees when they elect their representatives. In the Commission's opinion, the possibility of elections by individual groups must be retained.

The Commission similarly has its doubts about the Socialist Group's proposal that it should be left to the Member States to decide on the election procedure. It would prefer a Community arrangement to systems which differ from one Member State to another.

Mr President, at first glance I see nothing wrong with the Socialist Group's proposal in amendment No 95 that it should not be possible for the member of the administrative organ responsible for personnel matters to be appointed or dismissed against the will of the employees' representatives in the supervisory organ or employees' organ. The proposal is derived from the special arrangement in the German coal and steel industry and, as I said, at first glance, because the amendments were tabled very late, I wonder whether this idea should not be included in other arrangements as well. Here again, the Commission will have to consider the matter further.

To conclude, Mr President, a brief comment on the transitional period. I have already said that we agree

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to greater flexibility. We are essentially in favour of a growth model, although the rate of growth and the opinions on that rate need not always be precisely the same. We are able to agree to proposals regarding a flexible approach towards the transitional period. The Commission therefore feels it cannot endorse amendment No 93, which proposes that the two-tier system should automatically apply in all the Member States once the transitional period is over.

Mr President, I have stated the Commission's position on a number of important aspects of the question of worker participation. It has become clear that the Commission attaches particular importance to the Assembly's deliberations on this subject, and that is why I prefer not to state my final views at this stage but to leave the way open for the Commission to make a more detailed evaluation. In view of another item on the agenda in which I am regularly involved, action taken by the Commission on Parliament's proposals, I must perhaps add that in this case the Commission will not be able to inform Parliament fully of the action it has taken on Parliament's proposal until about September.

President. — I call Mr Sieglerschmidt to make a personal statement.

Mr Sieglerschmidt. — (DE) Mr President, since Commissioner Andriessen has quoted me, I should like to ask him to give his view on the following. I am very much in favour of the Commission acting on Parliament's opinion. I am also in favour of that — even if it hurts — when I am in the minority, for I am a convinced parliamentarian.

I did not criticize Commissioner Narjes because he followed the majority in Parliament, but because he influenced Parliament's decision-making process by making his remarks on the two-tier system before it could take its decision. As you know, although the Legal Affairs Committee has overall charge of the matter, the Committee on Social Affairs and Employment has not taken up its position so explicitly, at least on this question. Consequently, it was in my opinion unusual for Mr Narjes, as a Commission representative, to desert his own proposal before any decision was taken by Parliament.

President. — I call the Commission.

Mr Andriessen, Member of the Commission. — (NL) Mr President, very briefly. I can hardly imagine that this House would want to have a discussion with the Commission without at least leaving the way open for it to be influenced by the Commission, and I can hardly imagine that the time at which the Commission speaks has a decisive influence on the convictions of the honourable Members. I believe the quality of the

speech is more important than the time at which it is made.

President. — The debate is closed.

The vote will be taken at the next voting time.¹

2. Estimates of Parliament for 1983

President. — The next item on the agenda is the report (Doc. 1-185/82) by Mr Saby on behalf of the Committee on Budgets on the draft estimates of the revenue and expenditure of the European Parliament for the financial year 1983.

I call the rapporteur.

Mr Saby, rapporteur. — (FR) Mr President, it is my pleasure to lay before the House the estimates of revenue and expenditure of the European Parliament for the financial year 1983.

These estimates could be summed up in three words: responsibility, quality, clarity, and I will add one more: political courage.

Responsibility: In point of fact both Parliament, repeatedly, and the Committee on Budgets have asked for every effort to be made to effect the maximum savings in Parliament's own spending. It is my belief that the 1983 estimates effectively comply with these injunctions and that they constitute a responsible set of proposals as, despite the present level of inflation, the estimates submitted to Parliament today represent an increase of 5.5% compared to the financial year 1982. Even including the 7 million ECU for information in connection with the 1984 elections, about which I will have more to say later, the figure is still only 9%. This shows evidence of a certain responsibility and continuity, taking into account the decisions of Parliament and the Committee on Budgets.

Despite the fact that costs and the workload have been increasing since 1979, the Committee on Budgets has insisted on maintaining and reinforcing this effort of retrenchment. I believe that the estimates I am proposing satisfactorily reflect this determination. These points are restated in paragraphs 8, 9 and 10 of the motion for a resolution.

Secondly, the quality, I might even say the rationality, of these draft estimates: Since 1979 we have been through a quantitative phase. The election by direct universal suffrage has increased the burdens and responsibilities. The diversity of languages has necessi-

¹ Membership of political groups: see Minutes.

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tated the recruitment of additional staff and the difficulties connected with translation have had to be faced up to. With the 1983 estimates we are embarking on the qualitative phase, seeking, as you will see from the annex, to optimize the manpower and other resources of Parliament. That is why paragraphs 1, 2, 3, 4, 15, 16, 17 and 18 of the motion for a resolution lay so much emphasis on this important aspect. These are of course only estimates. From now until the end of the budgetary procedure, as stated in the penultimate paragraph of the motion for a resolution, we are going to be examining very closely and minutely the justification and coherence of the amounts shown, seeking always to evolve in the medium or long term a policy on the budget of Parliament that has been optimized and rationalized in relation to our task. To that extent I believe we have a balanced budget. One can see, in fact, that Chapter 10 of Title 1 — Members of the institution — represents 16.8%. For a parliamentary budget that is not excessive, compared to what you find in national parliaments. Chapters 11 to 16, relating to staff as a whole, together with all the sub-headings corresponding to social cover and other aspects, represent 50.2% of the estimates. Title 2, which essentially concerns operating expenditure with all its implications, that is to say buildings, equipment and other miscellaneous expenditure, represents 24.2% of the estimates. Lastly, the special functions — if one excludes this year the 7 million earmarked for the information campaign for the 1984 elections — represent 3.3% (6.4% if this is included). Finally, Title 10 represents 2.4%. So you have there a balanced and responsible budget, coupled with a pursuit of quality, which is something we shall have occasion to come back to during the course of the budgetary procedure.

And now I should like to draw the House's attention to the third point, what I have referred to as clarity and political courage. In paragraphs 5, 6 and 7 we do not hesitate to show public opinion that, so far as increases in Members' allowances and expenses are concerned, we need to have a clear base. A clear base which includes, for example, due allowance for inflation or rather an increase in prices, and I have to say that I do not have in mind any form of systematic indexation which would have a mechanical character and would not necessarily offer the best solution. Such a base clearly allows, and public opinion can be informed accordingly, the calculation of an average rate which can be used to update Members' allowances and expenses. Political courage, in fact, as regards the creation of posts referred to in paragraphs 5, 6 and 7 of the motion for a resolution. For whilst the Secretariat has decided on this occasion not to create any new posts, we have agreed for the time being to take account of the 10 posts proposed by the political groups. I say for the time being because we have asked — and I believe I am expressing the feelings of the Committee on Budgets and of the House as a whole — that the possibility of creating these posts before the end of the budgetary procedure should be looked into. We should like to check the balance established

between the staffs of the political groups. To sum up: quality through optimization and reflection, and striving for greater efficiency.

Political courage as regards paragraphs 11, 12 and 13 in relation to the information campaign for the 1984 elections. The institutions of the Community chose democracy with elections by direct universal suffrage. Democracy necessarily implies, so far as the electorate and the men and women of this Community are concerned, the right to information and the duty to provide it. For it would be unthinkable for a parliament, as a political authority, not to take upon its shoulders this higher political dimension of freedom which information represents. And quite apart from the proposals by this or that political party in regard to 1984, quite apart from the analyses and concrete proposals, it is Parliament's duty and function to inform and place at the disposal of public opinion sources of information so that it can fulfil its responsibilities — remembering what I said just now about the higher dimension of freedom in a democracy — with full knowledge of everything involved. It is for this reason that the Committee on Budgets considered it essential that Parliament should have at least the same resources for this test of public opinion in 1984 as it had in 1979, these resources being of course brought up to date to take account of the effect of inflation since that time and also the enlargement of the Community to include Greece. That is why we are initially proposing that a sum of 7 million ECU be entered in the estimates for 1983. However, we are not taking a position on the overall figure. In fact we feel it is necessary both to look very closely, between now and the end of the budgetary procedure, to see what amounts we must have in order to maintain resources at least at 1979 levels and also to ensure, as everyone would wish, complete budget transparency and proper utilization of these resources in relation to the 1984 elections.

Mr President, I have outlined the essential aspects of the estimates. I am not going to turn accountant and go through it line by line. All of you have the report and the annex for reference and I shall answer any points raised by the various speakers during the debate. I simply want to say that these estimates for 1983 do, nevertheless, set an important tone as regards responsibility, quality, clarity and political courage. And I sincerely hope that these provisions, which will do credit to Parliament, will be accepted by a large majority when it comes to the vote.

IN THE CHAIR: MR FRIEDRICH

Vice-President

President. — I call the Socialist Group.

Mr Fich. — (DA) Mr President, on behalf of the Socialist Group, I should like to present a few comments on Mr Saby's report on the draft estimates of the revenue and expenditure of the European Parliament for the financial year 1983.

To begin with, it is worth focusing attention on the word 'estimate', which means that what we are doing here is making an assessment of revenue and expenditure. It is not an actual budget, which can be used as an instrument to control the development of the European Parliament and its expenditure. And there is indeed a need for tighter control and for an instrument of control concerned with expenditure.

The trend in the European Parliament's expenditure during the first couple of years after direct elections was absolutely unacceptable. During the past few months, however, we have seen a distinct improvement in Parliament's administration. The outcome is that the estimates of revenue and expenditure of the European Parliament for 1983 show only a rise of about 5.5% as compared with 8.7% in the previous year and even more in the preceding years. I must say that this is a gratifying trend, but I must also say that it is a very necessary one.

Does it mean that expenditure in the coming year will only rise at this rate of 5.5%? No. It does not mean that. Expenditure will probably increase by rather more, but the difference between the estimates and real expenditure will be reduced, and this is a very positive development, for it means we do not have to set up reserves which can then be transferred from one budget account to another for both possible and impossible purposes. We must therefore accept that expenditure in 1983 too will rise more or less in step with the rise in wages and prices — it cannot be otherwise — unless clear policy decisions are taken. We must be clear in our minds that only by policy decisions will it be possible to make savings and increase efficiency. I would draw attention here to the question of Parliament's seat, which is still unresolved because of the inability of the European Parliament itself to take a decision. A solution to this problem will have an enormous effect on expenditure and efficiency.

But policy decisions of lesser importance will also have an effect. I have presented a list of various proposals to the President, and I am sure that the President will make use of it. I shall not reel off the whole list here but only mention a single item to serve as an example: the European Parliament's recruitment procedures. These are long and time-consuming and result in extremely high costs. It is a bizarre practice to bring candidates to Luxembourg in their hundreds for examinations and then to leave them waiting for months on end before informing them whether they have been appointed. This system must be changed, and it must be done now. I stress again that we cannot avoid taking policy decisions if we want to economize

and operate more efficiently. You cannot compensate for the lack of policy decisions by amending estimates.

I should like to say something about the question of new posts. I think that it is very gratifying that the Secretariat has not requested any new posts this year. But I should also have been surprised if it had done so, because it is a fact that we created a reserve of posts two or three years ago, of which the Secretariat continues to make good use. I note that the political groups are requesting 10 new posts. I must say that, personally, I am against these posts, but the Socialist Group accepts the creation of these 10 posts at the present time, with express reference to point 17 of the draft resolution: we reserve the right to change this position during the first reading of the budget in the light of an investigation as to whether these posts are necessary.

I should also like to comment on the 7 million units of account for information in connection with the direct elections to the European Parliament in 1984. This is a very difficult problem. In some countries, public financing of election campaigns is unknown. In others, it is the only way that campaigns can be financed, so that financing from other sources can be avoided. So, whatever approach is adopted here, we shall end up offending against tradition in one or more Member States. The Socialist Group is in favour of accepting the 7 million units of account for the 1983 estimates, but wants the debate to be continued with regard to what the total amount should actually be.

I should like to conclude by saying that we feel further study needs to be devoted to these estimates. We feel that there is a need for policy decisions by which certain points arising in them can be changed. We think that it should be possible to make savings and to make Parliament more efficient in its working. And, in that regard, we pledge our full support to Mr Saby for further studies.

President. — I call the European Democratic Group.

Mr Price. — Mr President, the most important line in any estimate is the last line, the total figure, and in this case it is 220 million units of account. If we compare like with like, this is an increase of about 5.5% over last year, leaving out of account the additional item which looks towards an information campaign for the next European elections.

This is less than the rate of inflation and that was also the position last year. But before we adopt too self-congratulatory a tone, I think we ought to realize that it represents an improvement in the rather poor estimating techniques that we had previously. What we have done in previous years is to allow ourselves far too much scope in our estimates in the first place and then not to spend some of the money that we allowed

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ourselves. The result of this is that we give ourselves too much scope so that there is a lack of financial discipline.

Now we are moving in the right direction this year because we have allowed ourselves less scope. That is the main reason why the increase is only 5.5%.

If we look at the total, I believe, Mr President, that this year we are proposing, on the whole, a reasonable figure. So, on behalf of my group, I would say that we would accept these figures, though without enthusiasm.

My points of concern relate far more to staff policy. The first issue is the establishment plan. As the document stands, it lumps together without a distinction of title — and I think this may be a clerical error — the Secretariat of the Parliament itself and that of the political groups. There is a very sharp contrast between our attitude towards our Secretariat and towards the political groups, and I believe that sharp contrast is not warranted. With the Secretariat of Parliament we have decided to create no new posts this year. I applaud that decision. But the political groups are to have ten new posts. For the Secretariat of Parliament there is to be a re-classification upwards of 17 posts out of a total of 2 612. For the political groups we are re-classifying more posts, 27 out of a total number of about only 330. In other words about a half a percent of Parliament's Secretariat will have their posts re-classified and almost 10% of those working in political groups.

I believe that we need much greater equality between the General Secretariat and the political groups, because if we do not have that, then we shall create a sense of inequality which will breed discontent — the feeling that there is unfairness and the conviction that those who have a certain political clout are able to achieve more than the rest. I believe that we should look at this again. For that reason, I have put down Amendments 1 and 2 on behalf of the European Democratic Group which ask the Bureau to look again at its proposals relating to the political groups and to come back with improved and reduced proposals.

The other point that concerns me is in paragraph 18 of the resolution which relates in a different way to a sense of unfairness, looking at the Community institutions as a whole this time. In paragraph 18 we say that we consider it necessary to pay staff salaries in ECU and that this is a temporary measure to maintain purchasing power. I do not believe that Parliament should move alone in an issue of such importance. We have a common staff policy for all the Community institutions. We have common staff regulations, and Parliament should not move on its own. Therefore we have Amendment No 3 which would replace paragraph 18 with a new text which would request our President to initiate discussions with the other Community institutions on the possibility of settling in ECU the salaries of Community staff and also the pensions of former

staff. If we are going to look at this issue we should do so not just for pay but also for pensions.

Finally a word on the information campaign allowance, Mr President. I would say on behalf of the European Democratic Group that we have some misgivings about expenditure of this nature. But we support the principle of improving the quality and quantity of information available to the people of Europe when they cast their votes at the next European elections. So what we shall be doing is looking very carefully at the rules for this expenditure when they come forward. It is the rules which represent the key, and we will try to ensure that those rules are fair and that they achieve the objective for which this money has been voted.

President. — I call the Communist and Allies Group.

Mr Leonardi. — (*IT*) Mr President, I will point out that this is Parliament's last preliminary draft budget to cover an entire year before the 1984 elections, and that it should therefore be to some extent considered as an accounting to the electors for Parliament's internal operation.

In this draft, provision is rightly made for the expenses of the coming elections, and the estimates have been somewhat updated in order to allow for the increase in prices. The same can be said concerning the different salaries of Members, but I will point out that this is the effect of a mass of privileges sanctioned by the old Parliament and transferred *en bloc* to this one, and it would be well to revise and systematize them once and for all.

I must point out that once again no consideration has been given to rights of Members of Parliament concerning health insurance and pensions for old age and disability. In the preliminary draft, all these items are token entries: that is, they are items which are waiting to be filled in. So that they can be filled in, the President must decide to accept or reject the proposals presented by the work group on the status of Members of Parliament, proposals which have long been in the President's possession. It must be decided whether or not to act on the decisions of the preceding presidency and on the proposals drawn up by the work group on the status of Members of Parliament.

It is intolerable that these decisions are always being put off for an unspecified period of time, thus perpetuating a very uncomfortable situation for the Members of this Parliament by failing to recognize their rights, rights which are acknowledged in the case of any worker, and it is disgraceful that no attempt is being to standardize these rights.

I am well aware that in saying this I am going against various interests, but I believe it is urgently necessary

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to deal with this situation in a definitive way. To prolong this situation can only cause harm, particularly in view of the upcoming electoral campaign: we must think of the external image of the European Parliament, and the salaries of its Members are an aspect of this. The electors will find it difficult to understand how they can be called upon to elect a Parliament composed of Members who have very different salaries, and how in the space of three years not the slightest effort has been made to work out a uniform economic treatment. I hope that the President will decide, for or against, on the proposals drawn up some time ago now by the work group on the status of Members of this Parliament, a work group which — I will point out — is made up of the leaders of the political groups and therefore of eminently responsible people.

President. — I call the Group of European Progressive Democrats.

Mr Lalor. — Mr President, we are asked to take a position today on Parliament's draft estimates for 1983, and we are confronted here by a task which is, let us face it, difficult. We must, in the light of the austerity which is demanded of us, show ourselves to be economical while at the same time endeavouring to give Parliament the necessary financial means to do its job and to fulfil in the public's opinion its role of a directly-elected Parliament. In our opinion, this is what Mr Saby has managed to do in his report, for which we thank him warmly. Indeed this report creates, as I in any case see it, a fair balance between, on the one hand, respect for a certain budgetary austerity and, on the other, the desire for some progress where this is necessary. For this reason, I will limit myself to a very few remarks. Let me say initially that we consider it necessary to accept Mr Saby's proposals with regard to the creation of posts in the political groups. I have heard Mr Price disagreeing with the suggestion here and indicating that maybe the staff numbers of the political groups are overloaded in this regard. I do not accept this; I think myself that these demands correspond to needs which have in fact been limited to the absolute minimum in the light of the expanded responsibilities and the new tasks undertaken by a number of the groups. I sympathize with Mr Price's views on curtailment in this regard. It is in line, I think, with his own particular party's views at local level, but nonetheless I find that at Bureau level demands for spending more money continually come in from his group, and it is out here in public that the attack on spending is generally undertaken. As I see it, in any case, the creation of posts constitutes, in the view of my group, the most rational way of replying to this new situation.

Secondly, we support the rapporteur's proposal to include in 1983 the sum of 7 million ECU's for information relating to the second direct election of the

European Parliament and to leave open the definitive total sum until 1984, given that the Parliament must dispose of funds updated from the previous electoral campaign, taking also into account the enlargement of the EEC. That should not be forgotten.

I cannot insist too much on this question, which, apart from the question of inclusion in the estimates, raises the problem of the very future of our Parliament. We consider, however, that in view of the complexity of such an undertaking it is necessary to proceed prudently. That is to say, it is necessary to determine by means of studies the present functions of those parliamentary services that are concerned in the restructuring in relation to the task to be assigned to them, and here, I think, we have a major job to do. At the present time there is an attack contemplated on the services, and we should be considering how we can improve the services within the various DGs without the necessity for doing away with any of them. In this regard, Mr Saby's report does provide us with the means to resolve our own problems, and it is from that point of view that Parliament should apply itself, within its existing framework, to resolving those problems.

President. — I call the Group for the Technical Coordination and Defence of Independent Groups and Members.

Mr Pannella. — (*FR*) Mr President, for all its logic and clarity, Mr Saby's statement has not convinced me on another aspect that is essential to any budget, namely depth of analysis. Apart from anything else a budget is for a parliament the means by which it can develop in one way or another.

We have not put down any amendments on individual items or on numerous aspects of this report because, according to precedent, if amendments are tabled at this stage they cannot be retabled at the first reading. Such a procedure is absurd, but we have no choice but to bow to it.

However, Mr President, we have put down amendments with regard to the 7 million for the information campaign. In spite of the complete honesty of each one of us here, to make money available in this way is an open invitation to every kind of skulduggery. Personally and as a representative of the Radical Party, I do not think that one should give rival parties engaged in the election campaign the task of informing public opinion about the institution. We have already seen on other occasions how this can distort the rules of the game and to some extent prevent the various political forces starting off on an equal footing. Of course, you do it in your countries primarily by controlling the mass media, but I think it is scandalous to add this amount on top.

Mr President, there is another problem that we need to consider very carefully. There is absolutely no bal-

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ance in this budget between the appropriations we make available to the political groups and those for the activities of Parliament itself. There you have what is wrong with this Parliament! It is the ever-increasing power of the group bureaucracies. It is absurd that the groups should have 120 or 130 officials in grade A (administrators), when those attached to Parliament (excluding translators and interpreters) number only twice as many. It is not our idea of how things ought to be and we shall go on complaining in this Parliament about the very often high-handed majority which benefits from a system that to us as a group is denied. We shall be asking therefore that all the groups should give up 20 or 25% of their funds, of their officials, because then we shall be satisfied that everyone starts off on an equal footing. Accordingly we reject these 7 million, as also we reject this way of looking at parliamentary matters which gives one every reason to fear for European democracy.

President. — I call the Group of the European People's Party (Christian Democratic Group).

Mr Notenboom. — (NL) Mr President, I have just a few comments to make. For several years I have voted against Parliament's budget because of my concern at the lack of caution. There has now been a slight improvement, and I thank our new colleague Mr Saby for his important contribution and also the Bureau for the caution now to be seen in this document. This budget is evidence that a fairly calm approach has been adopted. As regards the staff, I also find it extremely important that the Bureau, the Secretary-General and his people have again felt that the number of staff should not be increased, a decision that was probably prompted by the major increase two years ago. This is a good thing, and it will also make for a better allocation of staff, because there are quite a few departments with too few people and others that could perhaps do with fewer. This will provide another opportunity to achieve a better allocation of staff to our services.

I hope Parliament will follow the example of the Bureau and the President in being modest in its demands on the staff, because that is where the root of the matter lies. If we demand more of the staff in a chaotic way, the Secretary-General and then the Bureau will have to put in a request for more staff. It is up to us. We must do things in an orderly fashion, strike a balance in what we want to do and so know how many staff are needed. I hope that a further contribution will be made in 1983 in this respect.

As a group we agree to the amount earmarked for the elections, although we would like to have more accurate figures later in the year and satisfactory rules on implementation. We are not therefore asking for more than was done in 1979. It will be more of a political thing this time, but it must be possible. If the funds are used wisely, and with the cooperation of the media —

we need them — it must be possible to make it clear to the European public what is at stake.

I find it regrettable, Mr President, that the political groups do not want to follow the line proposed by the Bureau for Parliament as a whole. To be honest, I therefore see it as a blemish on this document that an exception should be made for the groups as regards increases in staff. I believe — although I could not stay until the end — that my group will not go along with this, or at least many of its members will not, because the groups have also increased their staff considerably in recent years and they could make do with better allocation of the staff they have. I will not take up the comments made by the previous speaker. Firstly, he is not present, secondly, I never react to such comments and thirdly, it would take longer than I intend to speak, but those comments should certainly be refuted.

As regards payment in ECU, I personally agree with Mr Price that this must be done in accordance with the Staff Regulations and, once I have studied the amendment, I shall advise my group to consider whether it should not be supported. We are at any rate all agreed that the staff are being unfairly treated at the moment. On the other hand, we cannot ignore the Staff Regulations. These things will have to be done in accordance with the Staff Regulations governing officials.

President. — I call the Non-attached Members.

Mr De Goede. — (NL) Mr President, interest in Parliament's own budget is growing. In 1979 only three Members, who all happened to be Dutch, Mr Dankert, Mr Notenboom and myself, spoke briefly on the subject. Gradually the number of speakers has increased. Why? I think the chief reason is the largely negative publicity we receive. Waste, ostentation, inefficiency are words that are frequently used and not always without justification. In 1979 I said that the European Parliament was ten times — that's right — ten times more expensive to operate than the two chambers of the Dutch Parliament although it was only twice the size. This can largely be put down to our holding meetings in three places and to the language problem. Mr Price reported at our last part-session on the problems connected with having premises and holding meetings in three places and the costs to which this gives rise. Many, many ECU are wasted in this way, but it must be said that this Parliament has shown little courage and little independence in seeking to change this situation. The Council's confirmation of the *status quo* as regards Parliament's places of work in Luxembourg last year means that there is now no prospect of an improvement.

Nor, Mr President, have we made much progress towards ensuring that all Members of the European Parliament receive the same pay from Community

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resources, regardless of nationality. What is the situation here? The same is true of invalidity and retirement pensions for Members. Mr Leonardi has already referred to this. Mr Saby points out in his report that the rate of increase in the 1983 budget over 1982 will be only 5½%, excluding the 7m ECU for the election fund. But it must be remembered that the 1983 budget will be no less than just under 30% higher than the 1981 budget, a comparison with the 1981 result therefore being appropriate. What is striking is the increase in the item 'Members of the institution' from 30.6m in 1982 to 38.2m in 1983, without any satisfactory explanation. Perhaps Mr Saby would care to look at this once again. Particular attention should be paid to Title 37, 'Special functions carried out by the institution', on which I have two comments to make.

Firstly, it is distressing to find that the relatively large amounts in items 3705 and 3706 — 4.3m and 2.1m ECU respectively — have been entirely shared among the political groups since 1979. The ten non-attached Members have consequently received nothing so far. I feel it bears witness to ill-becoming haughtiness that only 424 rather than 434 Members should benefit from this item.

Secondly, we do not think it right that 7m should be set aside for the elections to the European Parliament at this time because money should not be allocated until after the elections and then on the basis of actual expenditure. The 1984 budget is therefore early enough. I would emphasize in this connection that there should be no discrimination in favour of parties now represented in the European Parliament and against the parties which take part in the elections in 1984 but do not yet have seats in the European Parliament. There should be no repetition of the completely unfair distribution that took place in 1979 if the reputation of this Parliament is not to deteriorate further. Furthermore, I find the amounts far too high. If my calculation is correct, it works out at 75 000 ECU per Member of Parliament.

My final remark concerns the very large staff establishment, which now comprises almost 3 000 people. As Mr Jackson vainly proposed in 1979, it is high time a reputable external consultancy was commissioned to carry out an efficiency study and to report to Parliament on its findings.

President. — I call Mr Hord.

Mr Hord. — Mr President, in rising to speak in this debate on Parliament's draft estimates, I must say that I am somewhat encouraged by some of the sentiments being voiced through President Dankert's office which seek to curb elements of Parliament's expenditure. Having said that, Parliament's Bureau still commits the cardinal sin of comparing estimates with estimates, rather than comparing budgets with previous actual

expenditure. As Mr De Goede reminded us, we mustn't be talking about a difference of 5% between estimates, we have got to recognize the 32% increase proposed for 1983 over the 1981 actual expenditure.

A lot of the increasing expenditure, Mr President, is quite clearly related to the question of staffing. I would submit, and many of my colleagues in this group would submit, that this Parliament is already overstaffed. If we are not already overstaffed in the general offices of the Parliament, we are incredibly overstaffed when it comes to the groups. So I do suggest that not only the Committee on Budgets but also the Bureau should look again at the question of staffing.

When we look at the political group expenditure, in 1981 each Member of this House had the equivalent of £ 7 900 spent on him in expenses within the groups. We have heard about the sloshing of monies in the political groups, and I am pleased that the Court of Auditors is looking at this. But that is not enough. We propose not £ 7 900 for next year but £ 8 900! So I just wonder when the Bureau is going to learn the lesson.

While we are talking about group expenditure, I must say that I am staggered to find that Parliament's Bureau is contemplating spending 33m ECU, something like £ 20 000 000, for the elections in 1984. Frankly, Mr President, I am not sure whether it is within the competence of Parliament to make such contributions. After all, Parliament does not pay the salaries of Members. There is not yet a common electoral system. There is certainly not any harmonization on a State financing of elections. So I should like to know what the legal basis is for this proposal to spend 33 million ECU out of taxpayers' money. That's the equivalent, Mr President, of £ 45 000 for each Member. Now I as a candidate couldn't spend £ 45 000. Furthermore, the electoral laws in my country would not allow me to spend £ 45 000. So again I sincerely hope that we can have a good further look at this.

I should perhaps say in conclusion, Mr President, that whilst we seem to be increasingly obsessed with the 1984 elections, I think perhaps it would be as well for us to remember that this House has full unfettered control of its own budget. In facing up to the reactions of our electors I think that we must remember that those same electors are also taxpayers. If we are intent on convincing the electors that this Parliament is a credible, efficient and cost-conscious institution, we must accept that in the final analysis we shall be judged not by our words but by our actions, by our own actions on our own budget.

President. — I call Mrs Boserup.

Mrs Boserup. — (DA) Mr President, the situation is happily that my main message is to support what my

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British conservative colleagues have already said. I can elaborate on that by saying that I share Mr Hord's views on the political groups. I am at a loss to understand why Parliament must get by with the officials it has while at the same time allowing the political groups and these promising young lions, who think they are on the way to becoming great statesmen, to charge around falling over each other's feet and, if they can't find anything else to do, writing amendment proposals, of which we have so many that they are costing us an awful lot of money. Just think! If we had a few less people, we should also get fewer amendment proposals and then perhaps we should do rather more serious work on the ones we do get. For seriousness is what we are short of, and we should not think that we can entice the voters into thinking that we are such wonderful prestigious people by starting to throw money around which will only benefit the advertising agencies. What do we want with 7 million ECU already in 1983? We could perhaps make ourselves a few payments from the petty cash after the elections to pay the bills rather than handing out candy to the European advertising firms already at this stage. At all events, it does not foster respect for this Parliament.

Moreover it is not beyond the bounds of probability that my country will find it unacceptable for the taxpayer to contribute money for election campaigns, and any Dane who respects Danish law, custom and tradition would in any case have to vote against these 7 million ECU, which will only benefit the advertising agencies.

President. — I call Mrs Pruvot.

Mrs Pruvot. — (FR) Mr President, the Liberal Group supports the resolution put forward by the Committee on Budgets concerning the draft estimates of Parliament for 1983. In fact, as regards both the establishment plan and the estimates proper, the proposals before us seem to us to be entirely reasonable.

To deal first with the establishment plan, we think it is right not to create any new posts within the Secretariat. As Mr Saby points out, in recent years we have been making quantitative changes in the establishment plan. It is now time to place greater emphasis on qualitative changes. Accordingly, I believe that it is absolutely essential to adapt the staff of our institution to the use of new techniques. One cannot seriously imagine that the upgrading of 17 posts, which we are being asked to accept, and which we for our part do accept, will result in qualitatively improved organization.

I should however like to say very clearly that the working out of a new policy on the establishment plan cannot be left in the hands of any one person. I fully support the rapporteur in what he says about the need for consultation with all the interested parties, namely

the administration, the staff, the Bureau of Parliament and the Committee on Budgets. Whatever proposals may emerge between now and the first reading of the draft budget must be the product of this kind of dialogue. It cannot be otherwise. As for the establishment plan for the secretariats of the political groups, we reject the amendments tabled by Mr Price. We do not think it is right to turn down this year the ten posts for which approval was not granted for 1982.

I come now to the estimates as such. All I wish to do is to express my support for the proposal to enter a sum of 7 million ECU for the information campaign leading up to the second elections by direct universal suffrage. It would appear essential to mount a very extensive campaign in 1984, and certainly one on a greater scale than in 1979. It seems fairly apparent that the European economic crisis and the crisis between the institutions of the European Community have had the effect of reducing the electorate's interest in the work of our Parliament and its confidence in the results. For my part, I regard this work as both extremely important and useful. We shall have to make a really serious effort here and a campaign on an effective scale will require adequate financial resources.

President. — I call Mr Bonde.

Mr Bonde. — (DA) Mr President, I have here two documents. One is a plane ticket from Copenhagen to Strasbourg, the price of which is 1 620 kroner or, translated into EEC language, exactly 200 ECU. The other is a so-called travel refund for the same journey, but in this case the amount refunded is 561.60 ECU or 4 546 Danish kroner. It is not a mistake in the calculations. And it is not an annual bonus payment. It arises from the official rules of this Assembly and it amounts, for the Copenhagen Members, on each trip to Strasbourg, to a tax-free profit corresponding to the sort of money a Danish pensioner has to survive on for a whole month.

In Denmark, we once had a finance minister who won several elections by saying: 'The best place for money is in the pockets of the people'. Today Poul Møller is a vice-president of Parliament, and he has compiled and presented today, together with Saby and Klepsch, a budget in which the best place for money is apparently in the pockets of Euro-politicians.

May I ask Poul Møller and Mr Kirk what has happened to their proposal to adjust travel refunds to something closer to the actual cost of the journey?

According to the budget proposal before us today, each Member of Parliament will cost 4.25 million kroner per year. This is five times the money spent on a Member of the Danish Folketing, and the Danish expenses take into account refunds for attendance at meetings of the NATO Assembly, the Council of

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Europe, the Nordic Council and the salary of the Member of the Folketing. The Folketing has a budget which shows what the money is spent on, but for this Assembly Poul Møller is now presenting a budget proposal in which he will hardly be able to explain the content of the various accounts. It is not Poul Møller's fault but the fault of the principles according to which Parliament sets out its budget. The system on which it works is such that we should get several correct figures if we just pulled them out of the hat, for the correct figures would in that way also have a reasonable chance of being selected. In this Assembly, inscrutability goes hand in hand with rampant greed. We cannot control our own budget, but we are constantly demanding more control over the money allocated to all the other Community institutions.

I think it would be a good thing if we had a Danish Presidency which would call this Assembly to order and, for example, stop the payment of a figure of between 250 and 500 million kroner for its re-election.

President. — I call Mr Alavanos.

Mr Alavanos. — (GR) Mr President, I have little to add to what Mr Bonde has just said. I only want to emphasize on behalf of the Communist Party of Greece, first, our categorical opposition to the payment of 7 millions for preliminary publicity concerning the 1984 elections. This, because for us it constitutes an unacceptable intervention from abroad into the political and electoral struggle in Greece, which is mainly directed against the political forces that oppose our country's continued membership of the Common Market.

Secondly, I emphasize the profound opposition of the Greek Communist Party to the huge subsidies in favour of political parties that subscribe to the submission of political forces in Greece to Western European, supranational centres, and which — and this too is a reason for our opposition — are paid for out of the taxes derived from working people in our country as well.

President. — I call Mr Møller.

Mr Møller. — (DA) Honourable Member Bonde has put a question to me on what happened to Mr Kirk's and my proposal last year for payment of travel expenses in accordance with actual amounts paid and on presentation of bills. I have to inform Mr Bonde that, unfortunately, we did not find anyone to second the proposal. Mr Bonde's own group supported it but with reservations and, according to the Rules of Procedure, it could not be accepted as a move to second the proposal, since it carried reservations.

I feel therefore that Mr Bonde should consider setting aside his objection and support our proposal, which is in line with his thinking.

I also regret the fact that he retired last year as the chairman for Parliament's budget, since otherwise we should now have the desired clarity of presentation and scrutability. I will add that I shall not vote for the contribution to the political parties' election campaigns, but I suggest that all the Danish parties get together to decide whether they intend to accept this money or not.

President. — The debate is closed.

I call the rapporteur.

Mr Saby, rapporteur. — (FR) Mr President, in my capacity as rapporteur I should like to reply to the points raised by other speakers concerning the draft estimates.

President. — Mr Saby, I had closed the debate. You had not put down your name to speak, as is customary. Once the debate is closed I can allow no further speeches.

I call Mr Lange for a procedural motion.

Mr Lange. — (DE) Mr President, I regret to have to speak on a question of procedure, but in the normal way the President in the chair should ask the rapporteur whether he has any further comments to make. He need not ask for the floor. I can only recommend that this question be discussed again by the Bureau, for it is entirely unsatisfactory that the rapporteur may only say yes or no when the amendments are called without giving any explanations. At the close of a debate, he should have a chance to explain why he accepts or rejects one amendment or another.

President. — I shall reopen the debate.

I call the rapporteur.

Mr Saby, rapporteur. — (FR) Thank you, Mr President. In fact the debate has raised a number of points and it would be a pity not to be able to comment on them.

To Mr Price I want to say that there is indeed a problem with the staffing policy and that this problem of the establishment plan concerns Parliament as a whole. The Bureau and the President will be making a proposal but we are talking here of long-term rather than short-term optimization and I believe that this opens the door to a consideration of this kind. As regards

Saby

what Mr Lalor said about the demand for new posts in the political groups being justified, I think that if there is a need for us to look at the problem again it is from the point of view of efficiency. On the other hand, I cannot accept the remarks made by Mr Pannella, who impugns our motives in suggesting that it is scandalous that there should be complete transparency in the information campaign.

What exactly do we mean by that? When we say that in a democracy every voter, before declaring himself, must have the full facts about everything that is being proposed and all the analyses provided to him through a campaign of information, we are speaking here, as I said before, of a right to freedom, which is the indispensable condition of democracy. I cannot therefore accept Mr Pannella's remarks. Is it really scandalous to enable the political groups, elected by direct universal suffrage, to work in the right conditions and, in order to do this, to have the necessary staff? I believe that here again the remarks made were bombastic and out of place.

To Mr de Goede I say that one has to compare like with like. It does no good to Parliament's image and it does no good to what we stand for to produce a hybrid from previous actual expenditure and a set of estimates. If you want to compare like with like, Mr de Goede, you will have to make a comparison with the estimates for 1980 and 1981, not the actual expenditure for 1981. That is another area where I believe things have to be clarified.

Mr Hord has indeed referred to this. As I say, you have to compare estimates with estimates.

Referring to the electoral practice in their own country, Mrs Boserup and one or two other Danish colleagues have drawn attention to what they found offensive in the proposals for an information campaign. I believe it would be a good thing to go into this, for it was precisely Parliament's wish and the wish of the Committee on Budgets to remove the present cloak of hypocrisy. Every European voter, man or woman, must know before declaring himself what is at stake and the political parties of whatever colour must submit their analyses and their proposals for a Europe. I believe simple honesty demands it and if there are different systems we must talk about it, so that everything can be out in the open. Before we ask the voters to make their decision we must make sure that nothing is left vague and that everything is very clear. To that end we can examine and discuss with our colleagues from the other countries how we are to achieve this transparency, this clarity and this honesty.

Mr President, that is all I wanted to say very quickly, for if one wanted to go further I would say to my colleagues in the Greek Communist Party: 'You are perfectly within your rights to inform your public opinion of your analyses and your proposals for a Greece, a Europe and a world as you want it to be. But, since

you are in the Community, would you insist on being the only voice to be heard and would you tolerate it if voters, wherever they may be, whoever they may be, were not to be able to take their responsibilities upon themselves?'. I believe you have there the reason why we are proposing all these millions of ECU and why it is necessary for the explanation to be clear, frank and honest.

President. — The debate is closed.

The vote will be taken on Thursday at 3 p.m.¹

(The sitting was adjourned at 1 p.m. and resumed at 3 p.m.)

IN THE CHAIR: MR LALOR

Vice-President

3. Question Time

President. — The next item is the first part of Question Time (Doc. 1-191/82).

We begin with the questions to the Commission.

As the authors are not present, Questions Nos 1 and 2 will be answered in writing.²

Question No 3 by Mr Seligman (H-845/81):

What total sums arising from the co-responsibility levy on milk have been paid into the Community by Member States in 1980 and 1981? Do these sums collectively represent the amount due from each Member State according to the total amount of milk produced? Is there reliable evidence that these sums have been properly collected from milk producers and not subsidized by the governments concerned?

Mr Burke, Member of the Commission. — The statistics requested by the honourable Member are being given directly to him. In total receipts from the co-responsibility levy amounted to 222.9 m ECU in 1980 and in 1981 are calculated as being 478.5 m ECU on the basis of monthly returns. It is not possible to make a direct comparison between milk deliveries to dairies and receipts from the levy owing to various exemp-

¹ Deadline for tabling amendments: see Minutes.

² See Annex of 12. 5. 1982.

Burke

tions, differing rates of levy during the period concerned and administrative delays in payment of the levy which are permitted by the regulations.

Initial responsibility for collection of the levy, and in particular supervision arrangements, are the responsibility of Member States. The Commission checks the accounts of the Member States on the basis of the annual declaration made within the framework of EEC Regulation No 1723/72. These declarations are only now due for 1981 so that it is too early to comment in detail on the 1981 data. However, preliminary examination of 1980 accounts has not revealed any irregularity, and payments of the levy appear to correspond closely with forecasted budgetary figures. Therefore, to our knowledge, the levy is being collected properly.

President. — I am calling Mr Seligman to ask a supplementary to his question, but before I do so I want to say that I have a request for a further supplementary from two other Members of the European Democratic Group. The Presidency is endeavouring to build up a practice of just calling one along with the questioner from any group and I would be glad if Miss Brookes and Mr Pearce could decide between themselves which of them I will call for the next supplementary after Mr Seligman.

Mr Seligman. — I thank the Commissioner very much for that detailed answer. I am far from reassured that there are not very many loopholes in this whole system. My farmers feel very strongly about this and they would feel much less opposed to the co-responsibility levy if they felt it was being fairly shared by all farmers in the Community. But the same sort of answer was given some few years ago which proved false, because the French Government was then actually paying on behalf of its farmers. So is there any reason to believe that the answer is any more accurate this time? Does the Commission not have any means to verify by spot-checks that the responsibility levy is being paid properly, and does it envisage any penalties for non-payment?

Mr Burke. — The honourable Member can take an assurance that the measures which have been in operation for the last few years are being carried out faithfully by the Commission. No changes have been made or, to my knowledge, are contemplated in those measures.

In regard to the suggestion that some years ago in the case of one Member State there was an irregularity, I would think that the honourable Member might agree with me that that was a rather minor infringement. Control visits made by Commission officials to Member States have revealed only that one case. So I do not think that on the evidence of that particular small

item a whole case could be built that there is wholesale irregularity here.

In any event, the honourable Member will appreciate that the authorities in question, namely the French authorities, have themselves taken to court a cooperative for non-payment of the co-responsibility in the south-east of France. Apart from those two cases it appears that the answer I have already given is the complete answer, and I would like to assure the honourable Member that, within the rules and the traditions regarding this matter, there have been no departures from practice.

President. — I see that Miss Brookes is offering for her supplementary. I am assuming that we have agreement on that.

Miss Brookes. — We have not reached agreement at all, Mr Pearce and I. But I stood up first and I hope very much that after that you will call Mr Pearce with his question.

Speaking on behalf of the dairy farmers in Wales, I would ask the Commissioner whether he does not believe that the milk co-responsibility levy is a tax on the efficient dairy farmer and therefore those Member States who overproduce milk and at the same time may well not pay the co-responsibility levy, as it is not collected, should pay this tax and not the Welsh dairy farmers, as they are efficient and not guilty?

(Applause)

Mr Burke. — Not having, for obvious reasons, direct principal responsibility for this policy, I would hesitate to follow the honourable Member into some of the difficult areas which she has outlined. Remember that the European Community in dealing with this principle of co-responsibility has, in its wisdom, decided to differentiate three types of zones and these points are well known to the honourable Members. I refer to the mountainous zones, where there is no levy and from which 6% approximately of Community production is obtained, the disadvantaged zones, where the levy is 2%, and other 'normal zones' for the remainder of the Community, where the levy is highest. I would not wish to offer the comment that this variegated approach to the levy should in fact be departed from, and I cannot give the honourable Member any hope on that point.

President. — I call Lord Harmar-Nicholls to speak on a point of order.

Lord Harmar-Nicholls. — Mr President, whilst one accepts your ruling on the number of supplementaries as being fair under normal circumstances, could I ask

Harmar-Nicholls

you to look round the Chamber, since you will find that it is only the benches of this group that are really occupied and if it were left to the other benches there could not be any supplementaries because they are not there. In those circumstances, could not the extra supplementaries on this occasion be well justified by the fact that this group turn up to do their business at Question Time and others do not seem to?

(Applause)

President. — I have a lot of sympathy for Lord Harmar-Nicholls. Let me say to the House that as far as I personally am concerned, if we keep asking and answering supplementaries for the next hour-and-a-half on Question No 3, that could be convenient enough, but it is not serving the needs of Parliament. In fact I am a little surprised that the attack should come from where it does, in view of the fact that it is the example set by my colleague, Lady Elles, that I am endeavouring to follow in this regard. There is no rule that I could quote and I am not going to endeavour to quote a rule. All I would ask of the full benches of the European Democratic Group is their fullest cooperation. Of course I will take the supplementary questions which Members are asking to have taken, but I again appeal to you to cooperate with the Chair in our effort to try and get as many questions as possible answered for the benefit of the House.

Mr Van Minnen. — Mr President, couldn't you recommend the honourable lord to ask the National Health for a better pair of spectacles in order to be able to see the Socialists here?

President. — I find that without spectacles I can still see the Socialists!

Mr Marck. — *(NL)* Mr President, my supplementary question has already been put by Mr Seligman, but I feel I have grounds to question the Commissioner's answer. I suggest that he have a supplementary study carried out in France.

Mr Delorozoy. — *(FR)* Mr President, I simply wanted to point out that there are other groups who are following proceedings in this House, including some Frenchmen who do not take all that kindly to unfounded accusations.

Mr Pearce. — Mr President, I am in no way seeking to attack the Chair, indeed it would be impossible to attack a Presidency which was carried out with such charm and tact as you, Mr President, occupy that office. Indeed I was happy to give way to Miss Brookes in the precedence of the questions in view of the fact that some very splendid Welsh farmers and

others are right behind us in the gallery and they have had the opportunity to see how well she looks after their interests here.

In view of the fact that, for all of Mr Burke's answers, it seems that the Commission does not really know whether the levy is being collected properly or not and in view of the fact that this levy is not all being currently spent on the purposes for which it was intended, will the Commission make proposals to the Council to suspend the collection of the levy for the rest of this year, or until such time as the unspent balances in that fund are spent on the purposes for which they were intended?

Mr Burke. — I would like to draw the attention of the House, if I may very briefly, to the purpose for which these levies were introduced in the first place, and that was, among other things, to promote the consumption of Community dairy products within the Community and indeed in third countries. I would think that the co-responsibility levy is in fact a useful instrument in that regard.

I am also satisfied, and the Commission is satisfied, that the system we have in operation, which relies on Member States to furnish us with accounts, is a system which is functioning well and in respect of which we have no problems.

Finally, I will convey the contribution of the last honourable Member to my colleague especially responsible for this matter, as I do not feel it would be right for me to give any undertaking to the House, particularly at this difficult time in the price negotiations.

Mr Griffiths. — What hope does the Commission hold out for a change in the mild price policy to deal with the problem of over-production, which has led to the use of the co-responsibility levy as a clumsy instrument to try to solve this problem?

Mr Burke. — I think that the whole thrust of the policy being pursued by the Commission is in the direction requested by the honourable Member, and I think that if he studies the price proposals and the propositions of the Commission, he would agree that this is so.

Mrs Le Roux. — *(FR)* Does the Commission not have any plans to refund to milk producers the 100 million ECU deriving from co-responsibility funds not utilized in 1982 in order to compensate partially for the delay of several weeks in fixing farm prices?

Mr Burke. — As I said before, I shall draw those comments to the attention of my colleague who is now, at this very moment, engaged in these price negotiations.

Mrs Kellett-Bowman. — My question has already been answered to a certain extent by the Commission. What I was going to ask the Commissioner was this. Would he not agree that it is essential not only to collect the money properly but also to spend it properly in encouraging the increased use of milk? I really do not feel that at the present time sufficient is being done to encourage the increased use of milk. Therefore no more money should be collected from this levy until it has been used for the purposes for which it was intended.

Mr Burke. — I agree with the honourable lady that the greater consumption of milk products is the object of all this activity and I have no quarrel whatever with the assumptions made in her supplementary question.

Speaking personally and, I am sure, on behalf of my colleagues, we will do everything we can to see that the consumption of milk and dairy products in the Community is raised to the highest possible level, so that the objects of the whole exercise can be attained.

Mr Langes. — *(DE)* We just wanted to demonstrate to our conservative colleagues that the whole House is competent to discuss this matter. My question to the Commission therefore concerns the budgetary law aspect: does the Commission agree with me that we must carry forward to 1983 the money we collect from the co-responsibility levy which in certain circumstances may not be spent in 1982, so that we can discuss it again when that time comes and spend it wisely?

Mr Burke. — I can only give the honourable Member the assurance that I will bring his comments to the attention of my two colleagues who are more conversant with the milk co-responsibility levy and the budget control authority, so that they may deal with this question more explicitly.

Mr Brøndlund Nielsen. — *(DA)* Following on directly from Mr Langes' question, I should also like to ask the Commission to confirm that the money collected under the co-responsibility levy can only be used for agricultural purposes, for sales promotion measures in the milk product sector.

Mr Burke. — I can only repeat the answer which I have already given and remind the House that this question is basically a statistical question referring to methods of accounting and so on. If I had known that it was going to widen into a total discussion on milk policy, I would perhaps have had an opportunity of studying that particular aspect of it.

President. — Question No 4, Mr Haagerup (H-1/81):

With reference to the participation by Commissioner O'Kennedy in the Irish general election, in which he stood and was elected, I should like to know whether the Commission believes such proceedings compatible with the work of a Member of the Commission and with the oath before assumption of office; if it does, will the Commission state what attitude it will take in future to national political activities by its Members?

Mr Andriessen, Member of the Commission. — *(NL)* Community law does not contain any provisions requiring a Member of the Commission to refrain from political obligations during his mandate. In the case to which the honourable Member refers, the Member of the Commission concerned did not take part in the Commission's activities during his election campaign, and that is entirely in compliance with the line that has always been adopted in innumerable other cases in the past.

Mr Haagerup. — *(DA)* I must say that I am a little disappointed at not having received a fuller answer on this matter. It is after all conceivable that situations may arise in the future in which a Commissioner seeks time off from his job in order to take part in a national election campaign and, if he is not elected, returns to his post as Commissioner. I therefore ask whether the Commission considers it consistent with either the spirit or the letter of the oath sworn and whether it can be said to be in conformity with the disengagement from national politics which Commissioners are considered to have accepted when they take up their office as Members of the Commission?

Mr Andriessen. — *(NL)* Since the establishment of the Communities there have been several examples of Commissioners who at a given moment have returned to national politics. Some immediately resigned from their position as Commissioner. Others have taken advantage of temporary suspension from duty. Generally speaking, I believe it would be a good thing for this possibility to remain open to Members of the Commission. Whether very frequent use should be made of this possibility is another question. I do not think that would be a good thing for the continuity of the Commission, but it is, of course, for the individual to decide in accordance with his views whether or not to return to national politics. As a Member of the Commission and on the Commission's behalf I do not think I can add any more to what I have said.

Mr Seligman. — I think that this is a very important issue. In the case of the Committee on Energy and Research, Guido Brunner went and took part in elections long before his term of office expired, and as a result of that we had about a year of limbo on energy. I would suggest, if the Commissioner would be prepared to look into the idea, having a year's disqualifi-

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cation from other office built into the contract and that the Commissioners should have a year's pay in lieu of not taking up an alternative appointment during that period.

Mr Andriessen. — (NL) I have no personal knowledge of the course of events with respect to the Commission's energy policy after Mr Brunner returned to national politics. I did once hear that the energy policy did not suffer as a result. But in any case, if a Member of the Commission feels he has to take this decision, which he has a perfect right to do, and this is something which the Commission as a body can neither decide nor assess, the Commission must then ensure there is an adequate replacement. I cannot say whether in cases that have occurred in the past an adequate replacement has been found. According to the rumour I heard, as I said, this was certainly so in the case referred to by the honourable Member.

President. — Question No 5, Mr Patterson (H-7/82):

Can the Commission state how many subsidiaries and how many employees in the Community would come within the scope of the draft directive on employee information and consultation procedures (COM(80) 423 final) where it has fixed the lower limit for qualification under the directive at 100 employees in a subsidiary?

Mr Richard, Member of the Commission. — The Commission regrets that the competent departments of Member States have been unable to answer the specific questions posed by the Commission concerning the number of subsidiaries and establishments with over 100 employees. I am afraid that all I can do therefore is refer the honourable Member to the table drawn up by the Commission for the Committee on Social Affairs and Employment of Parliament which was based on the statistical data provided by the competent departments of the ten Member States.

Mr Patterson. — I think perhaps that I ought to start by congratulating the Commissioner for being here to answer the question on his portfolio — something which is lamentably rather an exception. That is, I am afraid, as far as I can go in congratulating him. As he is well aware, looking at the table which was circulated, this does not provide the answer to my question, insofar as in some cases the statistics are incompatible, in other cases they are non-existent. Does the Commissioner not think that it increases the amount of hostility towards this proposal that the Commission has been unable, in spite of publishing its directive, to give statistics showing precisely what the effects will be on the men and the firms affected? Will the Commission now go back to the Member States, before it proceeds with this directive, and try and get the statistics which I requested?

Mr Richard. — The answer to the last part of the honourable gentleman's question is 'no'. As far as the first part is concerned, I can only say that I am surprised to hear what he said and I reject it.

Mr Spencer. — Mr Commissioner, a similar question on the number of enterprises that would be involved. I appreciate the Commission's problem in not having the general statistics. Perhaps I could help him. On the particular question of retailing, the number of shops that will actually be involved in, for instance, the Vredeling proposal, if we go down from the Commission's figure to the figure of 50 as my committee did last month, we would double the number of shops and outlets involved. Therefore clearly the actual question of figures is very important. Could I therefore appeal to the Commissioner, given that he cannot get adequate statistics from the national base, to conduct an opinion poll or some other form of sampling so that the Commission has some idea how many businesses will be brought in by this kind of numbers game?

Mr Richard. — The question I am asked relates to enterprises with 100 employees in a subsidiary, not 50. If the honourable gentleman wishes to put down a question about 50 I will do my best to answer it.

President. — Question No 6, by Mr Tyrrell (H-10/82):

Is the Commission aware that on 4. 3. 1982 French Railways (SNCF) gave notice of an open competition for civil engineers in *Le Monde* (p. 40) which restricted applications to French nationals and what steps will the Commission take to end this overt discrimination, which cannot be justified on grounds of public policy, security or health, and to ensure that this and similar situations are open to all EC nationals?

Mr Richard, Member of the Commission. — The Commission thanks the honourable parliamentarian for drawing attention to the advertisement concerning SNCF recruitment. The Commission will examine this affair in order to ensure that Community laws are being respected as necessary. The Commission would however like to draw the attention of the honourable parliamentarian to Case No 149/79, the case brought by the Commission against Belgium, which is still pending before the European Court of Justice and dealing with a very similar matter. An interim ruling was given on 17 December 1980, a definitive judgment is expected in the near future.

Mr Tyrrell. — What exactly are the options open to the Commission in this situation? The Commissioner has hinted at the possibility of proceedings before the Court. Are there any other options?

Mr Richard. — There is always the option of the Commission attempting to persuade the Member State of the error of its ways if, indeed, its ways are in error, but as far as the enforcement provisions of the Treaty are concerned, in the event that we find a situation which we consider to be a breach, then the Commission will obviously wish to consider whether it should use those enforcement procedures. Those are really the two options which are available to us. You try and persuade a State to change its ways; if it does not change its ways and you are convinced that it is wrong, then I fear you have to go to the Court.

Mr Galland. — (*FR*) As every Commissioner does, you know what question I am going to put to you. For once it is not I who am putting it. Faced with the development of State-owned companies in France, are you becoming in any way apprehensive that an extension of nationalization might be contrary to what we are seeking to achieve on the European level?

Mr Richard. — I would be tempted to go very much wider than the particular case which I was asked a question about, but if the honourable gentleman provokes me, then I must give him an answer. Speaking personally, the answer is 'no'.

President. — Question No 7, by Mr Provan (H-22/82):

What steps does the Commission intend to take to protect Atlantic salmon entering freshwater rivers for spawning, as it would appear that greatly reduced numbers are entering rivers and action is now desirable?

Mr Burke, Member of the Commission. — Salmon originating in rivers in the Community are fished not only in the Community's own fisheries zone but also in international waters and in the fisheries zone of the Faroe Islands. It is therefore a complex task to ensure the protection of these stocks, and I would like to recall the different steps which the Community has already taken to this effect.

In the first place the Community has concluded an agreement with Canada which puts a quota on catches of salmon off West Greenland until 1983. Secondly, the Commission has negotiated an agreement with the home government of the Faroe Islands under which the Faroese undertake to limit catches of salmon in 1982 and 1983 in the entire Faroese fisheries zone and by Faroese vessels in international waters to agreed quotas. A proposal to conclude this draft agreement has been presented to the Council.

Thirdly, the Community has taken part in the negotiations which led to the adoption on 22 January 1982 of the Convention for the Conservation of Salmon in the

North Atlantic Ocean which was signed by the Community, Iceland, Norway and the USA on 2 March 1982. This Convention provides *inter alia* that it is prohibited to fish for salmon in the North Atlantic Ocean in areas beyond 12 miles from the baselines, except at West Greenland and in the Faroese fisheries zone. The Convention also establishes an organization whose purpose it will be *inter alia* to make recommendations about allowable catch levels for fishing in all parts of the North Atlantic Ocean where fishing will be allowed under the Convention, except for the waters situated inside 12 miles from the baselines and adjacent to the rivers in which the salmon originates. The prohibition on fishing outside 12 miles from the baselines, which will become binding upon all parties once the Convention enters into force, is already applied in the Community's fisheries zone, because it was provided for in the expired Council regulation on technical measures which is now applied as a national measure by Member States pending approval by the Council of its successor regulation.

All these steps taken by the Community constitute a comprehensive system of measures to protect salmon originating in Community rivers, or procedures to establish such measures, except during the period these salmon spend in the waters adjacent to their rivers of origin. Fisheries in these latter waters are at present regulated by Member States. The Commission considers that the regulation of salmon fisheries in the rivers and the immediately adjacent waters is best left to the local authorities which have traditionally been responsible therefor. The reason for this is that this management, if it is to be effective, must be based upon assessments and day-to-day monitoring of stocks from each individual river or river system. The Commission would find it difficult to envisage management of this detailed nature being carried out at Community level.

For the moment the Commission considers that the steps already taken provide adequate protection for salmon stocks until the end of 1983. The Commission will use its best efforts to make the North Atlantic Salmon Conservation Organization effective.

Mr Provan. — First of all let me thank the Commissioner for a very full answer indeed. I think it is incumbent upon me, however, to draw the attention of Parliament to the situation regarding the Faroese, who have increased their catching of salmon in the last 3½ to 4 years by 2 500%. The agreement that the Community has made with the Faroese and Danish Governments to limit it to 725 tonnes in 1982 constitutes some progress, but it is still not going to allow the salmon to return to the rivers to which they should be returning if we are going to maintain a salmon stock at all in the North Atlantic.

Will the Commission therefore carry out further negotiations with the Faroese Government to try to limit further the 1983 catch which has already been nego-

Provan

tiated but is not satisfactory from a large number of people's point of view?

Mr Burke. — The subject which the honourable Member raises, and on which I give him an assurance that developments will be watched carefully and any necessary arrangements made, is also the subject of Question No 12. I would suggest therefore to the honourable Member that perhaps we could discuss the point raised by him when we take that question.

Mr Kirk. — (DA) Is the Commissioner not aware that there is no definite threshold for salmon stocks in the North-East Atlantic, but that it is only a question of who is to be entitled to catch the salmon, whether it is to be fishermen who fish for a living or rich sport fishermen, who may go to the fjords and estuaries and catch the salmon?

Mr Burke. — In my 2½-page answer I think that I have tried to cover not only what the Commission has done but measures which are envisaged. I would therefore regard this as a fairly substantial statement of the situation of the Commission in the matter.

Speaking personally, my own view is that the salmon may indeed be in some danger, but I think I have covered, as far as the Commission collectively is concerned, our policies in the matter. I would ask the honourable Member perhaps to trust the Commission, in negotiations within the context which I have outlined, to do what is necessary in regard to the conservation of the salmon species.

Mr Clinton. — Has the Commissioner figures readily available to him that would indicate what the Faroese catch was, in fact, in 1978 and what it was in 1981?

Mr Burke. — I regret that on this general question I do not have those particular figures, but I shall find them and communicate them to the honourable Member.

Sir Peter Vanneck. — I speak as a fishmonger, the head fishmonger in the city of London, and we fishmongers are concerned about the tonnage of salmon passing through Billingsgate. That is why I would like to ask the Commissioner about monofilament netting, because we understand that monofilament nets can extend from a fairly small fishing boat for as far as 17 miles. This, of course, can take them outside a 12-mile limit.

What are the Commissioner's views on this problem that we have with the monofilament net, which is such a deadly method of catching salmon and which so reduces the ordinary angler's catch up the streams

and rivers to which we hope the salmon will be able to go.

Mr Burke. — Far be it from me to pretend to have any of the expertise which the honourable Member undoubtedly has in this matter. All I would say is that a catch is a catch. It may, as is suggested by the Member, stray outside the 12 mile limit. I am unfortunately not able to help in that particular regard, but I will bring the point he has made to the attention of the Fisheries Commissioner.

President. — Question No 8, by Mrs Lizin (H-28/82):

The Commission has officially notified the Belgian Government of its opposition to the latter's plan for the restructuring of the Walloon steel industry.

When did the Commission decide on its proposal for an alternative industrial plan, when did it, as a body, decide to propose special commercial relations with the Dutch steel industry and when did it authorize Mr Davignon to take part in the Belgian ministerial meeting of 15 March 1982?

Mr Andriessen, Member of the Commission. — (NL) The procedure for which Community legislation provides in respect of aid to this sector was initiated by the Commission on 26 November 1981 in connection with the aid granted to the iron and steel industry under the Belgian restructuring plan. The Commission has never put forward a detailed proposal concerning the plan established by the Belgian Government, nor can it be for the Commission to do so. The Commission has never seen this as its task, and it does not now see it as its task to propose or impose alternative solutions of a technical, economic, financial or social nature. I would refer in this context to the written answer the Commission gave to the honourable Member's Question No 1775/81.

What the Commission must do is ensure that the restructuring measures provide a guarantee that the undertaking concerned will become viable again in time, in other words, that the revenue from production covers the cost of the factors of production, including normal depreciation and a reasonable percentage for financial charges. Clearly, and this is the Commission's experience, consideration of so involved a subject as the steel file with all its many and varied facets requires the Commission to keep in close touch with the national authorities, and it was in this context that Mr Davignon attended a working meeting of members of the Belgian Government on 15 March of this year.

Mrs Lizin. — (FR) I should simply like to say to Mr Andriessen that I advise him to be particularly careful,

Lizin

since the so-called information contacts are to be resumed, and would he confirm to me therefore that if in the course of such contacts an alternative solution were to be proposed, especially in regard to special commercial relations with outside groups, Mr Davignon would in fact be overstepping his authority.

Mr Andriessen. — (NL) The Commission is obviously particularly careful to ensure that unavoidable informal contacts do not result in any Community steel industry enjoying a privileged position, and I can assure the honourable Member that that has never yet been the case.

President. — As the authors are not present, questions Nos 9 and 10 will be answered in writing.¹

Question No 11, by Mr von Wogau (H-762/81):

Does the Commission share the view that the completion of fuel record sheets for lorries and buses, which is still required at the Community's internal frontiers, seriously impedes cross-frontier traffic? Does the Commission consider that the formalities at the frontier could be simplified and, in particular, could it ensure that the currencies of either of the countries concerned can be used in the payment of any of the duties levied?

Does the Commission intend to create special rules at least for those lorries and buses which use local frontier crossing-points several times a day?

Mr Richard, Member of the Commission. — As far as the Commission is aware, such fuel certificates only exist in Germany and Italy. In Germany they are designed to allow the reimport tax-free of a volume of fuel equal to the volume exported without taking into account the 50 litres of fuel which may in any case be imported tax-free by virtue of Council Directive 68/297. In Italy the certificates are designed to allow the legal re-export of fuel imported into that country without taking into account 150 litres of fuel which may be exported in accordance with the provisions of Law No 31 of 29 February 1980.

Mr President, I hope the House will forgive me, but this is a complicated matter and my answer will therefore be somewhat lengthier than I would otherwise wish.

As far as Germany is concerned, although checking certificates means some delay when crossing frontiers, it reduces the disadvantages arising from the limitation to 50 litres of the volume of fuel which may be imported duty-free by allowing payment of taxes on fuel imported over and above this limit. The work of the drivers is therefore facilitated to the extent that

they need not worry about limiting the fuel they import into Germany to 50 litres exactly in order to avoid the payment of excess taxes. The House, moreover, will know that the Commission has proposed an amendment to the above-mentioned Council directive in order to raise the duty-free limit to 100 litres.

In Italy the advantages resulting from the use of fuel certificates are similar to those I have already mentioned for Germany. The Commission has made representations to the Italian authorities indicating that measures limiting the export of diesel road-fuel should be considered as contrary to the obligations of Member States as laid down in Article 34 of the Treaty. Latest developments in this matter suggest that the Italian authorities will shortly rescind these measures.

As regards the currency in which taxes might have to be paid, the Commission believes it would be premature to draft Community rules for this particular case, because the problem applies to all cases of taxing goods when these cross internal frontiers within the Community.

Finally, applying a fuel certificate system to traffic in frontier zones is a matter for national administrations, on which there are no Community rules and on which the Commission was not consulted.

Mr von Wogau. — (DE) I should like to ask the Commission whether it is aware that, as it has itself established, the waiting times of road haulage vehicles at frontiers cost something of the order of DM 800 million per year and that the dismantling of such regulations could contribute to a reduction in those waiting times? Matters such as the transport tax which is still collected between various countries of the Community also form part of this problem. Has the Commission considered that the payment of lump sums agreed jointly by the countries concerned could render unnecessary such costly delays at frontiers?

Mr Richard. — I know that this is a difficult problem, and I know indeed that there are some costs involved. I do not think that I can go much further than my original answer, which was that in the Commission's view there are certain advantages in the system, but I accept totally that it is a question of balance. As far as the last part of the supplementary is concerned, this is something which I have no doubt the Commissioner directly responsible for this matter will be pleased to consider.

President. — Before I call Mr Rogalla, who has the next supplementary, I have applications from three members of the European Democrats — Mr Sherlock, Mr de Ferranti and Mr Beazley — and I am afraid I shall be calling only one of them. I would suggest that I call the first name that I have, Mr Sherlock, but if we

¹ See Annex of 12. 5. 1982.

President

have agreement over there I shall be happy enough to . . . I call Mr Pearce to speak on a point of order.

Mr Pearce. — Mr President, in the allocation of speaking time in this Parliament, the proportion of time that each group gets is in relation to the number of members of that group. On the same basis, Mr President, would you agree that the allocation of supplementary questions should be related to the number of people of each group who are present here? I reckon that 35% of the Members of this House here at this moment are in this group. Will you therefore agree that 35% of the supplementary questions should be accorded to this group? If you do not do this, Mr President — and I do sincerely understand the difficulty that you face, believe me — you risk discriminating against those Members of this House who bother to turn up and in favour of all those empty chairs round there of people who have the same salary for coming here, the same responsibilities and who are not here to do their jobs.

President. — It is an interesting point and I will take note of it. Quite frankly, when the report of today's Question Time appears giving the number of people who have asked questions between 3 and 4.30 p.m., we shall find that in fact the European Democrats have had more than their share — more than 35% of the supplementary questions.

Mr Megahy. — My point of order relates to the fact that since the election of the new vice-presidents there has been an attempt to get a settled policy on Question Time. I am highly surprised that the opposition should be coming on this occasion from the European Democrat benches, when in fact it is one of their members who consistently, week after week, has been trying, despite certain protests from this side, to operate that particular policy.

I think that they ought to have a word with Lady Elles. I am sure she will soon sort them out.

(Laughter)

Mrs Ewing. — Mr President, I would like to have heard the Chair denounce the proposition of Mr Pearce on the principle that, at least at Question Time, all back-benchers should be regarded as of equal importance, whether they represent a big group or come from a small group. That seems to be the essence of any real democracy.

President. — Well, the Chair, Mrs Ewing, has already been complimented on being very nice about the job, so I do not want to denounce anybody.

(Laughter)

Mr Rogalla. — *(DE)* Since we enjoy the privilege today of having three Members of the Commission present — and not the least dynamic ones — I should like to ask them whether they realize that in this area there is a danger of the fuel for the proverbial engine of Europe running out; whether the Commission realizes how little concern the man in the street has for these records and similar problems; whether it knows that we are verging on the ridiculous here; and whether it is prepared, even without pressure from Parliament, to drive the Council a bit harder so as to remove such obstacles slowly but steadily and as soon as possible?

Mr Richard. — I think we should perhaps get this problem into some perspective. As I understand it, these fuel certificates only exist anyway in Germany and Italy, and as far as those two countries are concerned, I accept that there are problems. But I would also urge upon the House, as I have said before, that it is a question of balance and that there are some advantages on the other side of the argument. Now, in view of what has been said in the House today, I most certainly will see that my colleague directly responsible for these matters inside the Commission will have what has been said today brought directly to his attention, and it may very well be that the Commission should have another look at it. But I cannot hold out any guarantee on that; I can merely take note of what the honourable Member has said.

Mr Sherlock. — This is the third time I have risen to speak on this particular subject in this House — the subject of the collection of piddling amounts of money at national frontiers within what purports to be a common market, the gross discomfort to passengers, the blocking up of roads and every other factor I have remarked on before. Does not the Commission agree with everybody present in this House — indeed, with everybody entitled to be present in this House — that it should do everything it can to encourage Member States to depart from these sinful procedures?

(Applause)

Mr Richard. — I am not sure whether I am prepared to go so far as to consider the procedures for the taxing of fuel oil as sinful: difficult, annoying — but 'sinful', well perhaps that is putting it a little too high. All I can say to the honourable gentleman is what I think I have said already three times, which is that the Commission takes note of the feeling in this House, the Commission will consider the feeling in this House and obviously, if the Commission decides that something should be done about it, then this House will indeed be informed, and be informed quickly.

On the general principle underlying the question put by Mr Sherlock — namely, whether niggling restrictions at border crossing should not be avoided as far as

Richard

possible — I think the Commission would find itself in total agreement.

Mr Schinzel. — (*DE*) While we can understand that the Commissioner is not prepared to consider such procedures to be 'sinful', will he please note that the Members of Parliament are prepared to and do consider them to be senseless. I therefore ask the Commission whether it is prepared to draw up a comprehensive catalogue of all these bits of nonsense at the frontiers, then to check them through item by item and say to Parliament: we have disposed of that, that and that — now we're getting closer to what the European Community should be.

Mr Richard. — That is an interesting suggestion which will no doubt give us scope for much future work. I only point out to the honourable gentleman that the question we were actually asked was whether we shared the view on the completion of fuel record sheets for lorries and buses. That is what the question was about. It does seem now to be veering somewhat wider than that issue, but I am sure that the Commission would be happy to cooperate with Parliament in doing everything it can — and that we can together — to make sure that trade and traffic across borders inside the Community flows freely.

Mr Langes. — (*DE*) The Commissioner might not have had to answer three times, if he had said straight out that he considers this to be nonsense. Is the Commissioner prepared now before Parliament to state that he will draw up a list of all the positive and negative points regarding this fuel certificate? It sounds much too easy to me when he keeps repeating that there are two sides to every question. I must say that I only see one side of the coin. The other side is very dirty and very bad for Europe!

Mr Richard. — If the Parliament and Mr Langes wish to draw up a balance sheet of the pros and cons of this particular proposal, I am sure the Commission would be very happy indeed to consider it in detail, but really I think I must point out yet again that we are actually dealing with restrictions imposed by two Member States, not by ten, and in relation to those restrictions, as I said earlier — I am sorry if it offends Mr Langes — there are arguments on the other side and it is undoubtedly a question of balance. Now I take the point that everybody who has spoken in this House today takes the view that the balance is against these particular regulations. Very well, I understand the point. I have heard it clearly. I take the point. I have listened to it. I will pass it on. I do not think, just speaking off the top of my head, that the governments of Germany and Italy would necessarily agree with the majority view expressed in this House, but we shall see.

President. — Question No 12, by Mr Purvis (H-774/81):

What is the current status of negotiations with Faroes regarding restrictions on their salmon catch, and what will be the expected impact on the commercial salmon industries of the Community — both wild and farmed?

Mr Burke, Member of the Commission. — Negotiations between the Community and the Faroe Islands concerning Faroese fishery of salmon resulted on 1 February 1982 in the initialling of an agreement in the form of an exchange of letters whereby the Faroese authorities have undertaken to restrict the total volume of salmon catches in Faroese waters and salmon caught by Faroese vessels in international waters to 750 tonnes for the season 1981/82, ending 31 May 1982, and to 625 tonnes for the season 1982/83, that is, from 1 October 1982 to 31 May 1983. No fishing for salmon will take place outside these fishing seasons. The proposal for a Council decision on the conclusion of this agreement based on Article 43 of the Treaty was approved by the Commission on 12 March 1982 and Parliament has already been invited to give its opinion. The stabilization of Faroese salmon catches and their reduction to a level which is significantly lower than that of the 1980/81 season should contribute to the conservation of salmon stocks originating within the Community. In addition, it is likely to curtail the rapid growth of Faroese exports of salmon products to the Community which increased from 45 to 462 tonnes per annum between 1977 and 1980.

Mr Purvis. — I am surprised that you did not take this together with Question No 7 — it would have perhaps been a simpler way to have done it because we are going over some of the same ground — but it does give me the opportunity to help the Commissioner by giving Mr Clinton the answer that the salmon caught in the Faroes in 1978 was 40 tonnes and in 1981 1 100 tonnes, and a reduction back to 750 or 625 tonnes is not going to make a dramatic difference in the amount of salmon available. Now, there is another aspect, and that is the price effect on imports. What further progress has the Commission made in an agreement that was, I gather, made between the Member States to subsidize producers of wild salmon in order to meet the price competition from imported salmon, and is this to be extended to farm salmon?

Mr Burke. — I confirm that the answer to Mr Clinton's question on the previous question was as now given by the honourable Member. In reply to the honourable Member's question about compensation to salmon producers within the Community, the compensation provided for in Article 18 of the new market regulation — No 3796/81 — is designed to replace, if necessary, the protection normally afforded to other fisheries products by the requirement that imports into

Burke

the Community should comply with the Community reference price for the same product. It was not considered appropriate by the Council to establish a reference price system for certain products, including salmon.

Mrs Ewing. — May I suggest to the Commission that it should not be satisfied with the reduction announced of the Faroese tonnage. Would the Commissioner agree that there is a complete contrast here between that massive increase in the Faroes and the years of sacrifice that the salmon industry has undergone in order to keep the stocks up in areas around Scotland and other parts where there are no alternative types of job and where there are many ancillary jobs dependent on this industry? Does the Commission feel satisfied with the reduction or is it going to seek any further reduction in the Faroese tonnage?

Mr Burke. — The Commission is aware of the difficulties of the salmon fisheries in various parts of the Community and, as I indicated at an earlier stage in a previous question, it is almost certain that by the time the Convention for the Conservation of Salmon in the North Atlantic Ocean has entered into force, we will have made significant progress in this regard. The parties to this Convention, which doubtless will include the Community and Denmark on behalf of the Faroe Islands, are committed to cooperation within the organization set up by the Convention for the Conservation of Salmon. I would therefore put it to the House that the best method forward for conservation and for the difficulties of the salmon industry is to work within the terms of this agreement, and I am convinced that agreement will be found in this organization on salmon quotas for the Faroese waters.

Miss Quin. — May I press the Commissioner a little further on this. Is the Commission going to consider specific measures to bring about the restocking of some of the salmon rivers in the Community and, if so, when? Would the Commission consider giving financial assistance to enable this to be done?

Mr Burke. — This is a matter on which I am not particularly well briefed, since this is not my special responsibility. However I undertake to find out the information for the honourable lady and have it sent to her.

Sir Peter Vanneck. — I would like to know first of all, on behalf of Mr Seligman, when the subsidy is actually going to be paid. While we fishmongers are extremely pleased with the increasing tonnage of farm salmon coming through, I should like to ask if the Commission is aware that there is a quality difference between farmed and wild salmon. Since, when both are smoked, the connoisseurs and the congoscenti have difficulty telling them apart, what is the Commission

going to do to make sure that disproportionate quantities of frozen salmon do not come from the Faroes, because that is one of the ways they chiefly export, and the quality of frozen salmon, for which at the moment I have responsibility in London, is something that concerns us considerably?

Mr Burke. — I understand that the Commission officials are now studying the matter in the light of the impending regulation. I am sorry I am not in a position to give any further information at this point.

President. — Question No 13, by Mr Balfe (H-804/81):

Is it true that the Commission came to an agreement with the Government of Sierra Leone to make a grant of UKL 1 000 000 for the purpose of establishing a training hospital at a village called Bo, and that as a reciprocal part of that agreement the Sierra Leone Government agreed to provide the electricity, sewerage, water and communications for this hospital?

It has been represented to me that the EEC has completed its part of the agreement but that the Sierra Leone Government has taken no steps to fulfil its part. This means that the doctors who have been flown out to the village of Bo will have to fly home if the matter is not rectified by July this year, and this will lead to a total waste of the EEC's UKL 1 000 000.

Would the Commission therefore outline what steps it proposes to take in this regard, and to prevent any recurrence of this type of situation?

Mr Burke, Member of the Commission. — The Commission did conclude a financing agreement on 26 October 1978 with the Government of Sierra Leone for the building of a school to train medical assistants. Under this agreement the Government of Sierra Leone undertook to carry out works to provide water and electricity supplies. These works have not yet been carried out owing to delays within the national administration. The government has nevertheless taken interim measures to ensure that the school will open at the beginning of the next academic year, that is in October 1982. As a result of these measures, it can be expected that the work on the water and electricity supplies will be completed without causing any difficulties for the school. There would not seem to be any connection between this project and the quality of the doctors sent to the town of Bo before the opening of the school.

Mr Balfe. — Could I welcome the Commissioner back to this House and say how happy I am to see him, as I won UKL 100 on his appointment. That is not for the record.

Balfe

Could I ask the Commissioner, by way of a supplementary question, what the measures he referred to are and if there is any additional cost to the EEC arising from the measures which he has announced?

Mr Burke. — I understand that letters have been exchanged between the delegation of the European Communities and the relevant diplomatic representatives of Member States in order to clarify this matter. I understand that there is no problem in regard to expenditure. The amount of money which is involved, I understand, is about 1.5 million ECU and covers particularly the construction and equipment of a paramedical school at Bo and covers adequately the amount of money which will be required for that project.

President. — Question No 14, by Mr Radoux (H-856/81):

Now that with the setting up of a special committee, the European Parliament has implemented its resolution of 9 July 1981 on a draft constitution treaty for the 1984 elections, is the Commission prepared to give its backing to a move by the European Parliament to have the Heads of State or Government meeting in the European Council formally recognize Parliament's responsibility in the matter?

Mr Burke, Member of the Commission. — It is, of course, primarily for Parliament to decide on the honourable Member's interesting suggestion. Naturally, the Commission is fully prepared to support any initiative to strengthen Parliament's position and lend weight to the work of its institutional affairs committee.

Mr Radoux. — (*FR*) Given the totally unsatisfactory nature of this answer — and that is the least one can say about it — I would ask the Commissioner whether the Commission still holds the same views as it expressed in 1975 in the three proposals it submitted for the achievement of European Union?

Mr Burke. — Yes, I am so aware, but I am afraid that the honourable Member must bear with me, since I am replacing one of my colleagues at five minutes' notice. However, I am fully in favour of the attempts of Parliament to proceed on the lines suggested by the honourable Member; I can give a general indication that the Commission has the same view, and I can assure the honourable Member that I will bring the views of this House to the attention of my colleagues in the Commission.

President. — Question No 15, by Mr de Ferranti (H-858/81):

In view of the agreement of an ISO standard on the designation of dress and clothes sizes, does the Commission have any plans to promote standardization in this area?

Mr Richard, Member of the Commission. — The Commission has not until now taken any initiative with a view to a worldwide standardization of dress and clothes sizes. The Commission feels that the variety of existing size scales, even within the Community, constitutes a difficulty to international and intra-Community trade. Therefore the Commission intends, with the qualified representatives of manufacturers, trade and consumers, to examine the advisability and the feasibility of such an initiative.

Mr de Ferranti. — What we want to do is to encourage the formation of world standards and European standards where they are necessary. But I would ask the Commissioner whether he is aware that this is just one part of the great jigsaw puzzle, which is covered by this question and by the earlier question from Mr von Wogau, of trying to make it easier for business men to do business in Europe and for companies to deliver their goods across the frontiers of Europe. This is not just a technical question to do with dress sizes: it is part of a major crusade to make the common market work. Please, will the Commission accept our thanks for what they are doing but realize that they have got to do a lot more to make the work really successful?

Mr Richard. — I am quite happy to join a crusade, but I was actually answering a question about dress sizes in a way which I am delighted to see found favour with the honourable gentleman.

(*Laughter*)

Mr Moreland. — The question was not only about dress sizes, it was about the ISO, which I would like to ask the Commission about. Is it the Commission's general policy — and I use the word 'general' — to look first to ISO standards when introducing appropriate legislation within the Community, and in this connection can one have the assurance that where the Commission has proposals based on ISO standards which are opposed by a Member State — and it is normally the Government of Denmark — it will persist in its views?

Mr Richard. — As I said in my answer, we intend, with the qualified representatives of manufacturers, trade and consumers, to examine the advisability and feasibility of such an initiative. Obviously, one of the things we shall be considering there are the ISO standards: it would be foolish if we did not. As far as the second part of the honourable gentlemen's question is concerned, yes, if the Commission considers it sensible

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it will persist. The precise degree of persistence or the precise timing of the persistence must, I think, be left to the Commission to judge at that moment.

President. — As the author is not present, Question No 16 will be answered in writing.¹

Question No 17, by Miss Quin (H-19/82):

Does the Commission feel that the regulations which theoretically enable workers to draw unemployment benefit in countries other than their own within the EEC while seeking employment in that country are working satisfactorily?

Mr Richard, Member of the Commission. — The Commission has up to now not been aware of any difficulties in applying the existing Community provisions enabling unemployed persons who go to another Member State seeking employment to receive unemployment benefits for a maximum period of three months. The unemployed persons normally fulfil the requisite formalities; in particular, they apply for and obtain before their departure a certificate from the competent institution, on production of which they receive the unemployment benefits of the Member State in which they are seeking employment.

Having said that, however, I must go on and tell the House that the provisions themselves are, in our view, inadequate in view of the situation of the labour market in the Community at present. The obligation to remain in a Member State except for the three-month period without hope of finding employment within a reasonable period cannot be justified in the case of workers whose family and cultural interests are situated elsewhere. The Commission therefore made a proposal for an amending regulation in May 1980. The Commission proposed that an unemployed worker in a Member State should be able to transfer his residence to another Member State with which he has special links without losing his rights to normal unemployment benefit. The technical solution proposed is to give unemployed persons who transfer their residence under these conditions to another Member State the right to unemployment benefit as if they had been insured there and as if they had lost their employment there. The benefits provided by that Member State would be partly refunded by the State in which the worker was in fact insured.

The European Parliament gave a favourable opinion on this proposal on 19 November 1980. However, at the meeting of Ministers of Labour in November 1981, the Council was unable to adopt the proposals of the Commission, and the question is not on the agenda of the next meeting of Ministers of Social Affairs.

Finally, may I say that the cost involved in the Commission's proposal would have virtually no impact on the enormous amounts that are spent in every Member State on unemployment benefit, and I regret that the Community has so far missed an opportunity of taking concrete measures for the relatively small group of unemployed migrant workers.

Miss Quin. — I would like to point out to the Commissioner that some of us have been made aware that the existing limited arrangements are not working very satisfactorily, and I have heard of particular cases where people have found it very difficult to draw benefit in Italy even though they had all the relevant forms and had gone through the correct procedures. I would therefore ask the Commissioner if he would be prepared to look at this matter urgently and bring pressures to bear on any governments that are not complying with the existing, rather inadequate, regulations.

Mr Richard. — Yes.

Mr Patterson. — Could I welcome the Commission's proposals on this matter and ask the Commissioner if he would hazard telling the House which Member States are opposing the Commission proposals?

Mr Richard. — No, I do not think I should be drawn into that today. I still have hopes of getting them through.

Mr Fellermaier. — (DE) Commissioner, do you really think it is correct, according to your own democratic common sense and in dealing with freely elected parliamentarians, first of all to accuse governments of failing to advance a regulation and then to be too cowardly to name names before Parliament?

Mr Richard. — I am sorry, I do not quite understand the purpose of that attack. I was asked a question as to the state of these regulations. I answered it. I said that the Council had unfortunately not been able to adopt it. I regretted it very much. At no stage did I name any Member State, and indeed I specifically rejected a suggestion from behind me that I should. In those circumstances it seems to me that I am being not only democratic but also extraordinarily tactful as far as the Council of Ministers is concerned.

Mr Cousté. — (FR) I should like to know if any legal action is in progress in relation to this problem because, as a matter of fact, some countries are complying with the regulations and some are not. I should like to know therefore if any injured party, an unemployed person, has instituted proceedings before a competent tribunal.

¹ See Annex of 12. 5. 1982.

Mr Richard. — I am afraid I don't know the answer to that question. I would have to have notice of it, but I will try to find out.

President. — Question No 18, by Mr Moreland (H-32/82):

Has the Commission suggested formally or informally giving any assistance to the South West African People's Organization (SWAPO)?

Mr Richard, Member of the Commission. — The Commission has never suggested either formally or informally giving assistance to the South West African People's Organization (SWAPO).

Mr Moreland. — Does the Commission make sure that aid given to Angola does not filter through to the SWAPO organization?

Mr Richard. — We do our best to ensure it, and so far as we know it has not happened.

Mr J. D. Taylor. — Is the Commissioner aware that during the ACP Assembly meeting in Salisbury in Zimbabwe the Herald newspaper of 3 February 1982 carried a front page story in which Commissioner Pisani was reported as having announced four million pounds sterling support for SWAPO? If this money is not going to SWAPO, would the Commissioner now tell the House to whom it is going?

Mr Richard. — Mr Taylor will not expect me to comment on the basis of a report in a newspaper that I do not have in front of me which refers to a statement apparently made on behalf of the Commission by somebody other than myself. Of course I cannot comment on that.

Mr Habsburg. — Is the Commissioner aware that we have heard officially from Zambia that several centres for the training of SWAPO officials have been financed by our Community in that country and are being used right now?

Mr Richard. — I am afraid I can only repeat the answer that I already gave, which is obviously a considered answer given by the Commission and its services. The Commission has never suggested either informally or formally giving assistance to SWAPO.

What we have done, as everybody knows, is to give some assistance to Namibian refugees in Angola; there is no secret about that. I think we have given some support for the United Nations Institute for Namibia, which is in Lusaka in Zambia. No secret about that!

The question asks whether we have ever given aid to SWAPO, and the answer to that, I am instructed, is firmly no.

Mr Moreland. — In view of the serious allegations made by my colleagues, Mr Taylor and Mr Habsburg, I think that, at this part-session or the next, we should have a statement on this from Mr Pisani as the Commissioner responsible. This is a very serious matter. There are allegations in the press about what the Community is doing.

Does the Commission agree?

Mr Richard. — I am perfectly happy to bring to Mr Pisani's attention what has been said here this afternoon. Further than that I could not go.

President. — I call Sir Fred Warner to speak on a point of order.

Sir Fred Warner. — Mr President, while I appreciate and praise your desire to move on briskly with question, may I point out that I had my hand up from the moment that the Commissioner sat down and you chose not to recognize me? As I had a number of questions to the Commission on this point, I would have liked to have spoken.

President. — I appreciate your point of view. You put up your hand, but Mr Taylor's hand was up immediately in front of yours, Sir Fred.

As the author is not present, Question No 19 will be answered in writing.¹

Question No 20, by Mr Sherlock (H-89/82):²

The proposal for a Council Directive amending for the third time Directive 76/768/EEC contained so many errors that it had to be taken back by the Commission for correction. In view of the fact that many of these errors were pointed out to the Commission well beforehand by the industry, can the Commission explain why its proposal was presented to Parliament in this uncorrected form?

Mr Richard, Member of the Commission. — The list of sunscreen agents in the proposal amending for the third time Directive 76/768 relating to cosmetic products is based essentially on the list submitted by Cooper and on the publication P/SG817/Addendum, incorporating the work of the Council of Europe's

¹ See Annex of 12. 5. 1982.

² Former oral question without debate (O-6/82), converted into a question for Question Time.

Richard

committee of experts, which includes one representative of the British industry and one representative of the French industry in the capacity of technological experts from the respective national delegations. Certain errors are immediately apparent in these documents. It is, however, wrong to assert that the Commission has communicated an incorrect proposal when it had previously been so apprised by the industry. The proposal was submitted to the Council on 23 January 1981, whereas Coreper's letter was written and sent to the Commission on 29 April 1981 and was based solely on the English-language version.

Furthermore, it must be added that certain comments in this letter were without foundation, since they were based on the 1976 directive and could not therefore take account of the second amendment to Directive 76/768 which was recently agreed to by the Council.

Meanwhile the Commission, with the aid of the government chemical experts, has reviewed the list of sunscreen products and will shortly make an oral report to the Committee on the Environment, Public Health and Consumer Protection, which is examining the proposal.

Mr Sherlock. — I am very pleased to receive the Commissioner's assurance that the next document which appears before my committee will not be the dog's breakfast that appeared there previously.

I would, of course, in defence say that so much of this is technocalia with such long molecular weights as to make it incomprehensible to most of us. But it does seem at times that perhaps the Commission is not listening, so my supplementary is, with all this legislation, can the Commission ensure that the matter is enforced? To my knowledge there are not enough toxicologists in the world, let alone in the Community, to be sure that expert advice is always given to ensure full implementation of this sort of legislation.

Mr Richard. — I take note of what Mr Sherlock has said. I must, however, point out to him, slightly in my own defence and that of the Commission, that that really does not arise from the question that is put down, which is a question about the errors in the document, why the Commission in fact explained its proposal and why it was presented to Parliament in its uncorrected form — which I did my best to answer.

On the other hand, I hear his point about toxicologists and their availability. I have no doubt that those in the Commission — the experts who know far more about this, certainly, than I do — would have taken note of what Mr Sherlock said and perhaps indeed they may be able to say something when they make their next presentation to Parliament in the Committee on the Environment, Public Health and Consumer Protection.

Mr Sherlock. — As a matter of definition, I would say that supplementary questions do not necessarily have to be complementary questions.

President. — Question No 21, by Miss Hooper (H-110/82):¹

In their reply to written Question No 1136/81 by Mr Collins² the Commission stated that it saw 'no justification to depart from the widely accepted practice of only considering positive lists when important questions of health were involved'. In view of the statement of policy, why is the Commission asking for dossiers proving the safety of those ingredients which have for many years been used in the production of cosmetic products and which are generally regarded as safe?

Mr Richard, Member of the Commission. — Council Directive 76/768 of 27 July 1976 on the approximation of the laws of Member States relating to cosmetic products, and in particular Article 11, requests the Commission, on the basis of the results of the latest scientific and technical research, to submit to the Council lists of authorized substances which could constitute a risk to health.

With regard to these substances which have for many years been used in the production of cosmetics, and which ought to figure on these lists, the Commission consults a committee constituted of national experts. In the cases where it appears during these consultations that the substances in question are not generally recognized as presenting a total guarantee as to the health of the consumers, further information is sought from the manufacturers. This latest information is then submitted to the Scientific Committee on Cosmetology for opinion, following which the Commission can take the necessary action. At the end of 1980 several delegations in the Council made known their concern about the lack of toxicological documentation relating to certain substances provisionally approved.

Miss Hooper. — While thanking the Commissioner for his answer I would like to ask if he does not agree that a continued insistence on testing procedures where evidence of long use without any evidence of health hazard has taken place would involve an unacceptable increase in the amount of animal testing from highlighting the dearth of toxicologists previously referred to by Mr Sherlock?

Mr Richard. — The Commission, with respect, does its best in these matters. It consults a body of independent experts — national experts. In cases

¹ Former oral question without debate (0-7/82), converted into a question for Question Time.

² OJ No C 345, 31. 12. 1981, p. 18.

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where it appears during these consultations that the substances are not generally recognized as presenting a guarantee, then the Commission seeks further information from the manufacturers. We then submit all that, as I understand it, to the Scientific Committee on Cosmetology for an opinion, after which the Commission decides whether it is going to take any necessary action and even in those cases, at the moment, I understand several delegations in the Council have made known their concern about the lack of documentation. So I accept the thrust of the honourable Member's supplementary; I can only say that we will do our best. What I cannot do is, so to speak, give some kind of blanket approval for substances which have been in use for many years, without going through the procedures which we, and indeed I think the Parliament as well and the Council of Ministers, think to be necessary.

President. — Question No 22, by Mr Deleau (H-39/82):

The Commission recently proposed a warning system providing for joint decisions as to whether fluctuations in the exchange rate of the dollar are outside acceptable limits. Can it state how these proposals have been received and what are their chances of success?

Mr Andriessen, Member of the Commission. — (NL) A recent communication to the Council, in which the Commission put forward certain proposals regarding the further development of the European Monetary System, proposed among other things that there should be closer cooperation on exchange rates with respect to the principal third countries, which include, of course, the United States. The Commission believes that such coordination is essential if the external role of a genuine European Monetary System is to be improved and if its internal operation is to be facilitated. The Council of Economics and Finance Ministers first considered this communication briefly in March. The Council gave its political agreement to many of the suggestions made by the Commission, particularly those concerning the organization of the external relations of the EMS. The Monetary Committee and the committee of the governors of the central banks were asked to cooperate closely in putting forward the necessary recommendations and so enable the Council to take a decision — if at all possible, at the next meeting this month. It cannot, of course, be predicted whether these recommendations and the Commission's proposals will result in such a decision being taken, but the Commission is fairly confident that progress can be made in this respect.

Mr Deleau. — (FR) While thanking the Commissioner for his reply, I should like to ask him how far the limits in question have to be exceeded before he regards the situation as intolerable.

Mr Andriessen. — (NL) It is very difficult to say precisely when, once certain limits have been exceeded, coordinated action becomes unavoidable. All I can say in reply to this question is that, in close consultation with the governors of the central banks, the Commission must assess the actual situation in the exchange markets and then decide what kind of action is required. It seems to me impossible in both theory and practice to make a definite statement at random on this subject.

President. — The first part of Question Time is closed.¹

4. Application of Stabex for 1981

President. — The next item is the Oral Question with debate (Doc. 1-227/82) by Mr Bersani and others:

Subject: Commission proposals concerning the application of Stabex for 1981

Can the Commission inform the European Parliament of the proposals which it has submitted to the Council concerning the application of Stabex for 1981?

Can it specify what stage proceedings are now at?

Can it indicate its reasons for deciding not to associate the European Parliament, in particular through its Committee on Development and Cooperation, with the formulation of these proposals?

I call Mr Cohen who is deputizing for Mr Bersani.

Mr Cohen. — (NL) Mr President, at its last meeting the Committee on Development and Cooperation was unanimous in the view that this oral question with debate should be considered during this part-session, and we are therefore pleased that the Bureau decided to include this item in the agenda for the current part-session.

Why is it essential for this question to be debated during this part-session? For two reasons: firstly, because it concerns a very important matter for the Community's development policy — and that in itself would have been reason enough to consider this item as quickly as possible — and secondly, because this week, and this is why the Commissioner responsible for development cooperation is not with us, this week the Council of ACP-EEC Ministers is meetings in Libreville in Gabon with this question of Stabex payments on its agenda, and a decision may be taken on this in Gabon this week. We naturally hope this will be

¹ See Annex of 12. 5. 1982.

Cohen

the case, for one thing because it is absolutely essential for decisions to be taken on so important a matter as Stabex. For another, we are really very upset about this, and we hope perhaps to influence the decisions taken in Gabon with our debate this afternoon. We do have various ideas on how Stabex should be used in the future.

We were not given an opportunity of discussing this in committee. The Commissioner responsible was not present when we were talking about it, and so we had to put up with some very vague and summary information from the Commission which did not enable us to make a contribution to this important debate. What this in fact means is that the future of the Stabex system, one of the corner-stones of the Convention of Lomé, one of the things of which the Community is so proud, the future of Stabex will be discussed in Gabon this week and we of the directly elected Parliament want to have our say in these developments.

The questions we have put are very simple. We are in fact reproaching the Commission for not having informed Parliament in good time, and we are therefore asking the Commission what proposals it has for solving the problems connected with Stabex. We are also asking the Commission what it thinks its proposals will achieve and how the various Member States have reacted to these proposals and what the chances are of a decision actually being taken on this question in Gabon this week, and we are also asking the Commission why it did not take the trouble to involve this Parliament, or at least the Committee on Development and Cooperation, in the deliberations at an earlier stage.

As I have already said, Mr President, we are very upset about the way the Commission has acted. The Commission has not done its duty, it did not come to Parliament with its proposals at the proper time, it did not give Parliament an opportunity, to which Parliament is entitled, to discuss the matter with the Commission, to enter into a dialogue with the Commission on this important subject. What needs to be done now that Stabex is in difficulty, how can we rescue this system, how can we ensure that what we were so proud of in the past does not collapse? How can it still be saved, what can we do, possibly with the parliaments of the Member States, to put things straight? The Commission did not want that. The Commission has neglected its duty in this respect. We therefore felt that this matter must be debated this week, even though Mr Pisani is not here, so that Parliament may make its views known this week.

President. — I call the Commission.

Mr Richard, Member of the Commission. — Mr President, it seems to me that two questions really arise here. I want us to be very clear about both of them.

The first one is that Parliament is blaming the Commission for not having involved Parliament through the committee concerned with such matters in the preparation of the proposals under discussion now. I should like to make two remarks here, which again I hope are perfectly clear, in order to clarify the actual situation.

Firstly, it should be noted that Stabex management is a Commission matter. That is what the Convention lays down and the Convention was ratified by all the Member States. The Commission therefore has no obligation formally to request the Parliament's opinion on the management of the Fund, which incidentally in no way reduces Parliament's supervisory capacities in relation to the use made of the sums involved. Having set out what the legal position is, may I however go on to say that beyond that, and this is the second point I want to make, the Commission has done its utmost — and I would stress this point, its utmost — to keep Parliament informed about what is going on and about the Commission's proposals. It has done its utmost to enable Parliament, through the committee concerned, to discuss the matter with the Commission in good time before decisions are taken. The Commission can therefore not accept the reproaches that are being brought today, and I should like in support of what I am saying to review the situation briefly.

The communication to the Council on the Stabex system in application years 1980 and 1981 was finalized by the Commission on 31 March. On 2 April the Commission made a first statement to the Committee on Development — that is three days later. On 7 April — that is five days after its first statement — the Commission forwarded to the committee, unofficially, the communication from the Commission to the Council, so by 7 April there had been one first statement by the Commission to the committee and, indeed, the committee unofficially had the document. On 29 April, and that is the first opportunity that arose, the Commission made a second and more detailed statement on the same subject and it was at Members' disposal for a full discussion.

Now, Mr President, I really do consider that taking into account existing procedures, time limits, agenda considerations for which the Commission is not responsible, it could hardly have done anything more under the circumstances. The Commission would therefore be greatly obliged if Parliament would bear these clarifications in mind in its conclusions in this debate, and this concerns more especially items 1 and 2 in the motion on the table now.

That is really all I have to say on the procedural aspects of the matter, but I do want to say something on the substance. Parliament will remember that for application year 1980 the financial resources available were already inadequate and that major reductions had to be made. For 1981 the situation is unfortunately even worse. Applications have been made for a

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total of 420 million units of account while resources only amount to some 112. The Commission has therefore had to try and find a solution. It considered from the start that everything had to be done to prevent the total reduction from exceeding last year. In its opinion a joint ACP and Community effort could enable the gap to be filled so that this at least could be achieved. The solution devised by the Commission is set out in the communication to the Council with which the Committee on Development, as I said already, was acquainted, I do not wish, in the context of this debate, to go into the technical details. I would just like to outline the main points in the proposal.

With regard first of all to the ACP: Parliament knows that replenishment of the funds available by the repayment of repayable transfers is a basic principle in the Stabex system. The ACP States which still have debts owing to the system for the application years 1975 and 1976 might be willing to deduct such sums from their applications for transfers for 1981. A decision on this could be taken at the joint ACP-EEC Council meeting in Libreville.

With regard next to the Member States; they would make a special contribution to fill the remaining gap so as to enable the applications for transfers to be met up to 50%. The special contribution would come out of the sums available as repayments by the ACP special loans which are normally credited to the Member States; the sums thus available in the EIB's books amount to some 30 million units of account. The balance of the sum required — that is about 40 million — to guarantee the payment of the residue on the transfers up to 50% could be advanced to the Member States from EDF funds. A decision on this part of the operation is a matter for the Council of Ministers who might take it in the sidelines of the joint Council meeting in Libreville.

Let me deal with the question why the Commission has opted for this solution in preference to any other. I would stress firstly that it is perfectly well aware of the political aspects of this matter. Unfortunately, there is no ideal solution. The Commission has therefore tried to find a way that seemed to it the most appropriate in the light of the factors that had to be taken into consideration. In this context it has chosen to stay within the framework established by the Convention which was ratified by all the signatory States. That is specifically to keep to the letter of the Convention, contrary to what is said in paragraph 5 of the motion, to preclude the legally binding nature of the Convention being called into question. The reciprocal commitment made is of fundamental value in our view. It is certainly also a very important political argument, if only because of the difficult precedent that not abiding by it could create in this field, as in other fields of cooperation.

Now the Stabex system worked well under Lomé I. There are serious difficulties for 1981/82, but it is also

true — and this is a point that I think should not be forgotten in this debate — that Article 34 of the Convention provides for the possibility of reducing transfers. The Community has never promised full compensation in all circumstances. I think it would perhaps be as well to remember this in this debate.

What then could be done other than what the Commission has proposed? Make use now of the tranches intended for future years? Divert other sums earmarked for other quite specific purposes to the Convention's overall funds? At the Council's discussions, proposals to this effect were put forward. The Commission consistently and energetically opposed them. It thinks that its view will prevail and that the ultimate solution, even if it were to depart somewhat from the initial proposal, will be in line with the vital principles that I have just mentioned. Then again, Mr President, whatever the outcome of the Libreville meeting may be as regards the operation of the Stabex system for 1981, the Commission considers that the system itself will continue to be an important instrument in the framework of ACP-Community cooperation and that its credibility ought not to be called into question because of two difficult years. The Commission will continue to take thought concerning the future of the system. I can assure you that it will give full attention to any constructive suggestions made to it on the subject.

President. — I call the European Democratic Group.

Mr Pearce. — Mr President, I am happy to say that this is a matter on which most parts of the Committee on Development and Cooperation were united and I am happy to associate myself with what was said. I had intended to concentrate on the substance of the matter. The Commission chose to begin its contribution with fighting words, so I am afraid I shall have to respond to those. It is the case, as the Commissioner said, that this is a matter for Commission management, but in these circumstances, where it would seem that that management has ended up in the creation of a mess, then I suppose the Commission must accept that Parliament will criticize it for it. I regret having to say this because if the Commission had not chose to employ fighting talk I would not have had to respond in this way. But the Commission, as manager of this system, has got it wrong so we will have to expose it.

Apropos of consultation with Parliament the Commissioner omitted to say — because was not the Commissioner concerned of course, and it is a pity that the Commissioner concerned is not here — that I personally had raised this matter on a number of occasions before the dates that he referred to and therefore that the presentation of the document prepared by the Commission was not the first thing in the chain of events, but was one of a number of things that had happened.

Pearce

As to the substance of the issue, Mr President, I think we can take comfort from the fact that this is one of the most successful aspects of the Lomé Convention. It corresponds with the wish of many people in this House and of this group that we should concentrate on matters of trade rather than aid, and this is a matter in support of trade. It is one of the bedrocks of the Convention — one of those things which has been most helpful in benefiting the ACP countries and in helping them to stand upon their own two feet. And in the light of that statement, Mr President, I think we have to accept that from the point of view of the beneficiary countries, whatever the small print of the Commission may say, as the Commission has indicated, it has seemed to beneficiary countries that they had a promise or a guarantee that if world prices went against them the Community would make up the difference.

That is how seemed in practice: that is how it has worked in the past. That is what beneficiary countries thought would happen this time, and therefore although the Community, legally speaking, is quite right to limit payments to the amount in the budget for this particular year, morally and politically — that is the more important thing, politically — I believe that we are seen to be in a position of breaking a promise. And I do hope that when the Commission is putting forward its views in Libreville it will speak in these tones, that however legally correct it may be, it recognizes that we are not doing for the beneficiary countries what they thought we would do for them or, for that matter, what we have by our past actions led them to believe that we would do.

My third and final point concerns questions of what we do about this. It seems that thoughts are about that we could take unspent money from earlier European Development Funds, shuffle them round to Member States and somehow make up the quota EDF that way. I think that might be a very dangerous course. What might be an interesting course, and I do not think the Commissioner referred to this, is the possibility of using the current budget of the Community. There is, as of this year, a p.m. entry in the budget for Stabex — this year for the first time. If the Commission and Council conclude, as I believe they will, that something will have to be done to honour our moral and political undertakings to the beneficiary countries, then I would like to see some money coming out of the Community budget to make up this deficit. It is about time, and I know the Commission accepts this point, Member States do not, that this kind of expenditure was brought properly within the scope of parliamentary and democratic control. And I believe that we have an opportunity here in the possibility of a supplementary budget item using the p.m. entry to make this good. Colleagues in this group always say, and I agree with them, that if we propose extra expenditure we should propose where it should come from.

Well, Mr President, if we are faced with that, I believe that, pound or ECU for ECU, money spent on Stabex

will do far more good for the Third World than money spent on food aid, except in the case of disaster areas, and if pressed to find an area of saving, I personally would go for that area, because I believe that in terms of the effectiveness of expenditure, that is where we can most benefit.

President. — I call the Socialist Group.

Mr Cohen. — *(NL)* Mr President, I began by speaking on Mr Bersani's behalf, and I now speak on behalf of the socialist Group. I can do no more than take up what Mr Richard has just said. The Commission has said that it cannot accept the criticism voiced by Parliament and the Committee on Development and Cooperation. Consultations took place in early April, it says, a few days later a document became available, and on 29 April the discussions continued. This is not, of course, the point. The point is the quality of the information. The information which the Members of the Bundestag in the Federal Republic of Germany received on the Stabex problem — this may interest you, Mr Richard; I can let you have a photocopy — is rather different from what the Commission has so far told us at our committee meetings.

We still do not know, at least not officially, but we can guess, which countries have submitted applications for Stabex aid for 1981, what amounts are involved, which countries have asked for more than others, which products are concerned and so on.

We do not know any of this. The Commission has merely said in very general terms that, as in the previous year, a problem arose in 1981 when we experienced the first difficulties with Stabex. Even then our Committee on Development and Cooperation was warning that that would not be the only time, that the way the world market was going, it was likely that difficulties would occur again this year. All we then had from the Commission were reassuring words: it would be just the once, no real problems were likely to arise. But here we are, in the middle of these difficulties.

We should therefore like to hear from the Commission what now has to be done, precisely what it intends to do and how it sees the future of Stabex. How does it intend to achieve what was said at last year's Paris conference on the least developed countries, that Stabex must not be confined solely to the Convention of Lomé but extended to all the least developed countries, that is, the 31 countries on the United Nations list, 20 of which are parties to the Convention of Lomé.

How do we ever intend to achieve this extension of Stabex, of which we were so proud and for whose establishment this Parliament was in fact responsible, because we were the first to float the idea of including the Stabex system in our association agreement with

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the countries of Africa, the Caribbean and the Pacific Ocean. That idea took root. It was adopted by the Member States and by the Commission and has now found its legitimacy in what we call Lomé Convention II. And this is already the second time in the life of Lomé II that we face these difficulties. There is not enough money available. And once again, the Commissioner is right, there is no legal obligation to meet these applications for aid from Stabex in full.

But that is not the problem, Mr Richard. The problem is of a political nature. Do we want Stabex or, and I am becoming cynical now, do we want something else? Because if there is no money and if we limit ourselves to implementing the Commission's proposals, which would mean paying back claims we still have on the ACP States, carrying over money from one year to the next in the hope that world market prices will drop further and that this will result in the problem solving itself. Because at the end of the day the compensation that is paid out of Stabex is not much more than an average of the fall in prices during a given reference period. So if we keep it up long enough, we may not need to pay any more at the end of the period. That is a cynical approach to the problem: the problem solves itself. Stabex has become superfluous, but that was not the intention. We have always thought of Stabex, and we have always sung its praises for this, as being better than the IMF's compensatory financing. We have defended Stabex at international level, and when I dared to suggest in my resolution on the Paris conference that Stabex should be extended to all the least developed countries and to ask the Commission to study the IMF system because it might provide a solution, the Commission reacted disparagingly: 'We have nothing to do with the IMF, Stabex is our last word.' That was what the Commission said. And now for the second year in succession we are in difficulty. We cannot minimize these difficulties and pretend that nothing is the matter. We cannot try to get out of the financial difficulties with various accounting exercises, first this year, then next year and the year after, and perhaps there will be no need after that. The political problem is still as large as life. What do we intend to do, what are we prepared to do and what can we do to ensure that it does not get to that stage? Mention has already been made of a supplementary budget, and we already know that additional money will be available for food aid and for Central America. Why not for Stabex then? Think about it in the Commission, because this may be a solution. One thing is certain: we can let Stabex slowly go to pot and, again, legally there is nothing to stop the Commission doing this. But the problem lies elsewhere, and that is what we want to see interest focusing on this afternoon.

President. — I have received a motion for a resolution by Mr Poniatoski, on behalf of the Committee on Development and Cooperation, with request for an early vote — that is without referral to committee — to wind up the debate. This motion for a resolution

has been printed and distributed as Doc. 1-215/82/rev. The vote on the request for an early vote will take place at the end of the debate.

I call the Communist and Allies Group.

Mr Chambeiron. — (FR) Mr President, I will not go into the facts which are at the origin of our debate but, with your permission, I should like to look beyond the essentially technical considerations to which the Commissioner confined himself earlier.

As everyone knows, only 50% of the applications by our ACP partners for transfers under the Stabex system were met and the picture is even worse for 1981, as the Commissioner himself pointed out, since applications total about four times the available funds. This is not a situation that should cause us any surprise. Already at the Consultative Assembly in September 1981, my friend Mr Jacques Denis was saying, as indeed was the rapporteur Mr Insanally, that Stabex was not only a victim of the economic crisis but was actually in danger of collapsing. The ACP-EEC Consultative Assembly had insistently to point out the seriousness of the problems facing Stabex, while the Commission argued that they were due to the economic situation and rejected our proposals to increase the Fund's resources.

The resolution put forward on behalf of the Committee on Development and Cooperation rightly emphasizes the political importance of this issue and even goes so far as to state that 'it is the credibility of the Convention of Lomé and the Community's development policy that is in question'.

We fully support these assessments. In fact, Stabex was widely advertised as the most original and the newest mechanism to come out of the Convention of Lomé. At the time, my friends had stressed its limitations, pointing out what is glaringly obvious today, namely that Stabex is having no effect whatever on the operation of world markets, that is to say on the domination of them by what are euphemistically referred to as operators of the world trade in agricultural products.

Today Stabex is paying the price of the freedom of these operators to speculate at the expense of the commodities producers. One wonders in fact whether these operators are not indirectly appropriating for themselves a part of the Stabex fund since it is they who are cashing in on fluctuations in prices rather than the benefits being passed on to consumers in the countries of the Community, who are apparently unaware of the drop in producer prices for coffee, cocoa and groundnuts. I have not heard anyone say that prices had fallen in the supermarkets in Paris, London or Frankfurt.

Chambeiron

Turning to my colleagues, I should like to emphasize as strongly as I can that public opinion in our countries must be told about this situation, which is reaching scandalous proportions. Is it right that so much should have been said and written about the rise in the price of oil and yet that a veil of secrecy should shroud the workings of the markets in so-called tropical products? Our peoples have to be told of the consequences for the producer countries of a collapse in the price of cocoa or groundnuts. They have to be told of the importance for our ACP partners of their exports of raw products which they have inherited from a history that is still quite recent. They have to be told that it is this money that they use to finance their schools, their hospitals and their food purchases. That is the first point I wanted to make.

The second follows from the first. It is high time that the anarchy on the world markets was halted. The Community has a special responsibility and must take the proper initiatives to ensure that the common fund can work satisfactorily and that fair agreements are negotiated on a product-by-product basis. The Community must choose between the interests of the peoples of the ACP countries and those of the operators I was speaking about earlier.

To come back to Stabex — and this will be my third and final point — the situation we have at present serves to underline its limitations. Let us take heed and try to improve it, firstly, by increasing its resources and, secondly, by reviewing the mechanisms which my friends have been severely criticizing for several years.

I do not, unfortunately, have the time to go into this more fully. But I believe that a thorough debate, which will carry on from where this debate leaves off, will have to take place in this House. Everyone is aware of its importance and its urgency and above all of the expectations of our ACP partners.

In the immediate future, Mr Commissioner, I think that the Commission should make every effort to persuade the ministers who will be representing the Community in Libreville, to accede to the demands of the ACP countries to meet their applications in full, which would in any case be in accordance with the agreements we have signed with them. You will tell us that this is a budgetary question, but there are choices to be made which, quite apart from their legal implications, also have political implications, the importance of which cannot have escaped you. These choices have to be made, of course, and that requires a certain degree of imagination, but the Commission has shown that, when it wants to, it is capable of imagination. I am asking you, Mr Commissioner, in the circumstances and for policy reasons that you will readily understand, to show proof of this imagination.

IN THE CHAIR: LADY ELLES

Vice-President

President. — I call the Liberal and Democratic Group.

Mr Irmer. — Madam President, when the Commissioner said previously that he or the Commission had done his utmost to cooperate with Parliament on this question and to keep Parliament informed, this throws a pitiful light on the Commission's attitude to cooperation with Parliament and to keeping it informed.

What has happened? In 1980, there were gaps in Stabex and in 1981 we were extremely concerned about that. We told the Commission so. It replied that that was a unique instance, it was the first time it had happened and would not happen again if humanly possible. On 31 March 1982, the Commission sent this communication to the Council. It did inform the Committee on Development and Cooperation of the fact verbally a few days afterwards but did not inform it in writing until 22 April. It is impossible to see how one month had to elapse! Up to that time, however, the Commission had let Parliament continue to believe that everything was in order and that its assurance of 1981 that there were no more problems with Stabex was still valid.

Commissioner Richard, that is not how I think the Commission should keep Parliament informed! This is a clear instance of telling an untruth by remaining silent.

From the legal point of view, as you have said, everything that is being done now and is proposed by you is in order. Quite clearly, however, it is a political disaster! We have praised the Stabex system as a model development which breaks new ground and is exemplary for cooperation between the industrial nations and the developing countries. If, as it now turns out, only a quarter of the applications — which are thoroughly justified — can be paid, that is the bitterest disappointment which can be wished upon the developing countries, which depend on these payments. That means that we are declaring our system to be bankrupt. Then you say to us that the situation is now to be rectified by some tricks or other which you have proposed!

We were suspicious. Already last year, after our experience of the situation in 1980, we said that a solution must be found which can be justified before Parliament. For that reason, we insisted that a *pro memoria* entry be included in the 1982 budget for this purpose. Now I call upon the Commission once more to look again at its policy on the budget. Look at the instrument which was adopted by both institutions of the budgeting authority. If item No 9021 'Reserve for Stabex' is the item in question here, you must first pro-

Irmer

pose, if you have problems with Stabex, that a transfer be effected here.

We all know very well that considerable funds are again to be saved in the EAGGF Guarantee Section this year, as last year. What did the Commission propose last year? To pay out these funds to the Member States. It probably intends to do the same again this year. I call upon you to use these resources in the first instance to finance Stabex, so as to prevent the moral and political bankruptcy of our development policy towards the ACP States. Parliament put forward this proposal, you should have acted on it.

In the last plenary session, we had to decide — and we did not do so lightly — not to grant you discharge but to postpone that decision. We then had great promises made to us. Your colleague, Mr Tugendhat, stood here and said that in fact the Commission had already made all the concessions and had done everything so that Parliament could now grant discharge. But we did not do so. After all that I have heard you say again, I must say that our decision was the right one. If you continue in this manner and do not meet the requirements we imposed on you in the Key resolution better than you have done so far, I can make you the prophecy that I, that my group will press in the Committee on Budgetary Control for a proposal to the House in plenary session that this time we do not merely delay discharge, but refuse to grant discharge altogether, with all the consequences which that may have.

Please make no mistake about that. Take the matter seriously. Do not trifle with the decisions of Parliament! We cannot and we will not tolerate it. Together with colleagues from other groups, I shall be tabling amendments to the Poniatowski resolution. This document shows quite clearly how we can sort out the appalling state of affairs in Stabex. It also envisages consequences for discharge and for our relationship with the Commission, if it does not radically alter its attitude.

President. — I call the Group of European Progressive Democrats.

Mr Flanagan. — Madam President, it is not often that all sides of the House are in agreement, but it is quite obvious that this is one of these rare occasions.

I feel rather sorry for Commissioner Richard because this is not his own brief. But I am sure that the sentiments expressed here by Mr Cohen, Mr Pearce, Mr Chambeiron and Mr Irmer will be accurately reflected by him in his discussions with Commissioner Pisani and with all of his other colleagues, because this financial crisis for the second consecutive year raises very serious issues of credibility and, as Mr Cohen said in the beginning speaking on behalf of his group, we can

indeed take ways out; we can let the whole thing fade away into desuetude and I can assure you that if that is done it will be against the wishes of all the Members of this Parliament and of all groups in this Parliament. It will also reflect very badly on the credibility of European institutions *vis-à-vis* our ACP friends, who are entitled to rely on our credibility, but can hardly be expected so to do in the future if the line taken by the Commission to date and sadly repeated vicariously by Commissioner Richard a few minutes ago is allowed to obtain.

So, Madam President, ladies and gentlemen, I do not propose to repeat the arguments so eloquently made by the previous speakers. It would not serve a useful purpose to say any more than that I profoundly agree to date and hope that the Commission as a whole will take to heart the sincerity and will appreciate the determination of this Parliament, with or without a function, to find a way of showing honour on our behalf and indeed on behalf of Europe.

(Applause)

President. — I call Mr de Courcy Ling.

Mr de Courcy Ling. — Madam President, unlike Mr Flanagan, I do not feel sorry for Mr Richard because I can see that he is following the debate closely and is in fact well experienced in these matters. He is indeed extremely well qualified to reply to this debate on behalf of the Commission.

I wonder, therefore, whether he will give the House an assurance that the Commission recognizes that the Stabex system is not only a major political commitment by the Community to the ACP countries but is likely to be an increasing commitment. It is likely to be something which is going to be even more important in the rest of this decade. A proportion of 550 million units of account spent by the European Development Fund — roughly one-ninth spent on Stabex — is too small a sum of money. The current sum is too small a sum of money to meet the size of the political commitment. Does he recognize this as a reality?

Then, also, I wonder whether Mr Richard would be kind enough to comment on the problem of the cost of oil imports to the developing countries, particularly the countries of Africa that have no energy resources. I would like to ask him whether the Commission has thought of any way of engaging the petro-dollar surpluses of the Gulf States to help out with the Stabex problem. I know that it is a very complex idea and that the money could probably only be donated with political strings or borrowed at the expense of the Community budget. But surely this is an avenue worth pursuing, given the very significant element which the cost of oil imports represents in the budgets of the poorest countries of Africa.

de Courcy Ling

Finally, I should like to ask Mr Richard whether he could give us an assurance that the Commission has considered whether Stabex funds go far enough down into the infrastructure of, for example, the cocoa industry in Ghana, or the cultivation of coffee in the Central African Republic? Is he satisfied that these funds are something more than just a book transaction in the budgets of central governments in many of the ACP countries?

President. — I call Mrs Dury.

Mrs Dury. — (*FR*) Madam President, if we have decided to put this oral question to the Commission it is primarily because the Commission has failed to fulfil its moral and political obligation towards Parliament, in other words to provide it with the necessary information and the proposals it has put to the Council, particularly in relation to Stabex, but also because we want to go into the fundamental problems of Stabex. And our remarks are addressed as much to the Commission as to the Council.

Today's debate comes before the meeting in Libreville and it is of course no coincidence. This meeting in Libreville will be a test of the cooperation policies of the Ten, given the present state of uneasy relations between the Community and the ACP. And my very real fear is, Madam President, that the outcome may prove negative, especially when I consider the positions of the Commission and, worse still, the proposals — as they have been related to me — of the Belgian Presidency.

It seems that the Belgian Presidency is proposing simply a transfer from the European Development Fund to Stabex. One can see immediately the implications of such an attitude. The European Development Fund would be deprived of its freedom of action. But I was also wondering if the Lomé Convention is a sum of communicating vessels where funds are transferred from one to another as circumstances demand. To me that seems a dangerous attitude to take, dangerous for the present, but dangerous also for the future.

Lastly I should like to say, Madam President, that I am absolutely disgusted by the attitude of certain of the Member States, and Belgium in particular, with regard to the developing countries. Through the marketing of their products we are making huge profits and our attitude is one of sheer egoism.

We have carried the Convention of Lomé like a flag symbolizing our willingness to do something for the developing countries. I would say that right now this flag is more than somewhat tattered. I believe it is time we looked to the Commission as well as the Council to get us back on course and ensure that our development cooperation is at last worthy of the name.

President. — I call Mr Fuchs.

Mr G. Fuchs. — (*FR*) Mr President, I have nothing to add to the analysis of the situation as already put forward by previous speakers. The demands by our ACP partners are opposed by the letter of the Convention, specifically Article 34. For them, they have the spirit of the Convention and its character of a political contract freely entered into by the ACP States and the European Community.

Our task today, therefore, is to find a way of responding to the demand presented to us. How are we to go about it?

Let me first of all look back a little bit. In 1981, these same fluctuations in the prices of raw materials which resulted in Stabex recording a deficit of 130 million ECU enabled the Community and the EAGGF to show a surplus of around 1 000 million ECU. Now, you may recall that this surplus was used, by means of an amending budget, as a partial contribution towards special food aid of 40 million ECU to the less developed countries and special social aid of 60 million ECU in support of certain industrial restructuring projects through the Social Fund.

What of 1982, are we going to have the same kind of surplus? A preliminary analysis of the budget position leads us to believe that there will probably be surpluses in the European farm budget of some 500 million ECU, at least. Can we use this money to meet the demands of the ACP countries? Last year the reply was 'no' because, as you know, there are no communicating vessels between the mechanisms for financing the Lomé agreements and the budget of the European Community.

However, thanks to action by our Parliament, what we did not have last year we do have this year, since, following the budget debate last autumn and the express demand by Members in this House, a new entry was made in the budget, Item 9021, which explicitly provides for 'Stabex reserves'. Alongside is the following remark: 'This item is intended to record the reserve to be used in the event of the exhaustion of the annual instalment and advances, within the meaning of Article 34 of the Second Convention of Lomé'. There is a token entry against this item. Madam President, on the eve of this meeting in Libreville, on the eve of the ACP-EEC Council, I have some very serious words to say to the Commission of the European Communities. It is highly probable that we shall be having another amending budget in 1982. The Commission must, really must, propose to the ministers meeting in Libreville that they use another amending budget and this item 9021 in order to honour the Community's moral and political commitment to our ACP partners.

President. — I call the Commission.

Mr Richard, Member of the Commission. — Madam President, I shall, if I may, be fairly brief in response to this debate. I am not in a position, obviously, to answer some of the questions in detail, but I would like to deal with one or two of the trends which seem to have emerged.

First of all, I must say to Mr Pearce that the Commission cannot accept that there is a 'mess' as far as Stabex is concerned. Whatever else the Commission is responsible for, it is, with respect, not responsible for drought, it is not responsible for the economic crisis in the EEC and it is not responsible for the way in which some of the ACP countries choose to manage their affairs. What we are responsible for, we of course take responsibility for; but the fact of the matter, as I understand it, is that the calls that have come on the Stabex system are infinitely greater than the resources that there are to fulfil it.

We have one other problem here, and that is that we are bound by the Convention. It is idle, I think, for Members of this House to call upon the Commission to do things as if they were totally free to act in that way. We are not. Again as I understand it, we are bound by a certain cash limit as far as Article 9 of the Convention is concerned; 550 million, I think it is, for Stabex. In a situation where you have a finite amount of resources and an infinitely greater call on those resources than you are in a position to fulfil, it really does seem to me that something has to give and some arrangement has to be entered into. The Commission has produced an arrangement which, I must say, did not seem to me to come under the same sort of criticism this afternoon as the Commission came under for its alleged lack of consultation with the Parliament. If I were a disinterested layman listening to this debate, I think I would come to the conclusion that what we are actually trying to do in relation to Stabex was more acceptable to Parliament than the way in which we have tried to do it.

Let me just deal with this final point on consultation. The Commission, I am afraid, does not retract the view which I expressed at the outset of this debate, which is that we did attempt to consult Parliament in the best way we thought ourselves capable of doing. I am sorry that Parliament feels that it was not properly consulted.

Finally, Madam President, may I merely say that it does seem to me that there is a distinction in this

debate which should be made and should be brought out. This is supposed to be, as I understand it, an urgent and topical debate. Very well, I take it in that spirit. But many of the contributions that have been made are really not matters, it seems to me, of great urgency. They are rather matters for more sober consideration between Parliament and the Commission as to the long-term future of the Stabex system itself, as to its correct funding in the future, as to whether or not it needs amending and how best one might be able to produce a better system. On those matters I can give an assurance to Parliament that the Commission is ready in the future — as, indeed, it believes it has been in the past — to cooperate with Parliament in devising and developing ideas and proposals for the future. But on the main substance of the complaints that have been made this afternoon, Madam President, I fear I must be as unforthcoming in rejecting those complaints at the conclusion of this debate as I was unforthcoming in not accepting them at the beginning.

President. — The debate is closed.

We now have to consider the motion for a resolution by Mr Poniatowski (Doc. 1-215/82/rev.) on the application of Stabex for 1981. I have a request for an early vote on this resolution.

(Parliament agreed to the request for an early vote)

The vote on the motion for a resolution will take place at 7 p.m. tomorrow and it is requested that any amendments to this text should be submitted and tabled by 12 midday tomorrow.

The vote on the Guertsen report will take place at 6 p.m. and since I have no more speakers on the list and there is no more business on the agenda the House will be suspended until 6 p.m.¹

(The sitting was suspended at 5.30 p.m. and resumed at 6 p.m.)

Votes²

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(The sitting was closed at 7.35 p.m.)³

¹ Electronic voting system — Topical and urgent debate (announcement): see Minutes.

² See Annex.

³ Membership of committees — Withdrawal of a motion for a resolution — Agenda for next sitting: see Minutes.

ANNEX

Votes

The Report of Proceedings records in an annex the rapporteur's position on the various amendments as well as explanations of vote. For details of the voting the reader is referred to the Minutes of the sitting.

Geurtsen report (Doc. 1-862/81): adopted.

The rapporteur was:

- IN FAVOUR OF Amendments Nos 6, 7, 8, 9, 16, 17, 20, 23, 24, 26, 27, 28, 29, 30, 44, 48, 53, 61 and 64;
- AGAINST Amendments Nos 60, 63, 66, 70, 71/rev., 72, 78, 79, 80, 81, 82, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110 and 111.

Explanations of vote

Mr Prag. — Madam President, I believe that if this document now goes through, those countries which have no legislation on industrial relations have the chance of the biggest breakthrough in industrial relations for many years.

The draft Fifth Directive on workers' participation has been around for ten years, but it has always been in much too rigid a form to be acceptable to all the Member States, and in particular, it has been unacceptable in my own country because of the insistence on a form of organization, the two-tier board, which we are not used to.

So far it is all too easy for companies to do nothing about genuine consultation of employees, because they have no legal obligation to do so, as they do in Germany, the Netherlands and Denmark. I believe we shall not achieve the increase in industrial productivity and industrial peace that we need without some form of legal framework such as this directive would provide. Here at last we have a draft directive which has a genuine chance of getting through the Council of Ministers, and I think we owe the Legal Affairs Committee and those who have taken a leading part in this work our congratulations.

I believe that this draft directive in its present form may bring great benefits to us all, and certainly to my own country. That is why, Madam President, I shall vote for it.

Mr de Ferranti. — I am very much in favour of participation. I am very much in favour of democratic participation but I have to explain to the House that I wish to vote, nonetheless, against these proposals we are considering despite the fact that I very much admire the work of the Legal Affairs Committee of Mr Geurtsen and all those who have been involved. This proposal will not enable goods to be sold more freely, will not make it more likely that we will have an economic Community. There are many things that we do need for that objective. We need to have a single currency. We need to remove barriers to trade. We need to make it easier for people to get orders from one country to another and to deliver the goods but we do not, for those objectives, need to have this legislation. This sort of proposal is very much better carried out at the national level. Many things we know should be done at the European level, but this is not one of them and it is an indication to me which is depressing of a lack of objectivity by the Commission in what it is we wish to achieve and I hope that the Council will come up to its usual form and fail to agree.

Mr Ferri. — (*IT*) Madam President, ladies and gentlemen, I would have liked to be able to declare a vote in favour of the Geurtsen report and the Fifth Directive, considering that

the former represents a great effort on the part of the Legal Affairs Committee and its rapporteur made at the time when I had the honour of presiding over this committee.

However, although the results arrived at may be technically praiseworthy, I must say very frankly that I feel the political result to be a negative one. The directive, as it was modified first by the Legal Affairs Committee and then by this Assembly, represents a step backwards in respect to the Commission's position, and it is certainly not such as to fulfil the purpose intended for it: neither the harmonization of company law on the dualist system, nor, above all, the introduction of participation and an assumption of responsibility on the part of the workers' representatives. The vote on the von Bismarck amendment, translated into paragraph 5 of Article 4, has put the workers' representatives in a position of inferiority, and this is not only a political aberration but also, in my opinion, a serious legal aberration.

This, Mr President, ladies and gentlemen, is why this directive cannot receive a favourable vote from the workers' representatives, and for this reason its potential is already severely limited. It is because of this that I, along with the Socialist Group to which I have the honour to belong, will vote against the directive and the resolution.

Mrs Vayssade. — (*FR*) Madam President, the French Socialists will join the rest of the Socialist Group in opposing the text as voted by this House. One of the attractions of the Fifth Directive was that it would lay down procedures for the representation of workers when decisions were being reached within companies. We had hoped that Parliament would improve these procedures by adapting them to the different European traditions.

In the final analysis, all the amendments that sought to serve the workers' interests were rejected, even though two of them were incorporated in the motion for a resolution voted by the European People's Party, which turned down all the amendments that gave concrete expression in the directive to the principles set out in the motion. We cannot therefore endorse this text and will vote against it.

Mr Chambeiron. — (*FR*) Madam President, our debate here yesterday and today on the Fifth Directive has shown quite plainly that, behind the somewhat formal rivalry between the champions of the one-tier and two-tier systems, it was above all the problem of worker participation in company decision-making that was at the root of the discussion. What we have to do is look at the particular circumstances prevailing in each Member State and establish whether all of them can in fact be reconciled with the objectives pursued in the Fifth Directive.

In France, industrial democracy has become a very topical subject. It is a novel idea that is gaining ground by virtue of the desire for change demonstrated by the majority of our nation a year ago. On that point we could not accept any watering-down of the proposals.

Now, whilst some of the speakers here yesterday and this morning came out in favour of worker participation, we observed that all too often this affirmation of support was coupled with the suggestion that such participation be restricted. No sooner had the good intentions been proclaimed than they were contradicted.

We prefer a different course. We have confidence in the workers, in their imagination, their sense of responsibility, their attachment to the tools of their trade. That is why we want to see profound changes introduced within undertakings, with increased and extended rights for workers, in particular new powers for works councils so as to secure for workers the right to be properly informed on the situation of their company, on strategic options, on working conditions. The texts submitted for our consideration come down, over and above five basic demands, firmly on the side of the shareholders. Workers' rights are a mere sham, a blind window put in for the sake of symmetry. It is a pity that this matter was not debated jointly with workers' participation in trans-national undertakings.

That is why we shall vote against this text.

Mr Chanterie. — *(NL)* Madam President, I find it regrettable that the workers of the European Community did not know beforehand that we would be discussing what is for them so important a report this week. But they cannot be blamed for that, because I have discovered that quite a few Members did not know either until a few days ago.

After following the debate attentively, after consulting with the rest of my group and after listening to Commissioner Andriessen's statement, I have withdrawn a few of my amendments — although I would point out that it is still possible to implement the proposals they contain. In the last two days it has again become clear to me that the democratization of economic activities is a very controversial issue, particularly when it comes to establishing actual procedures. On the other hand, we must surely take account of the differences in political, historical and philosophical views and developments in the various Member States.

I should also like to stress that I am able to endorse the step-by-step strategy on condition that the steps taken are in a forward direction and that the laggards take action to catch up. Apart from a number of other factors, the approval of the EPP amendment calling for worker participation on the basis of equality after a transitional period is a step forward, even for the country with the most advanced forms of worker participation. I therefore approve the Geurtsen report, albeit with mixed feelings. However, I would urge the Commission and the Council to waste no time in taking the necessary decisions, so that it does not take another ten years before something is done. I would also appeal to the workers even now to take action in support of the Vredeling directive in the form approved by our Committee on Social Affairs and Employment.

Mr Romualdi. — *(IT)* Mr President, the members from the Italian right have traditionally believed that it is necessary to arrive in an orderly way at a definite form of worker participation in the profits and the management of the companies where they are employed: this is the only way — in the workers' opinion — to give them co-responsibility and lead them out of the destructive logic of class struggle. It also reflects the fact that a company offering wages alone is no longer economically, morally, or socially conceivable, nor is it useful for any form of economic development or any improvement in living conditions. Such improvement demands the advent of an economic society of co-participation.

It does not appear to us, however, that either the Fifth Directive, long worked upon, or the Geurtsen document which summarizes it, approach the problem in this way, accurately and definitively, eliminating all risks of conflict.

For this reason we will abstain from voting on the Geurtsen report in the hope that in the subsequent phases which must necessarily follow the problem will find a solution more suited to the necessary modernization and to the development of the European economy and the solving of the social and political problems which are intimately connected to it.

Mr Vetter. — *(DE)* The Socialist Group will not vote for the motion for a resolution by Mr Geurtsen, which he has presented on behalf of the Legal Affairs Committee and which has now been altered by the amendments tabled.

We made it quite clear in the debate yesterday and today what is of central importance to us in all discussions of European company law: the weight given to the workers and their representatives in the companies.

We adopted the amendment tabled by Mr Beumer by a majority. It emphasizes what the rapporteur has already proposed: it endorses the preponderance of the shareholders' side over that of the workers' representatives on the supervisory board. The fact that this amendment motion speaks of parity does not alter that in the slightest.

We are not convinced by the attempt to reconcile the irreconcilable. Anyone who speaks of parity and at the same time leaves the last word to the shareholders is merely disguising the fact that he rejects the claim of the workers to participation on equal terms. In addition, the proposed period of transition, with no time limit specified, leaves any new departure in the sense of a possible improvement in the direction of a parity which would merit

the name, in other words all further progress, in the hands of the Council. But no-one knows better than this Parliament how much enthusiasm and capability the Council has for taking decisions.

We very much regret that we were not able to reach a consensus. A consensus would have been possible, if we had together found a formula which at least held out the prospect of worker participation on equal terms. That has not happened. The majority in the House has seen fit to slam the door in the workers' faces.

That was disastrously unwise. What we are now voting on is not a step in the direction of a Europe with more democracy and social justice. Personally, I feel it to be an affront to the workers. You cannot expect my group to vote in favour of such a set of provisions. The rights of the workers are sufficiently important to deserve an honest effort to reach a consensus. What we have here, however, is a vile compromise with which we cannot be associated.

Mr de Gucht. — (NL) Madam President, above all else I should like to thank the rapporteur on behalf of the Liberal and Democratic Group for his excellent report, and as regards the technical aspect of this report, I believe I am speaking on behalf of the whole of this Parliament.

Where the content of this report is concerned, we shall, of course, be adopting a positive position, not only because we agree with it in every way but also because we are convinced that this is the way to improve the participation of the workers, whose interests we have at heart. We do not therefore in any way share Mr Vetter's pessimism. On the contrary, we believe that, by approving this Fifth Directive in its present form, we shall be taking a first step towards genuine worker participation in companies.

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IN THE CHAIR: MR NIKOLAU

Vice-President

(The sitting was opened at 9 a.m.)¹

President. — I call Mr de Courcy Ling.

Mr de Courcy Ling. — Mr President, on a point of order, before we start today's business, I wonder whether Mr Geurtsen, whose work yesterday we all very much admired, would like to avail himself of Rule 67 of the Rules of Procedure to explain more fully to the House the reasons — which I have no doubt are very good reasons — why he decided not to invoke Rule 36 of our Rules of Procedure in respect of our consultation with the Commission about the Fifth Company Directive.

It seemed to me from what he said that he had had some conversations with Members of the Commission. The House would no doubt like to know about those

conversations and we would like to be informed of the assurances Mr Geurtsen may have received.

President. — I call Mr Irmer.

Mr Irmer. — (DE) Mr President, Mr Geurtsen is not here at the moment. I shall pass on to him the question that has been raised here and I shall ask him to come back to it later.

President. — Are you willing to wait until the Member arrives?

Mr de Courcy Ling. — Mr President, I am perfectly satisfied that we should wait. I do not regard it as necessary for Mr Geurtsen even to come back to the House today. What is much more important is that when he does come back he should make a very full statement, which I have no doubt we shall all find satisfactory.

President. — I call Mr von der Vring.

¹ Approval of Minutes: see Minutes.

Mr von der Vring. — (DE) Mr President, can you ensure that in future we have an opportunity each morning to ask each other questions as Members and to have the House involved in it?

President. — Quite right, Mr von der Vring.

1. Promotion of equal opportunities for women

President. — The next item on the agenda is the report (Doc. 1-101/82), drawn up by Mrs Vayssade on behalf of the Committee of Inquiry on the Situation of Women in Europe, on the

proposal from the Commission to the Council (Doc. 1-927/81 — COM(81) 785 final) for a draft resolution concerning a new Community action programme on the promotion of equal opportunities for women.

I call the rapporteur.

Mrs Vayssade, rapporteur. — (FR) Mr President, ladies and gentlemen, over half the population of Europe, one-third of the working population, nearly half the registered unemployed: there you have a few figures on the position of women in Europe. At the present time they are suffering, more than men, the impact of the economic crisis, restrictive budgetary policies and technological change. And there is much sympathy in certain quarters for the idea that women should get back to the home.

This all threatens to undermine the progress we have made towards equality between men and women and to put a damper on the rights of women, be they wage-earners, self-employed or even housewives. Yet it is more important than ever that our social and economic policies should all be founded on the principle of equal opportunity for all. That is the vital precondition for dynamizing the whole population of Europe and not simply its lesser half.

That is the context of the Commission's proposal for an action programme on the promotion of equal opportunities for women (1982-1985). What are the main features of this programme?

It has its positive aspects, but also a number of deficiencies. Firstly, on the positive side, we have the suggestion that the current crisis can serve to ensure that women are provided with the means of defending their own interests. Another positive aspect consists in the global approach to the problems involved, embracing the consolidation of equality under the law and proposals for positive further action. Very positive, also, the idea of action to ensure equality in the real-life situation and not simply on paper. Finally, the

objectives, the 16 actions that have been proposed, are fully in line with women's needs and with the intentions of our Parliament when it adopted the Maij-Weggen resolution in February 1981.

But there are major deficiencies. Firstly, there is almost no mention of certain matters we consider to be vital. Education is not even touched upon. But education, at the earliest possible stage, will be a key factor in the realization of equality of opportunity. The health factor is scarcely mentioned, and there is not a syllable on health at work or the more general problems of women's health.

Above all, however, the text that has been put before us fails to define any concrete means of implementation committing the Commission to anything more than studies or surveys. No legal instrument has been provided to ensure the backing-up of the action programme by directives or legal texts, as was done in 1975.

The appeal is primarily to the goodwill of the Member States, to get them moving along the right lines; yet we know that some of them are in fact proceeding in the wrong direction!

Finally, in our view, this problem has not been adequately linked with other aspects of Community policy. The current review of the Social Fund, and that of the Regional Fund, are left unmentioned, and we are aware that women are conspicuous by their absence from texts like the medium-term programme. We therefore consider this action programme to be a minimum to be implemented in the period to 1985; but it cannot be permitted to remain the list of pious hopes which is what we reproach it with rather too obviously being at present.

The Committee of Inquiry therefore proposes a certain number of amendments to the draft resolution of the Council, to ensure the Council's firm commitment to the realization of the programme; it also suggests to the Commission, in its motion for a resolution, that it should immediately start preparing a certain number of concrete applications of the programme.

This means the Council must not only note or approve the guidelines but also commit itself in the name of the Member States and undertake to require the Commission to prepare the necessary legislation. It also means the commitment of the Council to the provision of funds and personnel, the Commission — with the full backing of the Committee of Enquiry into the situation of women in Europe — requests the creation of six additional posts, to be shared between the women's information office and the women's employment office (DG V and DG X). The creation of these new posts is vitally important. We have little confidence in the effectiveness of appointing staff by internal restructuring, and we would be greatly heartened by an assurance that these posts will in fact be created.

Vayssade

On behalf of the Committee of Inquiry, which has unanimously approved this report, I now request Parliament to adopt the proposals it contains. By voting in this month of May, Parliament is voting a little late, and we would have preferred a vote in the course of the April part-session. The Social Affairs Council will meet on 27 May to decide on the programme of action. We understand that the Council's preparatory work for this meeting is already well under way and it seems the Council does not intend to enter into any firm commitments.

It is all the more important therefore, in our opinion, that Parliament should speak out firmly today and bring the maximum possible pressure to bear on the deliberations of the Council with a view to ensuring the latter's commitment in favour of women. Your vote, like the attitude of the Social Affairs Council, will significantly affect the degree of determination to bring about equality of opportunity for women.

A certain number of journalists are following today's debate. This will be the first time the proceedings of the European Parliament have been televised by European satellite. A conference of European women's associations, meeting in Bonn in a few days time, has included the discussion of this programme in its agenda. This shows the close attention paid by women to what is being done for them at a European level and how keen they are to ensure that these developments are along the right lines.

When Parliament puts its record before its electorate in 1984, I would therefore hope that women will find it contains a positive record of consistent action in favour of women's rights and the promotion of equal opportunity.

President. — I call the Committee on Budgets.

Mr Baillot, draftsman of an opinion. — (FR) Mr President, in her excellent report, Mrs Vayssade has preempted the opinion I am about to present to you orally on behalf of the Committee on Budgets.

In fact, the Committee has not restricted itself to delivering an opinion on the programme of action proposed by the Commission; it has cast a critical eye on the budgetary implications, and rightly so, because the Community authorities have regularly regaled us with high-sounding declarations of intent which, for want of the necessary appropriations, have not produced any practical effects.

I broadly agree with the conclusions drawn by Mrs Vayssade. So my contribution is not intended to amend her report or limit its scope, but rather to show it in a different and more budgetary light.

The Commission's proposals are in line with those set forth in the resolution adopted by our Parliament on

11 February 1981, which recommended in particular that equality of treatment be reinforced by more effective monitoring, by the Member States, of the application of the relevant Community Directives, by the provision of aid for the Member States to amend and harmonize the protective legislation in the light of the concept of indirect discrimination, by the development of a system of individualized social security rights, a proper status for self-employed women and farmers' wives, the reorganization of working hours to permit the sharing of tasks by couples, action to change mental attitudes, action in the fields of career guidance and vocational training, measures in favour of sexual desegregation in the realm of employment, rehabilitation, specific action in the public sector to promote the equality of women at work, close monitoring of the impact of the economic crisis on the employment of women, an information policy and participation by women in the activities of decision-making bodies.

The recitation of this list of recommendations brings us face to face with the fact that the Commission has considerably reduced the field of action envisaged by the resolution. Are the extremely modest budgetary implications of its proposals a pure coincidence? I do not of course underestimate the significance of the studies that have been made of contact networks and networks of mutual aid for women's movements; but even here we must be sure they are not used to bury the serious problems affecting women under mountains of paper and torrents of saliva.

The few thousand ECU of additional appropriations provided by the Commission will obviously not fill the bowl of resources to overflowing! Without being ungrateful for the advances provided by the Commission, I have the impression that the action programme is no more than a stand-by, intended to take the edge off our appetites, and that it is inadequately integrated in the general pattern of Community policy.

I therefore expect the Commission to correct this negative impression by affirming more unequivocally, in its preliminary draft budget for 1983 and in its proposed review of the Social Fund, its determination to improve the integration of women in a real social policy embracing not only employment and health but also vocational training.

This is rendered all the more urgent by the continuing rise in female unemployment. The Commission does not seem to have taken full stock of the situation, and prefers to award itself certificates of satisfactory performance which are of doubtful value, to put it mildly.

I also hope, in the interests of justice for women and success in combating unemployment, that the Commission will integrate women's problems more effectively in Community policies. Hence the need to enhance women's share in all Community activities to enable them to derive a 50% benefit, with the Commission assuming responsibility for the implementation

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of monitoring procedures which will enable the European Parliament to check the application of these measures.

I would point out in conclusion, Mr President, that the Committee on Budgets has decided to approve the supplementary appropriations provided by the Commission under budget headings 6 400 and 6 440 and to express the most emphatic reservations with regard to the additional staff requested by DG V and DG X for implementing this programme. The Committee feels it must draw attention, in this context, to the principle whereby the amount of appropriations and the number of staff must be laid down in the budgetary procedure. That is a fixed rule of procedure of our institutions.

President. — I call the Committee on Social Affairs and Employment.

Mrs Cassanmagnago Cerretti, draftsman of an opinion. — (IT) Mr President, ladies and gentlemen, I cannot hide the fact that I would have liked this debate to be linked to the topic 'Women, Peace and Development'. Unfortunately the Commission's document goes no further than stating general action, announced on several occasions, moreover, at various institutional levels, and once again puts forward on a reduced scale the wide range of actions already indicated in the European Parliament's resolution on the situation of women.

Therefore, while the amendments approved by the Committee of Inquiry have improved the programme, it does not seem capable in the short or the long term of meeting the various aspirations of the female population, especially at the present time.

The basic theme is the female personality. Firstly, the programme fails to indicate priority actions to promote real equality for women. It also fails to list the direct and indirect means of tackling the problem. The programme therefore errs on the side of vagueness, whereas it should have pointed to actions able to have a real effect on the situation of women, so as to provide a definitive solution to areas where they suffer from objective inequality.

The Committee on Social Affairs and Employment, whose spokesman I am in this Parliament has the legitimate intention of backing up the Commission's proposed programme, with some concrete suggestions relating to certain points which have not yet been worked out in detail. These are shorter working hours, a new distribution of working hours and of work, paid or not, so that all family structures become more flexible, clearer and closer to reality.

In this connection you are aware that the Committee on Social Affairs is examining a draft directive to regulate working hours on a voluntary basis, with the prin-

cipal aim of encouraging job mobility and flexibility, to contribute to rationalizing the supply of labour to the market by increasing the adaptability of services, working conditions and career structures.

A second area in which the Commission proposal does not come up to expectations is the development of micro-electronics and its special consequences for the employment of women, a point which the Committee on Social Affairs has gone into in some detail. A third shortcoming of the proposal relates to the greater encouragement of occupational training in sectors other than the so-called typical female occupations, and the guarantee that trainees will actually find a job in these fields even once the period of occupational training has terminated.

Both of these points are included in the resolution on social priorities approved by this Parliament, and it would be worthwhile to establish a link between them in order to make some progress instead of continually having to start all over again. In this respect the resolution I mentioned gave clearer details of the encouragement of the alternating training programme, introductory training courses especially for young people and women, and the establishment of a European policy to adapt education, training and specialization to the present and future requirements of the labour market and the job situation, with special concern for telematics.

Another specific request to the Commission concerned support for measures aimed at guaranteeing the mutual recognition within the Community of diplomas, certificates and other qualifications including professional qualifications, in order to promote the mobility of young people and women as much as possible.

Another point concerns the extension in the widest sense possible of aid to minors, starting from the principal of equal educational responsibility of men and women, especially in respect of parental leave and the improvement and adaptation of life to the working pattern of women in employment.

In this framework I would like to point out that the Committee on Social Affairs and Employment will shortly be examining a proposal for action in family policy, in a new family dimension open to the problem of other people.

Furthermore, special attention should be paid to the specific problems of female migrant workers, who happen to be those hardest hit nowadays when it comes to looking for and keeping a job, with much more disastrous consequences arising from cases of loss of employment in families dependent especially on one worker. The problem is compounded for second generation migrant workers and an outline programme of serious educational measures to promote their social and cultural integration cannot be post-

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poned any longer. Particularly serious problems too are those concerning housing, the schooling of immigrants' children and all the measures related thereto.

Lastly I would like to underline our awareness of the, at times, extremely difficult problems of women in the Third World, and their sense of responsibility.

To summarize, these are the suggestions which the Committee on Social Affairs lists in its report. There is a need for concrete budget appropriations in the European Social Fund now being reviewed. Such resources must nevertheless be commensurate with the scale and nature of social policy measures, so as to provide appropriate timely solutions to employment problems. It must be made obvious on the legal level that efforts are being made to implement the measures, laid down in the directives, concerning equal treatment as regards pay, working conditions and social security. Action must be taken to support and increase public awareness and develop or foster changes in attitudes towards the sharing of women's responsibilities in the occupational, family and social fields.

Lastly, real measures should be taken to promote solutions to the problem of flexible retirement and reduced working hours. Unless this is done, the slogan 'Women, Peace and Development' will lose all validity.

(Applause)

President. — I call the Socialist Group.

Mrs Lizin. — (FR) Mr President, ladies and gentlemen, a given social situation is never stable; it is no more than the temporary equilibrium of opposing forces. The same applies to the situation of women, and especially of women who go out to work.

Ten years ago the Commission was confidently telling us, on paper, that the rate of recruitment of female labour would go on rising, and that the trend was irreversible. Today it is saying the same, with less conviction; but what will it be saying in ten years' time? Women are certainly hanging on in the labour market. Notwithstanding their achievements and the progress made at the end of the sixties and in the early seventies, they have taken some heavy blows: reduced scales of unemployment benefit, the sacking of more women than men by firms under the weather, and inequality in the field of vocational training. Yet although they account for 75% of total registrations at unemployment offices in the past five years women are still looking for opportunities of employment.

As unemployment grows, women are also, once again, encountering the argument that priority should be given to jobs for men and that they ought to pack up and go home, with reduced unemployment benefit or

special financial incentives to keep them there. And there is also a risk, when they do go home, of their getting enmeshed in the development of a new phenomenon that is going to be rapidly created by the new technologies, namely work at home on a computer terminal. In social terms, and in terms of the law relating to employment, that will represent a backward step of more than fifty years. So the deterioration in the position of women, which is already very real, is only just beginning and the trends already discernible in the advanced technologies are going to have a catastrophic effect.

When I tell you that women are hanging on in the labour market, I mean they are fighting the battle in two ways, defensive and offensive. These two strategies are supported by the Commission's action programme, and that is why the Socialist Group is in favour of it. But although they are supported they could in our opinion be carried forward with greater vigour. Hence our support for the report presented by Mrs Vayssade. Let us be more explicit about this combat on two fronts. The first, the defensive strategy, is intended to stop the rot. To that end, the Vayssade report proposes the creation of a legal instrument making it impossible to take any measures increasing discrimination, and especially indirect discrimination, particularly in the period preceding the entry into force of Community Directives including, above all, the Directive on Social Security.

I have therefore submitted a proposal for a resolution requesting the Commission to prepare an appropriate legal text. I have taken this initiative under the terms of the Van Miert report on the right of initiative of the European Parliament.

The aims of the defensive strategy also include monitoring the penetration of the labour market by new technologies and ensuring that these new investments do not constitute a backward step as far as the working population are concerned. We do not consider the action programme to be sufficiently explicit in this respect. On the other hand, the provision made by the Commission for improving the appeals procedure is an effective and useful step, as is the taking into account of the feminine dimension of every Community action affecting the labour market.

As far as the offensive strategy is concerned, we need to go beyond the stage represented by the action programme. We are well aware of the fate of the 1975 programme, and we ought to draft binding legal instruments providing for positive action with regard to social security and the systems not covered by the present directive, with regard to equality in the field of education, with regard to taxation and its discriminatory and discouraging effects as far as women's work is concerned. All these actions must be backed by provision of the necessary budgetary resources and administrative posts — with all due respect to Mr Baillet and the Committee on Budgets — and by an infor-

Lizin

mation campaign with the aim of encouraging women to exercise their rights and use the instruments available to them.

Apart from the various shortcomings of the action programme that I have just underlined there is, however, the immediate danger, that the Council and the Member States will rob the programme of any mandatory aspect. This technique is by no means new; it has been applied to many other matters. But it would be terribly prejudicial to our interests in this case. One cannot accept reference, in a Council text, to the limited financial resources of each Member State and to national circumstances; otherwise there would no longer be any point in action at a European level.

Hence the need for the members of this Parliament to draw the attention of women, at a national level, to the risk that the intended progress will be watered down in texts without any real substance. Hopefully, the mobilization of our forces will enable us to check this negative trend which is contrary to everyone's interests and not only those of women. The Belgian presidency is a disquieting presidency in this context, for instead of applying the principles we wish to see adopted under the action programme Belgium is among the countries that have most vigorously attacked the rights that women have acquired, particularly as far as unemployment is concerned.

The point at issue in women's fight to remain an integral factor in the labour market is the refusal to allow the exploitation of the crisis as an argument in favour of what is, in fact, a backward step as far as the basic principle of equality is concerned — this principle of equality cannot, in any case, be tied to any social growth rate whatsoever — it is also the refusal to allow the development of a pool of cheap labour, partly employed at home, that could be used for reducing everyone's wages and imposing less favourable working conditions. The battle being waged by women is indeed among the vital factors which could propel society in the direction of shorter working hours for all instead of in the direction of a Europe characterized by two sorts of workers, namely on the one hand the very highly qualified, in full-time employment (who would be very few in number) and, on the other hand, those without qualifications, who would be employed on a part-time basis or at home, on low rates of pay and whose remuneration would be lower than at present. When it comes to facing up to these developments, which employers with a vested interest in the restructuring process are currently organizing, working men and working women are in the same boat. But will this dawn on them in time? That, for us Socialists, is the nub of this debate.

President. — I call the Group of the European People's Party (Christian-Democratic Group).

Mrs Lenz. — (DE) Mr President, ladies and gentlemen. The European People's Party, for its part also,

welcomes the general lines of the programme put forward by the Commission. Apart from one particular provision we shall also vote in favour. My remarks are therefore far more strongly directed at the Commission, the Council and the Member States, and I hope they will be construed as constructive criticism.

In the course of the Committee of Inquiry's discussions with the representatives of the Commission, however, we were assailed by very serious doubts as to whether we are still discussing the same paper here today. I would be very grateful if the Commission's representative could enlighten us in this respect in his statement. We would very much like to know whether there is any real prospect of the proposals we are making here actually being put before the Council. I am sure that effective cooperation, based on mutual trust, between the Commission and Parliament would demonstrate to our citizens, and in the present case, above all, to our women citizens, more clearly than any arcane market regulation, the extent to which we are actually prepared to do something for the Europe of the ordinary citizen.

What we are saying here — and I am sure this applies to all of us — is therefore very pointedly aimed at the Member States. And here I shall allow myself a critical word or two. If the Commission is expecting miracles in this context — approval of the action programme by the Council, followed by action on the part of the Member States, to whom it has delegated most of the responsibility for the programme's implementation — I would like to remind you of the words of Goethe: "Die Botschaft hör' ich wohl, allein mir fehlt der Glaube" (I get the message, but I'm not convinced). Perhaps the Commission has in mind, as the medium for carrying out its own policy, the Sorcerer's Apprentice whose spirits ultimately assert their independence. The interests of European women would be far better served, in any case, if the urgently needed reforms were hallmarked by determination to make concrete progress rather than by utopian ideology.

We fully realize the Commission is walking a tightrope here, what with women's demands that policy with regard to the family and women should retain certain basic principles, the economic crisis and the situation on the employment front, which certainly do not militate in favour of any readiness to take action on the part of the Member States, particularly in view of our heterogeneous structures, so that it is far from easy to submit a programme capable of actually bringing about the crucially important equality of opportunity for all the citizens of a democratic society.

The Commission sees the European Community as a pioneer and innovator in this field. It will be hard pressed — if one looks more closely at the action programme — to fulfil this role. In this respect, I would largely agree with the women who have spoken before me in this debate. Other members of my group will have something to say on the various special aspects. I

Lenz

shall therefore restrict myself here to a few critical points.

We too are troubled by the absence of precise statements on a series of issues, with regard to the key sector of education and vocational training. We too hoped for more clearly defined instruments for implementing the directives. But above all, we consider that the Commission's intentions with regard to its own departments concerned with women's affairs, women's associations and women's social policy represents an absolute minimum. The resources are inadequate for the job in hand. Here again, the responsibility will largely lie with the Member States. The draft resolution submitted to the Council by the Commission shows, indeed that it has obviously lost its nerve with regard to its own programme. The same applies to the review of national and Community legislation on safety at work and to the question of equality in the social security field. It waxes eloquent, however, on the harmonization of legal instruments, as this is again a matter for the Member States and does not cost the Commission a penny, but we have reservations about supporting the new legal instrument, that has been submitted to the Committee of Inquiry, which will apply to the period between the adoption and the entry into force of a directive, because we feel it would only swell the ranks of the bureaucracy.

Although our Group considers the review of tax systems to be a very controversial question, it broadly agrees that the Commission would for once do really well — preferably by carrying out appropriate studies — to clearly show the effects of the various European tax systems in this context. What we do not want, however, is any form of tax harmonization that would yet again be detrimental to the interests of married people and families. Like others among you, we consider the most crucial problem to be that of female unemployment because, in spite of frequent assertions to the contrary, the material and psychological consequences of unemployment are just as serious for women as for men.

Another important area in which we would welcome reform — although here again there is a need to proceed with caution — is that of harmonization of the terms of security of employment and maternity leave and of the statutory terms of notice of termination of employment, because these are vital factors which enable women to combine family life and employment outside the home. As far as women's preparation for employment is concerned, the Commission could have submitted a more forward-looking programme, because the future will doubtless continue to be fraught with major problems in this respect. With regard to part-time working, however, I must disagree with the spokeswoman for the Socialist Group. We would have preferred not to have part-time working presented here as an instrument for forcing women out of the labour market or into specific sectors, and would have expected an unequivocal reference to pilot

schemes and positive models which could have shown that this form of work has hitherto at least proved to be the best instrument for enabling men and women to come to a mutually acceptable arrangement with regard to their tasks in the family and in the working environment.

Finally, a word for the Commission itself. That institution, with its massive body of civil servants, could give an exemplary demonstration of what is meant, in practice, by giving women equal opportunities in every area of activity. It could then serve as a model for other institutions in Europe. A lot remains to be done in this context, even in the Commission's own ranks.

The work of the Committee of Inquiry will focus very clearly on the individual proposals put forward by the Commission. It will judge the Member States, the Council and the Commission by the attitudes they adopt to the action programme.

Permit me, in this year of the anniversary of Goethe's death, to close with the following observation: the secret of success in such situations, as in certain games in which the skill of the players is paramount, in spite of the considerable influence of the way the dice fall, the important thing is to move the pieces cleverly round the board. And this I hope the Commission, and we in Parliament, will succeed in doing.

(Applause)

President. — I call the European Democratic Group.

Miss Hooper. — Mr President, on behalf of the European Democratic Group I welcome the programme as an outcome of the work of the *ad hoc* Committee of Inquiry into the situation of women in Europe, Mrs Majj-Weggen's report and the debate held in March of last year.

I understand that the next stage is acceptance by the Council of Ministers and that they are to consider this action programme at their next meeting on 25 May. As Mrs Lentz-Cornette has already said, this does raise a constitutional issue, since we understand that the text already before the Council working party is a compromise text. Time and again, Mr President, in all areas of its work Parliament finds that although its opinion is required before any final decision is taken, that opinion, if based on an out-of-date text, is unlikely to be taken as seriously as it should be. More coordination and better timing between the activities of the organs of the Community is essential. Certainly if international democracy is to be seen working by the man or woman in the street, and working in his or her interest, then it is essential that the deliberations of Parliament, as the only forum for the discussion of Community policies, should not be debased by the fact that we are consulted on an out-of-date text.

Hooper

That said, Mr President, I turn to the Commission text which we have before us and repeat that the European Democratic Group broadly welcomes the programme and certainly its objectives. In particular we welcome the preliminary step that has already been taken with the creation of the advisory committee on equal opportunities for women and men. This will play an important role in ensuring the implementation of the programme, as it provides for liaison with national bodies. This committee also has an advisory role; in order to fill this Role satisfactorily it must be thoroughly representative, and we have urged the Commission to make it so. While I appreciate that that is the intention, it is frequently very difficult to achieve in practice.

I trust too that the Commission, having announced so clearly the constitution of this committee, will not fall into the kind of error which so often causes criticisms of its working, for example, by holding consultations behind closed doors and by appearing to ignore the advice given in the course of such consultations if that advice does not happen to fall into line with its own actual intentions. I therefore advocate the use of green papers with regard to specific proposals, particularly concerning the more contentious matters, so that anybody with an interest can make representations and suggestions at the earliest possible stage. This has been urged in relation to the work of other committees in Parliament, and I think it extremely important.

I would also like to see a close and continuing coordination and cooperation between those Members of the European Parliament who take a keen interest in the general area of equal opportunities. Many of them have served long hours on the *ad hoc* committee and now on the Committee of Inquiry, both of which of course, are temporary bodies.

Turning to the specific proposals, Article 4, which confirms the need to develop action to increase public awareness and information measures, is, I feel, of particular importance, since no amount of legislation is going to have the desired effect if that part of the public which needs to benefit from it is unaware of its existence. One of the justifications for this debate, almost as important as the debate itself, is to ensure that the specialized media coverage gets the message home. As Mrs Vayssade has said, the first ever satellite recording of a European Parliament sitting is being made today. This does indeed seem particularly appropriate. I believe that changes in attitudes take time, particularly when these attitudes have developed over hundreds of years, and the changes have only become possible within, I may say, the lifetime of one of our own Members of this Parliament. I refer of course to our *doyen d'âge*, Mrs Louise Weiss.

While recognizing the need for an efficient information service, in practical terms we must look at the budget which finances it. Annex IV to the Commission's proposals, which is the financial annex, makes it

clear that the intention is to increase the information budget substantially, although even then, and considering the work demanded of this service, it is pitifully small. I trust Members of the Parliament will bear this in mind when considering next year's budget. Indeed, I welcome the statement from the representative of the Committee on Budgets, which in general has accepted the measures suggested.

It must be remembered that one of the most vital functions of the women's information service is to prepare for and carry out an effective election campaign for the next European elections to ensure that women vote, women get elected and that the women's programme is carried out. In this respect, it is particularly important, I feel, to support the amendment made by the Committee of Inquiry to Article 8 of the proposals, which requests the Commission to submit an interim report by 1 January 1984 at the latest on the implementation of this new programme. I think it is very important that we should see the results of our work during the lifetime of this Parliament.

In general, Mr President, I believe that the proposals from the Commission cover all the priority areas to meet women's needs and the amendments made by the Committee of Inquiry to those Commission proposals do not actually add an enormous amount but the intention which we felt very strongly in the committee was to sharpen up the document. The important message we wish to convey today both to the Commission and to the Council is that, in approving the programme, what we now want is the action.

President. — I call the Communist and Allies Group.

Mrs Cinciari Rodano. — (*IT*) Mr President, I would firstly like to express the agreement of the Italian Communists and Allies with the motion for a resolution and the amendments which the Committee of Inquiry into the situation of women is tabling to the draft Council resolution.

I am also convinced that the action programme prepared by the Commission has its limits, firstly because it only partly tackles the problems mentioned in the resolution approved by the European Parliament in February 1981, and secondly because it is more of a declaration of good intentions than a clear statement of action.

It therefore seems to me to have two basic shortcomings. The actual Community measures are still timid, while as Mr Lenz remarked a short time ago there is a tendency to lean on recommendations addressed to Member States, many of which as we know, especially in this present crisis situation, are anything but willing to go ahead with the full implementation of principles of equality. To the contrary they are applying economic policies and cutbacks on social expenditure which

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tend to put the major burden of the economic crisis on women as on the great mass of workers.

In our opinion there is another, more general, shortcoming in this programme. It only makes a very slight attempt to come to grips with one fundamental problem, the employment prospects of women and girls. Admittedly there is a proposal for an advisory committee to study trends in female employment. Granted there is emphasis on vocational training, and there are significant positive measures put forward to limit the so-called segregation of the labour market. We acknowledge that all these points are worthwhile, but there is a risk that we will simply manage to safeguard equality, or attempt to safeguard equality, for those who are already part of the working world and not for the millions of women and girls who are desperately looking for jobs and not finding them. I admit that this criticism goes beyond the action programme relating to women and hits at the Community's inability to date to centre its policies on an innovatory strategy to bring us out of the crisis and make a serious effort to promote employment. Nevertheless women and young people are likely to be the first victims of this failure.

In spite of these criticisms, we consider the action programme to be positive on the whole, on account of its innovative aspects such as the shifting of the burden of the effort, the plans to extend equality in the social security field to independent female workers, the attention given to problems relating to maternity, parental leave and female immigrants, as well as for its prevailing spirit.

In a situation where the Community integration process is marking time where the Community is in the news on account of the inability of the Ten to agree on farm prices, at a time when the President in-Office of the Council is making declarations to the Committee on Institutional Affairs which are so astonishingly faint-hearted in the face of the difficulties, this programme on the other hand, seems an act of faith in the possibility of Community action not only to mediate in conflicts of interests and between nations but also to improve the quality of life of European men and women. It is significant that it is claimed in this situation that the movement of women onto the labour market is irreversible and that it would be foolish to think that the employment problem could be solved by sending women back into the home. Nevertheless this temptation is apparent in various ways in Member States, including Italy, and some attitudes towards part-time working or plans to give wages to housewives put forward in various quarters are a step in this direction. It is a significant sign of change that there is talk of an even hypothetical Community trend to adapt social structures and services to the life of women.

We consider that this spirit of change, thus this Community spirit, is a reflection of the activities of European women's movements and their constant fight for

emancipation and liberation. But it is also partly a result of the activity of this Parliament, of the fact that there was a broad, clear majority in favour of the Maij-Weggen resolution, with united support from the left and also broad sections in the rest of Parliament, cutting across political groups and national frontiers.

Even if we repeat it, a specific action programme will certainly not suffice to tackle women's problems, and equal treatment for women must be considered a basic objective of all major Community policies, whatever some colleagues may think of that. This action programme is therefore a basic minimum. We must now stop talking and start acting. We therefore call on the Parliament to vote in favour of the amendments tabled by the Committee of Inquiry and we ask the Commission of the European Communities to accept them and defend Parliament's viewpoint before the Council. We ask the Commission above all to give a clear commitment on one point, the definition and adoption of the legal instruments and proposed action, in other words to begin implementing the suggestions. Even more important, and here we echo the words of the rapporteur for the Committee on Budgets, we call on the Commission to provide the necessary funds and staff in the budget.

Mrs Vayssade and other members have already mentioned the resistance which seems to be appearing in the Council. I think the latter should think carefully before acting, as it would be laying themselves open to serious criticism if it departed, however slightly, from these minimum requirements. The Council cannot ignore the fact the European women with their aspirations are one of the most dynamic factors in European integration. It would be detrimental and dangerous to underestimate their determination to bring about progress and change, and I think that European women will keep a careful watch on the situation and when the right time comes will know what choice to make.

President. — I call the Liberal and Democratic Group.

Mrs von Alemann. — (DE) Mr President, the road to hell is paved with good intentions. One can thus go around proclaiming one's wonderful plans while at the same time hoping never to have to carry them out. In our view, although the programme submitted to us by the Commission does not go as far as we would have wished, it does at least constitute a starting point for putting the good intentions into practice. The Liberal and Democratic Group considers that the talking has continued long enough and that we must now be consistent and make the necessary decisions on the demands that were made over a year ago by the *ad hoc* committee and have since been constantly reiterated by the Members of this Parliament.

Mr Richard, my appeal is directed not only to the Commission but also, and above all, to the Council of

von Alemann

Ministers. It must decide, at long last, to stop being so slow in getting its directives incorporated into the national legislation and, indeed, always being so belated in its actions that women fail in the end to derive any benefit.

My Group welcomes the programme which — as I have said — does take some account of our demands. Above all, I welcome the statement by the representative of the Committee on Budgets that due account must also be taken of the financial aspect. That was really music in my ears, although I would not subscribe to his view that everything must fall under budget headings 6 400 and 6 440. In my view, the Commission needs additional staff. The women's associations in the Member States have known this for years. I would therefore request the Commissioner to finally give first priority to ending the situation in which women are just as under-represented on the staff of the Commission as they are in the various national administrations. Why is the Commission not becoming a model institution in which women really are given the opportunities they merit in the light of their education and political weight.

Our second demand is directed at the Council. It really ought to decide whether it is necessary — as would seem to be the intention in the Federal Republic of Germany, for example — for countries without a national advisory committee on women's affairs to send two women from the national administration to the Brussels meetings of the Advisory Committee on equal rights for men and women. In my view, that is utterly superfluous, and I believe that a woman representative of the national women's organizations should come to Brussels in their place. I realize the Commission has only a limited say in these matters, but it ought to make use of whatever influence it can exert.

Thirdly, we request the Council not to make any further deletions from this programme. The women who have spoken before me today have already pointed out that the programme before us is a minimum rather than a maximum, and I believe that absolutely nothing more should be struck out of it.

The amendments proposed by the Committee of Inquiry are largely directed at the Council of Ministers. We hope they will also be accepted and implemented by the Commission.

It is also our desire that the resources of the Social Fund should be increased for the specific purpose of ensuring the integration of women into the working environment and/or their reintegration after a period devoted to their family commitments. Assistance in this context is one of the Social Fund's most important functions, and the least we can do is to exhort our colleagues, unremittingly, to support our demands.

Action 6 in the programme, namely the review of tax systems — and this brings me to our next demand —

must be carried through. Here again we have indirect discrimination against women. The granting of tax concessions, in certain Member States, to women who have to stay at home to look after their children or to women without children is illogical. The concessions ought to be granted to families with children where one or other parent — man or woman — has to stay at home, but not necessarily to both.

The last and most important demand of the Liberal and Democratic Group is that actions 10, 11, and 12 of the programme — employment and vocational training — should be actually carried out. Ladies and gentlemen, it is illusory to hope to solve the problems of unemployment by tying women now, for a few years, to the home; there is every likelihood they will again be needed in the labour market at some future juncture and that all women will be asked to take up employment once again. We women resent being sent home because we are surplus to labour requirements, only to be needed again as skilled female workers, next time round, and brought back into the market. In our view, women and the family alone must decide whether they stay at home or go out to work. It is an utter delusion to believe, with our present vocational training systems, that this is really a free decision. A woman who has received a vocational training which inevitably brings her into an employment sector threatened with redundancies or characterized by far lower remuneration than in other sectors, is emphatically not making a free decision! What we Liberals want is action to ensure that this decision is genuinely informed and free.

I would like to give particular emphasis to this point. The call for a wider range of career opportunities for women and for women's vocational training in the new technologies has been backed by the Commission, with the result that we also will give our support to the Commission's measures. Hence our approval of the programme of action and the amendments proposed by the Committee of Inquiry into the situation of women in Europe

(Applause)

President. — I call the Group of European Progressive Democrats.

Miss De Valera. — Mr President, the Commission's programme is a continuation of the work done in 1974 with the aim of achieving equality as regards access to employment, training and conditions of employment. Much of the Commission's work has been inspired by the resolution adopted by the European Parliament in February 1981. I refer, of course, to the Maij-Weggen report.

I welcome the Commission's proposals in general. However, there have been serious omissions, such as

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an almost total disregard for training and a failure to take note of the problems of women in the less favoured regions. The Commission's neglect of this latter problem is emphasized by the fact that their proposals relating to the revision of the European Regional Development Fund contained no reference to women. However, as rapporteur for the Committee of Inquiry into the situation of women in Europe, I was able to present certain amendments at the last part-session of the European Parliament and have now ensured, with the help and support of the Members of this House, that women and young people will now get equal recognition with men when the European Development Fund is revised. The benefits accruing from that Fund will now come directly to women, which implies that more emphasis is now to be given to the situation of women in defining the specific needs of each region.

The Commission's new action programme is being presented at a time when the current economic difficulties are acting as a brake on governmental expenditure in favour of new measures for women. Although much has been achieved since the introduction of equal pay and equal opportunities directives, inequalities in employment still persist in practice, and I believe that this situation may very well be exacerbated in the present economic climate. Many of the fundamental rights which women have fought for and achieved through the European institutions are now threatened in the present economic crisis. I may well be accused by some Members present of discriminating in favour of women, but it must not be forgotten that when we are undergoing a recession such as at present, women are hit very badly. Although women represent little more than one-third of the Community's working population, they presently account for almost half the registered unemployed.

We must ask ourselves why this is so. Women are to be found mainly in the unskilled sector where there is now more competition than ever. The introduction of new technologies in areas such as secretarial work and retailing has damaged the employment prospects of women. The difficulties being experienced at present in, for example, the textile industry have meant fewer jobs for women in an area which has traditionally supplied jobs for women. Traditional attitudes towards women's role in the workforce has meant that certain jobs have not been made available to women in the past. Women are concentrated in a few sectors of activity and occupation and at a lower hierarchical level. It is necessary therefore to open up occupations and training courses hitherto almost entirely the preserve of men and to promote desegregation in employment in all sectors and occupations and at all levels of the occupational hierarchy.

In order for social attitudes to change towards working women, information programmes are essential. These information activities should be at first directed towards such groups as politicians, employers, trade

unions, parents and teachers. The Commission has agreed on these proposals too, and I quote: 'Lends its support to campaigns undertaken in the Member States to improve such knowledge and understanding.' The mass media have a very big part to play here. They can, by their interest, commitment and considerable influence hasten changes in attitudes. Enlightened career-guidance counselling for girls is also, of course, essential. Pilot schemes for training women, particularly unemployed women, for non-traditional occupations including areas applying the new technologies, should be introduced in all Member States. Further training for women in employment within firms with a view to improving their prospects of promotion should be undertaken by Member States. Training of vocational guidance counsellors and instructors should be provided to make them aware of the need for a diversification in career choices for both girls and boys. Member States should also develop training programmes for couples in rural areas and provision must also be made for training women with a view to reintegration into working life after a period of absence.

Evidence compiled in studies conducted by the European Centre demonstrates the capacity of women to occupy any post that is genuinely open to them. I welcome the example being given by the Commission to the Member States in that the Commission has undertaken to publish lists of appointments by sex at the highest level of hierarchy. The Commission suggests that the Member States should take measures to achieve equal opportunities for men and women in the public service and that training should be made available to women for access to public-sector jobs traditionally reserved for men, for example the police force and technical jobs in post and telecommunications offices. With the increasing pressures of economic crisis we must ensure that part-time and temporary work does not reinforce the segregation of women in employment. Women, more than men, are more likely to accept these forms of work given that the burden of family responsibilities still rests largely on their shoulders. Therefore, the provision of nurseries to help working mothers is essential. I will therefore be very interested to note the reply to a question that I have tabled asking the Commission if they can confirm that the Social Fund can be used to help pay the cost of a nurse for the children of women who are attending training courses.

To sum up, Mr President, I welcome the general terms of the Commission's proposals on behalf of my group but we are all saddened to note that the question of education, for example, which was raised in the Maij-Weggen report in February 1981, was not tackled on this occasion. I also feel that little heed was paid to the proposed revision of the Social Fund Regulation. There must be in my view fuller integration and greater coordination between Community instruments.

I will end, Mr President, with your permission, by just referring to a point which Miss Gloria Hooper and

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others have made with regard to Mrs Vayssade's amendment to paragraph 8 of the Commission's proposals. I certainly wish in conjunction with the other Members of this House to support this amendment. I look forward to the many changes that hopefully will come about to help the situation of women in the European Community.

President. — I call the Group for the Technical Coordination and Defence of Independent Groups and Members.

Mrs Hammerich. — (DA) Mr President, Mrs Vayssade's report is full of good intentions, but I do not understand why she should object to the Commission's action programme leaving a great deal of the initiative to the Member States. I cannot quite see what is wrong with decentralized initiatives.

I should now like to make a few remarks on the Commission's action programme itself, which is very confusing and self-contradictory. It contains many sensible points, such as the realization in the introduction that it is women who suffer when there are cuts in public spending on crèches and kindergartens. This is all too true.

I have shown the programme to Danish women, including a number of social workers, who are active in the women's movement. They are unanimous in concluding that the programme is full of contradictions and that it is superficial and vague. What, for example, is this parent's leave which is mentioned? It is not defined. We will have to express ourselves much more clearly in our women's movement if men are to stand a chance of understanding of what we are driving at.

However, the programme is above all so out of touch with reality that you would think it had been written on another planet. A number of examples are given of possible ways of improving working and living conditions for women, such as paid leave when children are sick. This sort of thing costs money and I can well imagine this money being spent. One might logically, therefore, expect the Commission to encourage the Member States to spend more money in the social sector in general, but is the Commission in fact doing that? No, quite the reverse — year after year we adopt these depressing economic guidelines which support and recommend savings in social expenditure, not to mention the horrifying Fifth Economic Programme which is a veritable orgy of cuts and lowering of people's standard of living.

Thus, in its well-intentioned action programme the Commission recommends improving the situation of women by means of increased public spending while at the same time it recommends cuts in the social sector, which would make life harder for women. Unfortun-

ate I tend to trust the Commission more when it is pressing for stinginess than when it is throwing well-meaning remarks around. However, perhaps the Commission itself can explain this inconsistency.

The Commission's social theory is also somewhat wide of the mark. According to the programme, equality is to be achieved by promoting the rights of the individual. The Commission thinks that the social improvements women have managed to achieve were handed to them on a plate. History paints a completely different picture. Do you really believe that such things as the first paid maternity leave or the right to vote were handed to women on a plate? No, these things come about in quite a different way — by women getting together and finding what they have to do, not as individuals but as a united body. This is how they fight for their demands at their place of work, in the trade unions, in their parties, in local government and vis-à-vis the national Parliaments, and after a long and hard struggle some of the demands are met, and so it goes on. This is how progress is made and not according to the dictates of abstract multinational élites.

Naturally, women need international cooperation too, but in the form of voluntary solidarity across the national borders involving mutual support, exchange of experiences, practical aid, economic support and the achievement of results in one's own country which other women can hold up as precedent to their own governments. To take an example — the Danish Women's Movement spent ten years calling for twenty-six weeks maternity leave. We conducted very large-scale and vociferous campaigns, and last year we succeeded, right in the middle of the economic crisis. Four weeks of pregnancy leave, together with the fourteen weeks maternity leave proper which we had already, gave a total of 18 weeks. This victory did not come about thanks to a few kind uncles down in Brussels, but because we fought for it.

There is a lot lacking in the form of positive discrimination, i.e. things such as paid leave for examinations during pregnancy or in the case of sickness of a child etc., and we can draw inspiration from the women of Sweden, who have managed to gain not only these advantages but also the luxury of a certain amount of leave for men in the case of the birth of a child.

Sweden's example shown us that if we leave the European Community, we will be in a better position to fight for women's rights, partly because the Community is actively supporting cuts which put paid to any progress, and because we do not intend to sit back and wait for miracles to come from abroad, but to take the responsibility ourselves, since we do not intend to take as our basis Community Directives which in reality are far inferior to those we could devise for ourselves. However, it goes without saying that the Danish Women's Movement will cooperate within Europe and the world as a whole for the sake of our cause.

Hammerich

This is simply something quite different than falling for the Commission's soft soap.

President. — I call Mr Eisma.

Mr Eisma. — (NL) Mr President, I should like to begin by expressing my appreciation of the good work done by Mrs Vayssade, as a result of which we can give her proposals our full support.

If I understood you correctly, Mr President, you announced me as the first male speaker in this debate, and it would seem that some people still think it odd that a man should be taking an interest in the issue of women's rights, a fact which is brought out in the composition of the Committee of Inquiry into the situation of women in Europe, which has only one male member. It is also interesting to note that this debate is being conducted very largely by women. I rather get the impression that Mr Riehard has been called upon to deal with the question of women's rights because there is quite simply no female Member of the Commission. Incidentally, when are we likely to get a female member of the Commission? And I mean not as a result of positive discrimination, but simply as a result of having the same aptitude for Commission work as a man. It is indeed odd that there should be no female member of the Commission at a time when there are more and more women in national governments. We hope that we, as a Parliament, will be able to ensure that women are represented in the Commission by 1984, or possibly earlier.

Mr President, my activities as regards improving the situation of women are dictated by two considerations. First of all, support for the women's emancipation movement is aimed at doing away with the unfair discrepancies in the treatment of men and women. At the same time, though, women's emancipation also means the emancipation of men. After all, the fact is that, once women have got rid of their social disadvantages in the field of education and training and job opportunities, men will have more scope for choice as regards part-time work and housework. In other words, Mr President, a change of roles for women will have the same effect for men. The two things go hand in hand.

Mr President, one of the really influential instruments of Community policy in this field are the Council directives. The emancipation directives have made the people of Europe directly aware of what Europe can mean. The third of these directives on the equal treatment of men and women also has a direct effect on the social security system. This particular directive, which is intended to be binding in the legislation of the various Member States will have to be brought into force by the Member States by the end of 1984, and steps are already being taken, as in my own country with regard to the head of household principle in the new

legislation on illness, which appear to be contrary to this directive, which after all bans the introduction in the meantime of any new provisions discriminating against women. It remains to be seen how the Commission and the Council will react to violations of this directive. We should like to hear from the Commission what legal instruments it intends to fashion to ensure that the Member States comply with the said directive during the transitional period.

Let me repeat, Mr President, the directives which have been drawn up so far are the only concrete thing to come out of the Community's emancipation activities. All the other much-heralded activities are conspicuous only by their vagueness and the lack of concrete results. If we take a look at the resolution passed by Parliament on 11 February last year, we can see that the Commission has put into practice only some 10% of what Parliament regarded as desirable, and the same goes for the section on women and health care, which the action programme only mentions in passing. We realize that, thanks in part to Danish opposition, it has proved impossible to get a Community health programme off the ground; nor has health policy featured in the slightest in discussion of the mandate. Nonetheless, we intend to press the point by way of a number of amendments, including Amendment No 13, which aims at intensifying the guidance of the Social Fund with regard to the position of women. I shall be coming back to the question of women and health at a later stage in my capacity of rapporteur for the Committee on Energy and Research.

In conclusion, Mr President, I should like to know when we can expect 'positive action' with regard to the Commission's personnel policy concerning women. The fact is that the maximum age limit for candidates for Commission recruitment competitions is still the same as for men, although it is by now more than obvious that many women are prevented by family commitments from gaining the requisite experience by the time they reach the maximum age limit.

A change in the Commission's personnel policy in this respect must be forthcoming before long, and in any case before publication of the Commission's report — due in February 1984 — on the state of implementation of the resolution passed last year.

Mr President, I trust that the Member of the Commission will reply conscientiously to the specific questions we have raised, and I also trust that he had not already prepared his speech before we began this debate.

President. — I call Mrs Maij-Weggen.

Mrs Maij-Weggen. — (NL) Mr President, I should like to raise a point of order. It would appear that the Council benches are now completely unoccupied, whereas the debate in February last year was attended

Maij-Weggen

not only by Council officials but also by the President-in-Office himself. The Dutch minister attended the whole debate. We have already expressed annoyance at the fact that the Belgian minister is absent; now the last remaining official has been gone for ten minutes, which is surely too long for a mere call-of-nature absence. I would ask for the sitting to be suspended until the official has returned to his place.

(Applause)

President. — I call Mrs Van den Heuvel.

Mrs Van den Heuvel. — *(NL)* Mr President, as an extension perhaps to the comment made just now by Mrs Maij-Weggen; I see on the monitor that Mr Richard is down to speak next. Surely that does not mean that Mr Richard intends only to reply to the first group of speakers in this debate and then leave us? That would seem to me to be wholly at variance with the lofty promises contained in his action programme. I would appreciate some clarification on this point.

President. — Mrs van den Heuvel, you have raised a point which I was about to mention, since I wanted to ask the Commissioner, Mr Richard, if there was some urgent reason why he should leave Strasbourg and has to make a general statement on the debate now and if he could not wait to hear the other speakers such as yourself, Mrs Maij-Weggen, Spaak, Pruvot; Wiczorek-Zeul, Fullet, Gaiotti De Biase etc. As President, I would therefore ask the Commission to make an initial statement but that he should be given an opportunity to speak again once all the other members have been heard.

With regard to Mr Tindemans, as Mrs Maij-Weggen stated, he will shortly be here in person.

I call the Commission.

Mr Richard, Member of the Commission. — Mr President, may I deal with the point of order raised right at the outset? It is certainly not my intention to leave this debate. It never has been. I, frankly, am interested in the debate. I wish to stay and wish to listen to it. It did seem to me, however, that after all the rapporteurs and the groups had spoken, it might be helpful to the House if I gave some indication of the way in which the Commission approaches Mrs Vayssade's report. Naturally, I will listen to the rest of the debate and if there are issues raised which it seems useful that I should try and answer at the end of the debate, then with your permission, Mr President, that is what I shall do.

May I first of all convey the Commission's thanks to Mrs Vayssade for the report. I recall that it was she who chaired the Committee of Inquiry through its ini-

tial period of activity last summer. I would also, if I might, express some appreciation of the quality of this debate. The Commission attaches great importance to the attitude of Parliament to the new action programme. I think we all have good cause to be grateful that Parliament has maintained a high level of commitment to Community action towards improving the situation of women in the Community.

Let me try and put our action programme into some kind of perspective. It was designed largely as a direct response to the parliamentary resolution in the report of Mrs Maij-Weggen last year. The Commission itself has a long-standing commitment to action in this field; its work would in fact have continued with or without a specific new frame of reference, and the new action programme should be seen, I think, essentially as a political response by the Commission to the debate in Parliament. It serves to reaffirm the importance of equal opportunities for women in the current period of economic recession and it emphasizes the need to intensify and widen the scope of Community action in this field during the years to come. The Commission programme sets out a series of specific objectives and details of the types of action to be carried out by Member States and at Community level over the next four years. I have had occasion to discuss these in certain detail with the Committee of Inquiry, and I do not think it is necessary for me to go over it all again in detail here in plenary sitting. Instead, I would like to say a few words about the draft Council resolution and make one or two comments on the motion before the Parliament.

The draft Council resolution was intended to enable the Council to confirm its political commitment to the realization of the programme. The Social Council will be meeting in just two weeks' time on 27 May; the scene is therefore set in effect for the adoption of a resolution. I must tell the Parliament, however, that the omens are not really encouraging. The preparatory discussions that have been held until now have, frankly speaking, been difficult. It seems distinctly possible that the Council may evade its political responsibilities and avoid taking this opportunity of giving a clear confirmation of its commitment to action on equal opportunities.

I can quite understand that this Parliament, directly elected by the people of Europe, over half of whom are women, seeks to strengthen further the draft resolution proposed by the Commission. I welcome most of your amendments, and I appreciate that you have addressed them directly to the Council.

I regret that this debate could not have taken place at an earlier part-session so as to allow the Council more time to give full consideration to Parliament's views. As it is, the Commission has endeavoured to hold open several aspects of the discussions within the Council, so all is not cut and dried before Parliament votes and

Richard

before the Ministers themselves arrive to put their final seal of approval on the text of the Resolution.

I say too that the economic situation cannot, in my view, continue to serve as the alibi for avoiding systematic action in the area of social policy and equal rights in particular. On the contrary, it is precisely during this period, when unemployment is reaching unprecedented levels and financial cutbacks are further increasing the misery of the most vulnerable sections of the population, that a firm commitment to social solidarity is most necessary.

The Commission is particularly concerned about the developments in certain Member States in connection with budgetary austerity measures which are seriously undermining the situation of women. Whereas little can be done from Brussels about the effect of budget cuts on social infrastructures, for instance, or in education, the Commission cannot tolerate a situation where the Community's legal framework on equal treatment is being endangered as a result of national actions to meet the economic crisis. As regards social security in particular, the adoption of the Community directive in 1979 marked a point in time after which the progressive implementation of equal treatment was provided for. Member States may well be taking their time in passing the necessary implementing legislation, but there can be no going back in the opposite direction, in spite of the temptation to make easy savings at women's expense during the exceptionally long period allowed for the implementation of this particular directive.

In this connection I would emphasize that the Commission, as the guardian of the Treaties, will look at all individual cases which come to its notice to see whether a measure taken by a Member State after the adoption of Directive 79/7 is such as to compromise the realization of a particular objective of that directive within the time limit laid down to give it effect. If the Commission were to consider this to be the case, then it could always envisage the introduction of Treaty breach proceedings before the Court of Justice.

Mr President, the Commission, in my view, must clearly make the fullest use it can of its legal instruments. Much of our efforts must continue to be focused on the application of the existing directives and the first three actions in the new programme are concerned with this objective.

As I said in this House last year, however, I do not believe that economic sanctions should be envisaged, for instance by withholding the payments from the Social and Regional Funds in the case of Member States which fail to implement the directive satisfactorily. Women would be the first to suffer in those Member States which lose the benefit of that Community funding. In actual fact, practically all Member States would be affected since as things stand at the moment the Commission has its hands full with legal

proceedings in all directions, and this is, after all, the appropriate control mechanism provided for by the Treaty.

Other new legal instruments are envisaged in the action programme. Again, as I have already explained to the Committee of Inquiry, these are at different stages of preparation, none of which were ready precisely at the time of the adoption of the action programme by the Commission. But in my view this in no way weakens the programme itself. If anything, it focuses attention on the broad scope of the programme and the need for a general political commitment by the Council. I would also like to stress the timing problem. The Commission's idea is that an assessment of the Community's achievements and an outline of future progress should be made in 1985, the year in which the United Nations' Decade for Woman is due to end. The Commission of Inquiry's idea is to have it in 1983 or 1984. But frankly speaking it seems to us difficult to consider in practice as most elements of the programme, which is a comprehensive one, are bound to require some time to be implemented effectively.

Mr President, whatever happens in the Council in 2 weeks' time, the Commission will pursue the implementation of the programme according to the means made available by the budget authority. I am sure the rapporteur of that committee will not be surprised if I tell him that I noted with very great care what he said at the opening of this debate this morning.

The Commission has this morning adopted the draft preliminary budget for 1983 which includes provision for the necessary financial resources as indicated in the annex to the programme.

The ball is, therefore, now in the court of Parliament and the Council to be played out during the course of deliberations on the 1983 budget over the next few months and not — and let us be clear about this — on the occasion of the resolution on the action programme itself. I am confident this Parliament, for its part, will sustain its commitment and play an energetic role in obtaining the necessary resources for the implementation of the programme.

I am also confident that Parliament, and in particular the Committee of Inquiry, will keep a vigilant eye on the equal opportunities dimensions of other Community policies. This is ultimately the most vital and yet perhaps the most intangible of tasks that faces us. Action to improve the situation of women cannot be confined to one specific programme or one specific resolution. Our work in the past few months, for example, in the field of employment policy, — somebody mentioned this morning part-time work, temporary work and flexible retirement in particular — should I hope, have made this clear. Some future work in other fields, such as the employment of young people, should also be foreseen in the same context.

Richard

Similarly, as regards the Social Fund for instance, it was clearly not possible to anticipate the review of the Social Fund by making two specific commitments on the question of women last year during the preparation of the action programme. The Commission has yet to finalize its own position on the Social Fund review. Any changes in the structure of the fund are unlikely to take effect before 1984.

As far as training and unemployment measures for women are concerned, therefore, there should be no pause in our efforts to stimulate positive action programmes in Member States whatever finally transpires at Community level with regard to the Social Fund.

There are other wider aspects of policies affecting women which the Commission did not choose to take up too explicitly within the context of the action programme, although they are mentioned in last year's parliamentary resolution. They have been mentioned here this morning already.

As regards education and health policy, for instance, I have already explained my views to the Committee of Inquiry. Let me say briefly that vocational guidance and training, which are part of education policy, are taken up explicitly in the context of several actions in the programme. Now the Commission initiatives in the area of education and training will also reflect our concern for improving the situation of girls and women.

Likewise with public health policy. I think we should avoid trying to establish clear dividing lines between policy sectors and between areas of Community and national competence. The important thing is to establish the priorities.

Finally, Mr President, may I say that the Commission's action programme is centred around employment which is the number one political priority for women as well as for men. Employment and employment-related measures are also those where the Commission has had some experience and credibility, I think, and a widely accepted legal basis for action. I believe there is no fundamental disagreement about the selection of our priority actions. I am grateful to Parliament for having given its general support to the structure of the programme.

I would, therefore, Mr President, like to congratulate the members of the Committee of Inquiry for their rapid, efficient and, if I may say so, constructive work. I sincerely hope that Parliament's position on the action programme will serve to show the Council the political importance for a firm commitment on the effective implementation of this programme.

President. — I call Mrs Van den Heuvel.

Mrs Van den Heuvel. — (NL) Mr President, following on from what was said by previous speakers, I am

able to announce that, generally speaking, the action programme before us now can count on our support. However, I should also like to associate myself with what was said by the rapporteurs and by other speakers just now to the effect that what we have here is in fact a minimum programme. It is very vague as regards policy instruments, and contains no concrete proposals for additional directives despite the request which was made so emphatically in Mrs Maij-Weggen's resolution. The Socialist Group therefore strongly supports what the Committee of Inquiry into the situation of women in Europe has proposed with a view to strengthening and improving the original proposal. We particularly support the legal instruments which — and I shall be coming back to this point later — must be used to ensure that, during the transitional period for the third directive, no measures are taken which might jeopardize implementation of the principle of non-discrimination.

There can be no doubt that the programme is of some significance as regards the situation of women in the Community, but the Commission has — at least, that is the impression we get — paid too much attention to the current climate in the Community and has in many respects contented itself with marking time rather than taking a definite step forward — there can certainly be no question of a major leap forward. We have by now almost grown so used to the prevailing situation that we are pleased whenever agreements are at least complied with and commitments taken seriously.

However, I should like to stress that our criticism of this programme in no way detracts from the respect we have for the officials who have worked on the programme. Within the political limitations, those engaged on this project have put in some very sound work which, because it goes on very largely behind the scenes, deserves a word of public praise.

Mr President, the European Community must beware of squandering its reputation on the situation of women, and that is something Mr Richard should appreciate too. The three existing directives on equal pay, equal treatment at work and equal treatment as regards social security must be based on legislation aimed at doing away with distortions in competition. These three directives have had a highly beneficial effect on the situation of women in the European Community. The underlying principle of the three directives is the same, namely equality between men and women on the job market. I assume — and perhaps Mr Richard will correct me if I am wrong — that we are implicitly underscoring what was said at the meeting of the OECD held in Paris on 16 and 17 April 1980 to the effect that women have the same right to work as men, regardless of economic growth and regardless of the situation on the job market. I cannot imagine, Mr President, that the Commission made up its arguments for the occasion in drawing up these directives. The same ought to apply to the Council of Ministers which, in a resolution passed in 1974,

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expressed the political will to ensure that both men and women enjoy equal access to the work process and occupational training and equality as regards working conditions, and which passed the three directives on equal pay — on 10 February 1975 — equal treatment in the work process — 9 February 1976 — and equal treatment as regards social security — 19 December 1978. What was true on the stated dates must also be applicable in difficult times.

Is it really over-optimistic to expect that kind of consistency from the Council? According to reports reaching us about negotiations at official level on this action programme — something to which other speakers have already referred and on which the Member of the Commission most certainly did not exude an air of optimism — it would almost seem that the consistency being shown by the Council is not quite as impressive as we had hoped and expected. Of course, the Council is at pains to assure us that it agrees in principle with the basic thinking behind the Commission's resolution, and we may rest assured that the final version of the resolution adopted by the Council will contain plenty of find-sounding words. But the fact is, Mr President, that women have had to put up with merely fine words for centuries now; the time has now come for action. It is high time we came out clearly and categorically in favour of definite measures so that, in the near future, we shall be able to make at least a little more progress than we have so far, even if those measures cost money.

We demand that the Council and the Member States should comply in all respects with the undertakings contained in the directives, even where these involve financial consequences. Of course, Mr President, we are not blind to the financial problems facing the Member States; women in general and women politicians in particular do not go around wearing blinkers. We realize that the Member States are faced with major problems and it is very difficult at a time of economic recession to keep the social security provisions relating to workers up to the expected standard. Incidentally, we would not be good Socialists unless we were prepared to make a stand for the existing level of social security, especially for the lowest paid workers. But, Mr President, the right to work for women too must also mean the right to an income and, as an extension of that, the right to benefit on the basis of social legislation. That is an unavoidable fact of life for women too, and it is not to be evaded either directly or indirectly by way of head of household rights which are, after all, bestowed on men in the majority of cases. The impression one gets is that, in the various Member States, people are trying, under the pressure of financial problems, to close their eyes to the connection between these three directives.

Equal pay will remain a pipe dream so long as there is no equality of treatment in the work process, and the second directive will become a dead letter unless equality of treatment is granted as regards social

security provisions. During the post-war period, we women thought once that the battle of principle as regards equality of treatment had been brought to a satisfactory conclusion. However, now that times are getting harder, it is becoming increasingly obvious that we were too optimistic in that respect. It is not just that the Member States are hesitating to amend their legislation to take account of the third directive — they are even on occasion taking steps or devising plans, as in my own country — and as Mr Eisma referred to earlier — to pass legislation amounting to reversion to the old discriminatory ways. I was pleased to hear Mr Richard stress the fact that it is up to the Commission in the first instance to hold fast to the principle of equality enshrined in these three directives, even though there may be a tendency in the Council to renege on the undertakings already given.

But at least one thing has emerged clearly out of the discussions on the implementation of the third directive. What is lacking in the Member States is a clear definition of the concept of 'indirect discrimination'. I would urge the Member of the Commission to supplement the Commission's activities in ensuring that the undertakings entered into are in fact complied with by arriving as quickly as possible at a clear definition of the concept of 'indirect discrimination' and by making it clear to the Member States that the head of household principle too is being blocked in the long run in the text of the directive. I am not asking Mr Richard to put right at a stroke a situation *vis-à-vis* women which has evolved over the course of centuries; what I would ask, though — and Mr Richard's words have given us some hope in this respect — is that we should uphold our commitment to the principles laid down in the directive.

President. — I call Mrs Maij-Weggen.

Mrs Maij-Weggen. — (NL) Mr President, on behalf of my Group and to some extent in my capacity as erstwhile rapporteur for the *ad hoc* Committee on Women's Rights, I should like to begin by expressing my appreciation of the speed with which the Commission reacted to the resolution adopted by the European Parliament in February 1981. It seems to me that the fact that the Commission has come up with an action programme within ten months and that that programme will be forwarded to the Council by the end of this month deserves a word of praise. So far, Mr President, so admirable.

As regards the more critical remarks I wish to make, I should like to associate myself with what Mrs Vaysade had to say and with what she set down in her report. What we have here is indeed a minimum programme which cannot be pared down any further, and I hope the Council realizes this. We cannot possibly tolerate any watering down of this programme. I hope the Council is taking careful note of what I have to

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say, because I find it annoying that the Belgian Presidency is not present in the Chamber at the moment. I would remind you that the Dutch Presidency attended the entire debate in February 1981 and reacted appropriately to that debate. I know that Mr De Keersmaecker is here in the House, and I would appeal to him to come along and listen to this debate.

Mr President, I should like to confine the critical comments I have to make on the programme to three out of the sixteen sections of the programme itself and to a single point arising from Mrs Vayssade's motion for a resolution. The three sections of the programme I should like to comment on relate to the strengthening of equal treatment of men and women as regards social security, the proposal for a start to be made in the equal treatment of men and women as regards tax legislation and the promised improvement in the situation of working women in family businesses; as regards Mrs Vayssade's motion for a resolution, I should like to comment on the effects of the economic crisis on women.

Beginning with the point about improving equal treatment of men and women as regards social security, perhaps I could just point out to Mr Richard that the directive on the equal application of social security provisions was adopted by the Council in 1978 and not in 1979, if I remember correctly; this directive has to be implemented by the Member States by the end of 1984, but is in itself most certainly not complete in every respect. Its shortcomings relate in particular to the pensions issue which, because of the Myriad complications, was excluded from the terms of the legislation. It is a good thing that the Commission has now announced that it intends to deal with this issue in the near future. It is after all rather absurd that some should be able to count on equal treatment as regards social security up to their 65th birthday, with no such expectations thereafter.

Another point which could usefully be clarified as quickly as possible is the question of indirect discrimination as regards the social security provisions. The fact that the Member States have been given six years to implement this directive has made them highly inventive in their efforts to circumvent the principles enshrined in the directive. For instance, a distinction has been made in Belgium recently between principal resident and other members of the family residing on the premises, while the Netherlands are threatening the increased introduction of the head of household principle. Both these concepts, Mr President, are said to be 'neutral' from the point of view of sex discrimination, but you only have to take a look at the practical disadvantages of these measures for women in particular to realize that what we have here is in fact a pretty sophisticated form of indirect discrimination.

There is an urgent need for the Commission to get to grips with these forms of indirect discrimination on the grounds that, from the point of view of women,

they are more dangerous and more serious than the straightforward discrimination we were faced with on a large scale not so long ago, and the reason why they are so much more dangerous and serious is that they are designed to give the impression of equal treatment.

The fact that the Member States have been given six years to implement the directive on equal treatment as regards social security provisions has led to other complications besides. Some Member States have resorted to worsening temporarily the situation of women as regards social security provisions, the main aim being to restrict budget deficits. The fact that the directive does not have to be implemented until 1984 has given rise to these temporary discriminations, and it is urgently necessary for the Commission to denounce these practices if only to prevent others from doing the same. On this point, we have tabled an amendment to Mrs Vayssade's report and I hope that it will be adopted by the House.

A second aspect of the action programme which we feel to be of special importance is the move towards the equal treatment of men and women as regards tax legislation. In the resolution it adopted in February 1981, the European Parliament made the point that the directive on equal pay was undermined by the fact that the Member States imposed a heavier tax burden on women — and particularly married working women — than on married working men. This is particularly true in those Member States in which the incomes of husbands and wives are lumped together for taxation purposes or in which married working women have a specially low tax-free allowance or in which they can set no expenditure off against tax, as is the case in my own country. The effect of this kind of practice is that, while it is true that men and women receive the same gross pay for the same work, the net pay is certainly not identical. As a result, the national governments make it incumbent on the one hand on employers to pay men and women the same rate for the same job, but on the other hand, we then have those very same national governments spoiling everything again by way of their tax legislation. Mr President, this is to my mind a hypocritical attitude and I am glad that the Commission is proposing to put an end to such practices by instituting an enquiry into whether or not a directive is called for here. I understand from sources in the Council that the Federal Republic of Germany, my own country and the United Kingdom are particularly prominent in expressing strong reservations on this point. Mr President, there can be no doubt whatsoever that those countries which are most troubled by their consciences on this point are raising the most vigorous protests, and I would therefore urge the Commission to initiate its enquiry in precisely those countries. That seems to me to be the most efficient and effective way to proceed.

A third comment I should like to make relates to the Commission's intention to improve the situation of

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working women in family businesses. This point too featured in the resolution of 1981. Women working in family business are not only a vulnerable category in themselves; they are in addition dependent to a great extent on the European Community. After all, this group of people includes the millions of farmers' wives throughout Europe. The vast majority of these women have no occupational status as such, they have no income of their own, no social security in their own right, inadequate facilities for special occupational training and insufficient say in the businesses in which they work; and yet these women make a major contribution to the Community economy, and the agricultural economy in particular. It is therefore incumbent on us to ensure that these people are given proper legal status, and I would therefore urge the Commission to treat this as a priority matter.

In conclusion, Mr President, there is one final remark I should like to make concerning Mrs Vayssade's motion for a resolution. My group is virtually 100% behind her motion for a resolution, and I should like to congratulate her on having done a good and balanced job of work. We go along particularly with the points she has made about the great dangers of the economic crisis from the point of view of the equal treatment of men and women. In this respect, history has taught us what to expect. We are aware that, at times of economic crisis, intolerance tends to increase, and that is true of the situation of women. We also realize that, at times of economic crisis, there is less willingness to redistribute the available work, especially as regards women. We also realize that, at times of economic crisis, there is less willingness to share out power and influence, again particularly from the point of view of women. If there was ever a time when women should really stick together it is now, in the 1980's. I hope that women will indeed muster the solidarity they clearly need, and what I mean by that is solidarity with their own sex and with all other vulnerable groups of the population in danger of being crushed in the machinery of the economic recession. If we succeed in showing the necessary solidarity, the 1980's will not necessarily be time lost from the point of view of the women's rights movement. On the contrary, if we take whatever chance is going in these difficult times to hold the fort, the 1980's may even be the time of the great breakthrough, the time when the equal rights movement becomes, once and for all, a major and permanent force in our society.

I would therefore urge the women of Europe to remain steadfast and not to yield in the face of the economic crisis. If we stand four-square, the potential lost time of the 1980's could be converted into a very fruitful period for the women's rights movement.

IN THE CHAIR: MR KLEPSCH

Vice-President

President. — I call Mr Purvis.

Mr Purvis. — Mr President, I was pleased to be asked to be even a substitute on the women's committee of inquiry, and I was flattered to be asked to speak in this debate. I cannot say in all frankness that there was a stampede. Indeed, there was a regrettable attitude of dismissiveness, negativity, even ridicule among a small minority of my colleagues regarding this committee and the whole women's problem, and I warn you in advance that the next speaker from these benches will be one such. This I cannot condone, nor can most members of our group; but it is indicative of the persistent public attitude to women and their justified claims to a full and satisfying life.

It is equally unfortunate that this committee and largely this debate is so exclusively female. I hope women are not building themselves yet another female ghetto. It is unfortunate that men are unwilling to participate. Men, I feel sure, have much to offer and much to learn.

So our first task is a change in public attitudes in all streams and at all levels of life and work. What about more women's groups in the trade unions? What about mechanisms responsible for women, whether they are ministers for women's affairs or legal tribunals, or legislation which can safeguard women's interests, which can consider the female interest in other legislation and policy, which can attack the remaining areas of real discrimination, such as employment, nationality laws, property rights, or pensions and social security, economic and fiscal policy? In all these matters, the exchange of information and experience between the Member States can certainly help to get the best of all worlds without repeating all the same mistakes.

It is, however, unfortunate that the influential press in this area is itself so segregated. Women's magazines do much for women themselves and are avidly read and digested by women; but men must be reached too. In particular, the bulk of the population is quite unaware of the European Community's interest, concern for and action in this area.

So, our objective is to get as equal opportunities as possible. This will not be helped by making special deals for woman which persuade employers to prefer men because of lengthy expensive maternity leave or parental leave. By making part-time work so expensive, it is priced out of the market. If anything, we must concentrate on training and women's own attitudes to training. If there is to be any positive discrimination, it should be in training rather than in jobs themselves. Women must be encouraged to take up

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training, including nontraditional areas. Why are there few, if any, women printing apprentices, while the binding process next door is almost exclusively a female domain? There is absolutely no reason why women should not be printers as readily as binders.

Part-time work is a difficult problem. This committee of inquiry seems to favour higher social costs, which will probably militate against employment on a part-time basis. This will hit those women or men who for one reason or another want to fulfil some of their home duties. In some Member States, part-time work is disparaged as showing that the, usually female, part-timer is only supplementary to her husband as wage earner. If adequate childcare facilities, the argument goes, were available, women could more readily take up full-time jobs. Perhaps in some cases, husbands will be prepared to take the part-time supplementary work; but I just dare to say, with some trepidation, that the realities of life in 1982 and probably for some years to come are that a majority of women do like, by conscious choice, to bring up their children and make a home. This may change, depending on how successful we are in changing public attitudes, if indeed such a change is desirable. But I cannot see that we do any service to the vast majority of European women by making them unattractive to employers as part-time workers. Such action might well hit particularly the more challenging jobs for the better trained woman and push her back to the traditionally female jobs, where dexterity and patience are predominant — the typist, the electronics assembler, textiles — the type of job where new technologies are replacing the inexorably.

If we are talking of self-fulfilment and happiness for women, the quality of women's lives in women's terms, not men's terms, then there should be every opportunity afforded for them to apply their special skills as women and their personal skills as people, to work which is satisfying, to any type of work without preconception or prejudice, while providing a working environment and a working system that permits them to participate in outside activities which women find fulfilling.

I can see, therefore, no merit in pricing part-time work and part-time workers out of the market. Indeed, part-time work deserves equal respect and proportionate remuneration. Nevertheless, I appreciate that this raises problems with social security and especially pensions. This applies as much to women who take no outside work and perform the lifetime vocation of wife and mother. I feel strongly that home-working spouses should be entitled to pensions, not as widows or widowers but as workers in their own right and on actuarial terms appropriate to their sex, or better still, on actuarial terms not by sex at all but in common for everyone, man and woman alike.

In conclusion, I support particularly the aspect of this action programme which calls for an exchange of

information and experience between Member States. I am sure we can all learn from each other whether formal legal sanctions work, how best to ensure cognisance of women's interests at the political and official levels and in the legislative process, how best to break the prejudices as to appropriate jobs for women, how far positive discrimination and where before it becomes counter-productive.

We have far to go, but we have already made substantial advances. This action programme is an important step forward, and it is up to us now to press our national governments to work positively in the Council of Ministers for its implementation. In October, my daughter will go to an Oxford college that was exclusively for men when she was born. I have no doubt she and her younger sister will find satisfaction and fulfilment in their lives. It is gratifying that the European Community should be so much concerned and involved and that we should have the opportunity to participate in mobilizing more than half the Community's human potential to a fulfilling and effective life.

(Applause)

President. — I call Mrs Le Roux.

Mrs Le Roux. — *(FR)* When we last debated this topic, in February 1981, Mr President, the French Communists expressed their dissatisfaction with the conclusions given out by the European Assembly. Since the diagnosis was incorrect, at that time, the remedy proposed was incapable of curing the disease. So how do we feel today about the Commission's action programme? While we approve everything in this document which constitutes a step forward — particularly where laws and regulations are concerned — when we look closer at the content of the programme we feel that the time-table is a bit on the ambitious side. The Committee of Inquiry came to the same conclusion as us and the Council should take this point into consideration. As for specific proposals and precise measures to combat inequalities which have become more pronounced — these are totally lacking. The Commission is just patting itself on the back with this document and deliberately avoiding the true reasons which ought to be blamed, such as the negative impact of European structural policies on the ability of women to find jobs. I am particularly anxious to stress this point.

The explanatory statement makes it clear that the major problem is one of employment. But the action programme itself just passes over the question. That does not alter the fact that there is an enormous amount to be said and done in connection with the employment of women, by which I mean solving problems such as the precarious nature of the jobs for women, the lack of qualifications, the absence of adequate and suitable occupational training, the narrow

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range of jobs offered, the growing and irreversible demand for full-time work for women, who are all the more aware that unemployment is biting deep, and finally, the conditions of excessive exploitation to which women are subject, since women constitute the majority of semi-skilled workers, and are therefore more likely to suffer from the constraints of output, assembly line work and timekeeping.

Victories obtained in the past have been continually threatened since 1975. Today, while every third worker is a woman, every second person out of work is also a woman. In my country, there are less women out at work today than there were in 1920. Unlike Mr Purvis, I cannot rejoice at this fact. For a long time now, the Communist Group has firmly been laying the blame at the door of certain policy-makers in Europe, whose approaches are the main cause of such a situation. For the approaches I have in mind have aggravated the crisis. We can see it in the textiles industry for example. European industrial and agricultural policies have helped to cause the recession, and have therefore halted progress and the promotion of women's chances. We cannot just disregard all this in order to talk about equal opportunities for women. We pointed this out when voting on Mrs Maij-Wegen's report and today we reiterate these points.

Women's problems can only be solved if they are part of an appropriate economic and social policy, a true European social policy based on a relaunching of the economy with full employment, winning back the internal market and on a general reduction in working hours. The latter will permit not only new jobs to be created but give us the time to enjoy life. Women's problems will also be solved by strengthening legislation and the rights of employees so that such legislation may be applied effectively. When it comes to specific measures, I should say that occupational training for women must be stepped up and vigorously expanded, the range of jobs open to women must be widened greatly and at the same time protective measures must be maintained. I have in mind those relating to heavy, physical work, night-work, Sunday working and the protection of expectant mothers. We must continue to improve what has been achieved so far. There must be no going back — however slight — on protective legislation of this type as it would be unjust and dangerous, not only for women, but also for the entire workforce.

This is one aspect where we are right behind the Commission: the public sector can and must play a guiding role in promoting jobs for women and in improving working conditions, particularly where the reduction of working hours is concerned, which is one of the major aspirations of working women. This House owes it to itself to improve on and strengthen the Commission proposals and to transform them into practicalities. The Communist Members of this Chamber will be applying themselves to this task, both in this Assembly — with the amendments they have tabled —

and as members of the Committee of enquiry which can offer much constructive help and stimulation.

To sum up, I should say that it is possible that some improvement in conditions for women can be achieved by 1984. But for this to happen, there are two essential conditions to be fulfilled: firstly, the real reasons for the crisis which hits women so badly must be attacked and secondly, commitment must be given — as proposed by the French government — to relaunching the economy and to promoting social progress. This implies that each Member State must take charge of its own development and that women themselves must keep up their ceaseless struggle to win equality in all fields.

President. — I call Mrs Pruvot.

Mrs Pruvot. — (*FR*) Lengthy and complicated efforts and a clearly expressed political will are the essential prerequisites for women to gain access to real equalities of opportunity, whether in their families, their occupational or their social lives.

The three earlier Community Directives on equal pay, access to jobs and social security are legal instruments which have acted as a boost to Member States. They have helped to speed up the adoption of national legislation in this field. The new action programme drawn up by the Commission takes account of various earlier developments in the economic and social fields.

I shall confine my remarks to the programme's proposals concerning the large section of non-salaried women who work in family firms.

In its resolution adopted in February 1981, the European Parliament insisted that European laws governing women working in family firms should be drawn up. It is true that this category of women is faced with a number of very special problems such as the lack of a specific occupational status and of an own income. Such women have no set working hours, they must perform an increasing number of occupational tasks, they are not adequately protected by social cover systems, there is no scheme for substituting them and, finally, there are problems connected with occupational training. It is vital that the European Community should initiate an action programme to solve the specific problems of these women who make a highly significant contribution to the Community's economic and social development.

Statistics are scant, but we can safely say that there are millions of women who perform an occupational activity without due acknowledgement of the facts. They are regarded simply as housewives and as such, their situation is governed by matrimonial law. Since they have no personal income they have no individual right social security, training and education. They are indi-

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rectly discriminated against by some aspects of civil, to commercial and fiscal law. The aims of the Community action programme must be — as so rightly defined by the Commission — to improve the occupational status of women, to encourage equal access to employment, to promotion and to occupational training.

To achieve this, rules must be drawn up to govern this type of work and the Commission has in fact undertaken to do this in its action programme. It will put forward Community legislation and will define rights where salaries and social security are concerned. We shall be following progress made in this field with close attention.

I should like to focus on one particular aspect, the right to a replacement service. One of the major problems encountered in the daily life of these women is surely the fact that they cannot be replaced. They cannot allow themselves to fall ill or to have a rest period before giving birth, since their absence would cause major problems for their family or firm. They cannot go on refresher or further training courses, even though these are indispensable for people who need to keep up with constant changes in techniques. The Commission undertakes in its action programme to bear in mind the equality of opportunity dimension when developing the installation of replacement services. But this wording is vague, far too vague. The European Parliament for its part had already asked the Commission and the Council to submit and adopt a directive to finance such replacement services.

Another series of campaigns is aimed at equal opportunities in reality by means of positive action programmes to counter or overcome obstacles which are nothing to do with the law. I am talking about constraints and conditioned attitudes which are based on the traditional segregation of roles in society. Here we are getting to the heart of the problem. It will only be possible to apply directives and laws permitting a more equitable distribution of occupational, family or social roles and responsibilities when men and women have adapted themselves to changes in our society's values. Such a change in outlook will only be achieved if educational and occupational training systems are radically and comprehensively reviewed and reworked. Personally, I fear that by drawing up special programmes, creating special legal categories and special directives that we run the risk of driving a large number of our fellows into a female ghetto.

It is my belief that the best service we can render women — and this is a task which we must tackle urgently — is to allow them access to the same level of skills and responsibilities as that enjoyed by men. They can attain this through education training and occupational training. There is of course much to catch up on in this sphere. I am also thinking about immigrant women and about the specific problems of women in developing countries. I observe that the Commission

intends to set up a working party with representatives from developing countries and from non-governmental international associations on behalf of these women. Nevertheless, I cannot help fearing that this special programme will encourage discrimination. My fears in this respect will however not prevent me from approving Marie-Claude Vayssade's report as my other colleagues in the Liberal Group have done. We should like to congratulate and thank her for her work and it is our fervent hope that in a fortnight's time, the Council will approve the action programme in its entirety.

President. — I call Mrs Ewing.

Mrs Ewing. — Mr President, when we face the re-elections in 1984 and we are asked by the man in the street — or perhaps I should say, the woman in the street — what we have accomplished in this five-year period, it will be tragic if we cannot all say, whatever else we say, we have eliminated all discriminations against women in all Member States.

That is something that we cannot allow to slip by us, and I am happy to think that the Commission and the Parliament are virtually unanimous in seeking that end. It would be a brave man indeed in this Parliament who would stand against the formidable array of women MEP's — not enough of us of course, but as many of us as in any national parliament.

I do not want to rehearse the general or the particular points that have been made by many speakers, all of which I agree with. I would like to raise two practical points which I think have to be faced if the Commission programme is to accomplish its purpose.

The first concerns taxation. I know the Commission has considered the problems of taxation. I would like, however, to put it that the payment a woman makes to a child-minder or for some other arrangement must be deductible from that woman's income for tax purposes. The choice of whether she uses a day nursery, if such there be, or a crèche in a factory, if such there be, must be hers; but whatever arrangement she makes, if payment is needed to enable her to go out to work, leaving her home and her children, whatever she pays must be tax-deductible. Otherwise, we are not getting anywhere. It is quite a simple matter; the woman really does not have a choice. The mind of society sometimes seems to be ahead of legislation, and it would be interesting for the Commission to ask each Member State to draw up a blacklist of the things it still has to accomplish to eliminate these practical discriminations.

The second point is a similar one but goes a little further. It is the problem of the roof over the head, the shelter for the children. In Scots law and English law this is settled by the law of tenancy or the law of property regarding the matrimonial home if that be owned and not tenanted. When a marriage breaks

Ewing

down, which is happening in about a third of the cases, who gets the matrimonial home? My formula, which I suggest should be adopted by the law of every Member State, is a very simple one. Whoever has custody of the children should have the matrimonial home, should have the shelter. It is a very simple formula, and as far as I know it is not adopted in many Member States. The law of tenancy would have to be altered. The tenancy would have to pass, if it was not joint, exclusively to whoever had custody. If the house were owned, the right of possession would have to pass automatically to whoever had custody. I say 'whoever had custody' because a woman does not always get custody. But whoever had custody — and it is very often the mother of young children — should have the shelter, because unless a woman has shelter for her children — and most women will never desert their children — she does not in effect have the right to go into the labour market at all.

Lastly, the choice should be a real one. It should not be attended by guilt. Society should not impose guilt on a woman who chooses to take up a career, as I did, outside the home and leave young children in the home; nor should it be attached to the woman who decides to make a career of her home.

President. — I call Mrs Spaak.

Mrs Spaak. — (*FR*) Mr President, ladies and gentlemen, various Members have pointed out that the economic crisis is threatening the progress which has been made so far, and with such difficulty, in the field of equality between men and women. They have said the crisis is hitting women in the labour market particularly severely — we all acknowledge this fact. To repeat what Mr Baillot said, we run the risk of being smothered by statements of good intent and by statistics. To repeat what Mrs Vayssade said — and I congratulate her on her excellent report — the will of national governments is far from measuring up to our hopes. In company with Mrs Majj-Weggen, I bitterly regret the absence — surely deliberate — of the Council of Ministers, especially since they have the Presidency, are Belgian and my speech is going to be aimed at them.

For it is my aim, Mr President and Mr Richard, to remind us all of the extremely bad example being set by Belgium over 2 particularly important points in this sphere.

The first concerns occupational training in Belgium. For women, such training is limited to only a few subjects and at the same time it is not adapted to technological progress and is completely discriminatory towards women.

With the directive on equal pay, the Council had taken a step in the right direction. But the Belgian govern-

ment has still not taken the necessary measures to implement this equality and has been flouting this directive for the last six years. Only now has the Commission decided to bring the affair before the Court of Justice. They have dragged their feet for far too long over this it seems to me.

But there are even worse things happening in Belgium. In 1980, the Belgian Government decided to link unemployment benefit to the notion of the head of family. Anyone who does not belong to this category, i.e. 95% of Belgian women, has their unemployment benefit reduced after a year of being unemployed.

The third directive of equal treatment under social security systems aimed precisely at avoiding this type of discrimination. But that a Member State can not only backtrack but can even introduce measures which go right against the spirit of the directive — even if it has not yet entered into force — that a Member State which has given its signature as a Council Member, and that the Commission thinks that is tricky to take punitive measures against this Member State before the directive has entered into force strikes me as a completely inadmissible situation, Mr Richard.

I therefore give my whole-hearted support to the amendment — tabled by Mrs Lizin — to point 1 of the Council's motion for a resolution. The new action programme proposed by the Commission on the promotion of equal opportunities for women provides the Council with an ideal opportunity for affirming its will to forge ahead in this field. We pray that this proposal will not be transformed into a simple declaration of intent. The Commission should stick by its proposals and in the future given greater proof of its convictions by rapidly and efficiently implementing measures to ensure that its directives are obeyed. The declarations you made in your first speech, Mr Richard, were a firm pledge in this direction and I was delighted to hear them. Let us not forget, ladies and gentlemen, Mr President, that our activities will be justified by the effectiveness of and credibility in Europe, where women form half of the electorate, and that we only have two years before the next elections of the European Parliament.

President. — I call Mrs Wieczorek-Zeul.

Mrs Wieczorek-Zeul. — (*DE*) Mr President, ladies and gentlemen, I have the impression that the attitude is becoming widespread among a number of governments of Member States — including the government of the Federal Republic of Germany — that there is no need to decide on any new action programme for women, for their reactions are along the lines of: 'What? Must we decide on further action on behalf of women so soon? We already have enough trouble with the Community directives for women, so why do we need anything new?'

Wieczorek-Zeul

For my part I would like to warn the member governments and the Council of Ministers very clearly not to regard this Community action programme as a progressive entity despite the fact that it lacks the body and feet which it would need in order to move forward. In my view, it is enough that the Community member governments displayed their anti-feminist, patriarchal attitude by excluding every female candidate when appointing the Commission. If I may be allowed an ironical remark, they could now at last do penance in a practical way, and show that they take seriously the growing commitment and pressure of women for real equality, by giving their consent to the original Commission proposals as amended by the Committee on Inquiry into the situation of women in Europe.

I would like to propose that the representative of the Council should express a view at the end of this debate on what has been said by the Commission — and I would be very pleased if he did so — so that we can check whether the attitude of the Council is as negative as it has been made out to be here.

The Socialist Group regards the following as the most important points of the action programme in question:

1. The strengthening of the individual rights of women.
2. *Positive* discrimination measures, i.e. measures for deliberate preferential advancement of women until real equality is achieved — and I intend to concentrate particularly on this in the rest of my speech.
3. Measures to remove so-called indirect discrimination.
4. Proposals for a real transfer of the burden of proof in cases of discrimination.
5. Measures to make possible a better division of labour between men and women at work, in the household and in the family. In this connection I should mention the European Commission's proposal for a directive on special leave for parents.

On the background to the need for positive discrimination measures in favour of women — deliberate preferential advancement — the Commission itself says in its proposal a large number of things which should be stressed again here.

Firstly, the situation of women is of course adversely affected particularly by the effects of new technologies and rationalization measures in the sectors upon which women have hitherto concentrated — office work, the retail trade and other branches which were hitherto primarily 'women's occupations'.

Secondly, the Commission deplores the fact — and I would like strongly to support this here — that the

precarious situation of women is further worsened by the constant reduction in state expenditure on social infrastructures such as creches and nurseries where children can be supervised after school hours. I would like to say to Mrs Le Roux that there is certainly a third cause at work here; but it is a rare occurrence for me to have to point out to a Communist that it is not the European Community which contributes to the exacerbation of the problem of unemployment in the textile industry, but the capitalist process of international division of labour on the world market, as a result of which this principle of the transfer of textile industry jobs to third world countries comes into effect.

The result of this situation is that about 60% of all unemployed in the European Community are women — although they account for only about one-third of employed persons — and even when they are looking for their first job young women are at a greater disadvantage than young men. With the prospect of 13 million — and an estimated 17 million by the end of the decade — unemployed in the European Community, women will suffer even more if nothing is done. I therefore appeal to you: anyone who does not want to sacrifice women's right to work on the altar of state austerity — which has in the meantime become once more a fashionable rallying call for many — must demand practical measures for the advancement of women, which will prevent women from being forced out of the labour market.

I shall therefore mention here the positive discrimination measures which the Commission itself could propose: firstly, a directive to promote the principle of positive discrimination and plans to promote opportunities for women in training and employment in the sectors which have hitherto been dominated by men, e.g. on quotas, targets or legal regulations since concrete measures will not work without binding general provisions and directives. Secondly, they should particularly ask all public authorities — from the municipality to the Community level — to set a good example by putting forward plans for promoting opportunities for women and committing themselves to bringing about a balanced employment ratio between men and women. We do not need to go as far as the European Commission — let us first begin to set our own house in order with practical plans of this kind to promote opportunities for women. I think that would be a very worthwhile activity.

Finally, it is necessary to revise the national and Community provisions on protection at work. The second directive already indicated that the Member States should change those protective measures to which the original grounds for their introduction no longer applied since these special provisions have hitherto excluded women from a whole range of fields of employment. Of course the aim must be, ladies and gentlemen, to guarantee protection for women and men at the highest possible level; but I would also say

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that one-sided protective measures, such as those recommended for women in the building trade recently by Mr Farthmann, a Minister in the North Rhine-Westphalia regional government, are very much in the spirit of the proletarian antifeminism of the last century. One cannot avoid the impression that on the pretext of 'protection' unwanted female competitors are to be kept out of a sizeable part of what I would call the 'male' labour market. In that case one must ask the men once more whether in future they want to forbid their wives to carry, for example, grocery bags and beer crates weighing more than 10 kg? For that would be the logical consequence. The proposal was that virtually no women should work in the building trade, since they would be excluded from activities which involved lifting loads of more than 10 kg.

The request which I would like to add in conclusion is this: we need a general reduction in working hours in order to divide up the available work more fairly; otherwise we shall see a very divisive struggle between men and women for the distribution of work, in which equal rights for women would fall by the wayside. The Committee of Inquiry into the situation of women in Europe will submit its own proposal on this in the next few weeks. In view of the very intransigent attitude of the Council, I would like particularly to appeal to you, ladies and gentlemen, to vote here today by large majority in favour of Mrs Vayssade's report, so that we clearly signal to the Council that we do not approve of its machinations hitherto, and so that we give support to the original proposals of the Commission on this question.

President. — Mr De Keersmaecker has informed me that, obviously through a procedural mistake, he was not invited to this debate. However, he has assured us that he will be here before the end of the debate.

I call Mr Estgen.

Mr Estgen. — (FR) Mr President, ladies and gentlemen, I regard the new programme — in spite of everything — as a beacon of encouragement for our times. On the whole, one may congratulate the Commission on its approach and on the spirit and general tendency of the document which is no doubt also the fruit of efforts made by women officials who at various levels both inside the Commission and in other Community situations have striven so that this document could come into being. It has been produced at a highly appropriate moment, since economic circumstances are such that woman — along with young people and immigrants — are the first victims in a backlash of selfishness and sectional interest launched by the so-called active forces of the nation. I also believe but without Mrs Maij-Weggen's important report on the situation of women in the Community, this new programme would not have the emphasis that it does and that is probably why the Presidency decided to entrust

the detailed approval of this document to the Commission of Inquiry which itself owes its existence to Mrs Maij-Weggen's report. All that is lacking is a woman Commissioner — if we had one of those, the world would doubtless be perfect. Unfortunately, the world is not perfect, and the programme has a number of weak points. The main ones had been commented on at length and singled out by the rapporteur, Mrs Vaysade, whom I should like to congratulate for her excellent work. I also wish to endorse, in their entirety the criticisms formulated by my Group, and in particular by Mrs Cassanmagnago-Cerretti, Mrs Maij-Weggen and, above all, Mrs Marlène Lenz, who have pointed out the deficiencies of measures to protect pregnant women and mothers, in fiscal systems, in part-time working, in social security systems and where independent women and women living in the country are concerned, and measures governing parental leave, etc. My main criticism, however, is the loose character of the proposed measures, since none of them is the result of a defined plan for projects or specific initiatives on the part of the Commission. It still holds true, nevertheless, that the philosophy behind the programme is a good one, the trend is encouraging and the measures selected are realistic and feasible. I should like to dwell on the topic which, despite receiving attention here and there in the programme, remains the poor relation in the list of recommendations: I'm talking about education.

I'm quite well aware that the Commission's emphasis is always placed on economic aspects, on employment and access to jobs, since the Community by definition is basically an economic Community. But what we really want is for it to be a truly humane Community. There is no point wanting to eliminate inequalities and discrimination against women for jobs and wanting to integrate women into the working world and into society itself, unless we begin to do these things through education. While education has been the prime course of women's worlds, at the same time, it is the source of their future hopes.

War must be waged against any discrimination towards women in education and occupational training. Of course, discrimination begins at home, but we must focus our interest and concerns on schools before anything else. Inequalities in the content and level of training must be first exposed and then eliminated, while at the same time modern forms of sexual education must not be neglected and both young girls and boys must be given training in preparing for marriage and family life. Such education is particularly essential for boys because we are mistaken if we think women can be emancipated purely through having access to work outside the home — such emancipation must also be achieved by giving access to men to family life and housework.

There is just one more thing that I want to mention since, in spite of all the things that have been said, we

Estgen

sometimes forget that modern life creates new problems for women.

I should cite only a few: the difficulties which some women workers have in combining their home and working lives since society resolutely refuses to acknowledge the existence of the problem, or the difficulties felt by those in young middle age, by which I mean women between forty and fifty years old who, once their children have grown up, find themselves outcasts in society. I should also like to argue for promotion for women in unskilled posts. Since they seem to meet with even more resistance than women directly entering at higher levels.

I should not like it to be said to the men in this House, paraphrasing an observation of Malraux in his novel 'The Human Condition': 'You know an awful lot, my dear friends, and you concern yourselves with a great many things, but it is possible that you go to your graves without having realized that a woman is a human being *too*'. Women are human beings whose aspirations are as legitimate as those of men. So I appeal to all the men politicians here: let us leave behind the hectoring feminism which has sometimes being — and sometimes still is — a war against men, and let us join forces with women to achieve a true and sincere collaboration with them at all levels and in all fields, while at the same time allowing women to keep their original character and guaranteeing them equal opportunities.

President. — I call Mr Moreland.

Mr Moreland. — Mr President, I should perhaps preface my point of order by saying that this may be simply a problem of the translation from German, but it came over in English that you said that as Mr De Keersmaecker had not been invited, he was not therefore prepared to speak as yet. Obviously, according to our rules the Council does not actually need an invitation and under Rule 66(5) it can speak at its own request, and one would have thought that it would wish very readily to speak on this.

President. — Since a number of speakers have expressed regret at the absence of the President of the Council, I must remind you that I have in fact informed you that this was a technical error and that he will be here shortly. I call Mr Forth.

Mr Forth. — Mr President, I must make it clear at the outset that I am not speaking on behalf of my group. I shall instead speak on behalf of reason and common sense — two qualities which have been significantly lacking here in the Chamber this morning.

I do not welcome the Commission proposals and I do not welcome the amendment suggested by the tempor-

ary Committee of Inquiry into the Situation of Women in Europe because I believe that what we have heard this morning is a classic example of throwing words at a problem and worse than that cruelly raising expectations which really are not going to be fulfilled. It is at that point that responsible politicians desert their duties and adopt a role which, I think, is giving politics quite rightly a bad name in our society today. I think this is something which should be resisted at every turn.

Specifically though, I want to pose some questions about the proposals being made, because I get the feeling that neither the Commission nor the committee have thought through the implications of some of the things that they are saying.

We have touched on the budgetary implications several times this morning and what I want to hear from someone is that within a framework of restricted budgetary resources, which is what we have in the Community now, what is going to have to give way in order for us to do the things that we are asking for in this debate and in this resolution. Time and time again in this House we have resolutions which have high-sounding names, which have the best possible motivations and which always ask for more staff and more measures to be taken. I would have thought that at some stage we must start to acknowledge that when we ask for more in one thing we are going to get less in another, and I have yet to hear any indication of what colleagues here are prepared to give up by the way of Community activities in order to pursue what is being asked for this morning.

The second point is a much more important one, Mr President. It is that I do not believe that the effects of the interference in the employment market that have been suggested today have been thought through at all. We have had many references to reduced working hours, part-time work, work-sharing and so on. What I again would like to ask is that in a time when overall employment is static, when the labour market in the European Community is not growing and frankly not likely to grow in the foreseeable future, for every job that is given by some means or another to a woman, what explanation do we give to the man who loses that job. You simply cannot assume that we are going to somehow create additional jobs which will all go to women?

And I would like to hear an explanation from the speakers who come after. I want an explanation from someone as to what happens to the overall structure of the employment market when we start giving jobs to women, which has been the whole burden of the argument this morning. No one has explained to me what the negative effects will be, and I am glad that few speakers have, as Mrs Wiczorek-Zeul did, mentioned positive discrimination, because that has been tried in a different context in the United States and has been shown to fail completely.

Forth

The problem comes down to this: if we are not careful we are going to slide into a position where we are simply creating slogans and shibboleths. Time and time again we talk about something called equality of opportunity. We do not really know what that is nor have we explored in detail how it works at an individual level, at the level of the workplace, at the level of detailed employment. We simply keep saying it and then we believe that by saying equal opportunity, positive action, and various other words that sound splendid, something good is going to happen. I do not believe that that does justice to this House, nor to the Community and until someone comes up with much more detailed proposals and, moreover, spells out their implications both negative and positive, I for one am not going to march into the lobbies with those who say that words can solve all. I do not believe it and I regret to say that that is all I have heard this morning.

President. — I call Mr Adamou.

Mr Adamou. — (GR) Mr President, the social, economical and political inequality of women goes back as far in history as the sins of the class society. Woman has been and still is a long-suffering victim of intolerable discrimination because of the way in which this society is organized economically and politically. Millions of women are condemned to a second-class role in the capitalist society and in the family. A striking example of the discrimination to which women are subject and the low value placed on them can be seen in the composition of the European Parliament itself. Whereas women exceed 50% of the population of the countries of the Community there is only a small number of women MPs and the number of men absent from this Chamber today tells its own tale.

Mr President, it is 20 years since the competent bodies of the EEC first discussed the improvement in the position of women in the Member States. However, the results achieved are insignificant. The Commission itself recognizes that the matter is at an embryonic stage. Nor does the action programme for 1982-5 suggest that things are going to improve. It is wordy, vague and unsubstantial and does not contain any proposal for a specific regulation to implement the declaration in the programme. What is worse, those rights which had already been acquired have suffered a setback in that the change in the existing legislation, prompted by a concern for equality and technical progress, is not accompanied by specific measures to defend maternity rights or to ensure that women do not have to do heavy work and are not exposed to the effects of chemical or other substances dangerous to their health. The new programme does not lay down the age limit for payment of a pension, which should be 50. Maternity leave should be not less than 16 weeks. The birth of a child is not recognized as giving entitlement to social security benefit. And, most importantly in the current circumstances, the pro-

gramme does not safeguard women's right to work nor does it provide any measures against unemployment while at the same time leaving loopholes which allow women to be used for heavy work or on night shifts.

Mr President, I should like to take the opportunity provided by today's debate to add some comments on the situation of women in Greece. Working women here account for only 28% of the national workforce, a low percentage, since the average for the member countries for the Community is 38% and in Socialist countries is 40%. In spite of the laws which have been passed, thanks to the strenuous efforts of women in Greece, we still have inequality, various forms of exploitation and an absence of any real safeguards. Women's remuneration is about 40% less than that paid to men. Unemployment and under-employment among women has assumed serious proportions. There are cutbacks in social security payments and grants to working mothers. Provisions for education and vocational training are quite inadequate. More than 90% of working women in Greece are unskilled while 840 000 are illiterate and 1 500 000 have not completed their primary education. Will the situation be improved by the Community's new action programme? We doubt it, because as we said, no specific effective measures are proposed and cheap labour and the exploitation of women are a basic source of profit for the monopolies. However, in spite of our serious reservations we shall vote for this motion, although we believe that only the efforts of women themselves and the cooperation of progressive forces in each country can provide positive solutions to their very serious problems.

President. — I call Mr Jürgens.

Mr Jürgens. — (DE) Madam President, oh, sorry, Mr President — I can never see the presidential chair very clearly from my position here on the left. But although I sit on the left in this Parliament, I will at least try to find the right words about the rights of women. We have heard that in times of economic difficulty employed women are the first to feel the effects. Moreover, in many States there are more unemployed women than men.

Even so they are in a better economic and social situation — and I would like to stress this — than the women about whom I would like to speak now: the women who do their work in virtual silence and have no lobby; women who work independently in small agricultural holdings; women employed in small and medium-sized agricultural and industrial undertakings; and women who work as housewives, bring up children and often also care for parents and grandparents.

Women helping out in this way, particularly in the agricultural sector, have hardly any chance. For them

Jürgens

there is no social security, no old age pension, no replacement if they fall ill or wish to take a holiday. They have no paid six-month leave after giving birth, since they are indispensable in the undertaking and in the family. Moreover, for them there is no vocational training or further training, no prospects of promotion at work, no regulations on working hours, no income of their own and no professional recognition. Yet in many cases they are carrying on four activities at once — housework, bringing up children, economic activity, and often, in large families, caring for the aged. Thanks to them the State saves thousands of millions in social expenditure. We can and must draw up directives to make possible legal equality for women.

But even that is not enough as long as the women and the family undertakings do not meet with equal recognition and appreciation. The best programmes are of no use if they only exist on paper. We Members of Parliament — even Mr Forth — have the duty to be ‘multipliers’ in the sense that we should always stand up for the rights of these women and praise the value of their work. We have achieved much with the regulations, and also with the proposal by the Commission. But I think that despite all the progress made on the way to equal rights one should say one thing to men, and also particularly to women: it is you who have brought up your sons and will bring up your sons in future. Why do you not pass on to your children — particularly to your sons — your ideas of equality and equal treatment for both sexes? This obviously did not happen in the case of Mr Forth. Why are the sons not brought up in such a way that they behave in a socially responsible manner and why are girls not brought up in such a way that they take up a profession? In my view that is the precondition for partnership. The watchword must be ‘possibilities of choice’ rather than ‘women in, men out!’

The European Parliament and the Commission have presented proposals for directives. The Council of Ministers should not merely consider them — it has a duty to decide upon them. Awareness of the need to renounce stereotyped rôles is part of this, and begins with the upbringing of the family. More priority must be given to this area. One must not only know a lot about these things, but also put this knowledge into practice. Moreover, one must not only want much but also do much.

President. — I call Mr Almirante.

Mr Almirante. — *(IT)* Mr President, this is the first report which the Committee of Inquiry into the situation of women in Europe has managed to submit. It is expected that there will be about 15 before we reach the final document, and our opinion on it can therefore only be provisional. But in itself that is a significant, indeed the most significant, consideration because it is a sign of the deplorable way the govern-

ments of Europe, the Commission and even, I am sorry to say, this Parliament and its committees have dragged their feet. Witness the fact that the Committee on Agriculture has stated it is not yet ready to express its opinion, and the Committee on Social Affairs and Employment has not even replied to the request for an opinion. And then as Mr Vayssade, the rapporteur, points out, none of the actions planned by the Commission is accompanied by any proposal for immediate action, which is just what the Commission did in 1975. So not only are they inexcusably not making any progress, but they are actually giving ground, as demonstrated by the fact that the rapporteur states that the programme submitted by the Commission is much less wider in scope than that put forward in the European Parliament resolution of 11 February 1981.

That said, I will now look at the rapporteur’s final conclusions and suggestions. Firstly, we agree with the Committee of Inquiry in wanting Member States to be compelled to refrain from taking any measure liable to jeopardize the implementation of the principle of non-discrimination during the transitional period of application of the directives, even though we have frankly little faith in the ability of the Commission to force Member States to do anything, especially since we are afraid that the transitional period will not be transitional at all, but all become permanently provisional.

Secondly, we share the Committee of Inquiry’s wish to see women’s associations fairly represented on the various ad hoc bodies.

Thirdly, we agree that the relevant budgetary instruments must be made available and we deplore the lack of any appropriation under the Social Fund in the Commission’s action plan. This remark is enough to show what little progress we have made towards solving the problem of equal rights for women in Europe.

Fourthly, we are in agreement about the inadequacy of the Commission’s proposals concerning health and education.

The fifth and last point, is that we agree with the proposal to call on Member States to forward a report on progress made at national level to the Commission, by 1 September 1983, which is reasonably far off. Nevertheless at national level, we will not fail to act in the Italian Parliament so as to be second to none in fighting this fundamental, moral, social and political battle.

(Applause)

President. — I call Mrs Van Hemeldonck.

Mrs Van Hemeldonck. — *(NL)* Mr President, in the light of my experience in drawing up the United Nations action programme for women at world level,

Van Hemeldonck

and in my capacity as erstwhile rapporteur on the situation of women, I should like to address two words of warning to the women of the European Community with regard to the present action programme.

Before such a programme can really be put into effect, you first of all have to have the necessary resources, and secondly, you have to be sure of lasting backing from the groups of people essentially concerned. Here, Mr President, ladies and gentlemen, I have very real doubts, especially after hearing the remarks made by the Committee on Budgets. DG V's Bureau for questions concerning employment and equal treatment for women is manned by only three A-grade officials, in addition to which the size of that division has effectively been reduced over the past year by the non-replacement of the head of division. We now have only one extra A-grade official to deal with the situation of millions of working women throughout the Community. Not only that, the intention appears to be fill this post by internal recruitment, which means that we have no guarantee whatsoever that the new A-grade official will have any knowledge or any motivation as regards the problems facing women.

Secondly, the present action programme will only work if it meets with a positive response among the public. In other words, an information campaign is absolutely essential, but the fact is that the section dealing with relations with women's organizations and women's journals is hopelessly understaffed with only one A-grade official, who is working miracles in the given circumstances. We now see that in the financial memorandum, funds have been set aside for specific information campaigns for this programme over and above budget item 2720 and thus not under the aegis of the specialized service for relations with female public opinion. Would it not have made more sense to have strengthened the existing specialized and highly competent service dealing with female public opinion? This latter fact, Mr President, confirms my third suspicion that traditionalists intend to use the action programme as a pretext for dismantling — rather than strengthening — all that has been done so far in the interests of women in the Community.

The programme affirms the setting-up of a committee consisting of representatives from the equal opportunities committees from the various Member States. These committees in turn consist of national experts, officials and representatives of women workers from the trade unions, i.e. people who are acquainted with the real problems and the difficulties involved in tackling them. So far, so good — however, rumours are circulating as to the setting-up of an additional consultative committee on matters which do not relate directly to the working situation of women. Here again, we can give this proposal our support, on the grounds that there are plenty of outstanding problems such as violence to women, health policy and the problems women face in the lower income groups in trying to balance the family budget at a time of crisis.

These problems do not as such come within the scope of the existing directives, nor are they covered by the welfare policy administered by various sections of the Commission. It is therefore essential that we organize consultations on the planned programme of action on the part of the target group. The point is, though, that the Commission should take care to see that it consults the genuine grass roots action groups of the women's rights movement, by which I mean the young people, the activists and the feminist movement, and including those women who work in refuges for battered women, those women who have developed alternative children's welfare centres, and those women who are active in helping other women in the case of unwanted pregnancies, divorces, health and family problems. And let us not forget those women who have been active in establishing literacy programmes and second-chance education programmes. It is among these women that the Commission will find the real sense of initiative and concrete proposals, and not in the salons of the wives of important men or at the coffee mornings attended by women who leave the daily household chores up to their maids and the bread-winning up to their husbands.

IN THE CHAIR : MR ESTGEN

Vice-President

President. — I call Mrs Phlix.

Mrs Phlix. — (NL) Mr President, ladies and gentlemen, there are a few points I should like to make as my contribution to this debate on the new action programme on equal opportunities for women. I do not wish to repeat what other speakers have already said regarding certain aspects of discrimination. What our quest for emancipation boils down to is seeking the best possible quality of life for human beings in general, both men and women. On this point there is to be sure a large measure of interdependence and the policy we are pursuing excludes any form of discrimination by definition. The women's emancipation programme places too much stress on equal rights, an approach which seems to us to be too restrictive.

Secondly, in cases where the traditional role distribution pattern gives rise to inequality between men and women, it is only right for it to be condemned. However, the process is bound to be a difficult and gradual one, and the existing inequalities will not be redressed by the imposition of alternative role patterns. The root cause of inequality is social injustice. Women must be given — and that is the point we are discussing here today — every possible opportunity to realize their true potential wherever and however they

Phlix

wish to make their contribution to social development, be it in education, as an employer or employee or in responsible positions in small, medium-sized and agricultural business.

Work in the family also deserves equal recognition; that applies to men as well as to women, because it is not our intention to call for something to be done for women alone. Here too, the same principles of moral recognition, financial viability, social security and legal status apply.

This vision certainly does not mean that women should be packed off back to the kitchen, although a well-prepared meal, be it by a man or a woman, usually receives full recognition. What we are concerned with is making a real contribution towards improving the freedom of choice and the voluntary distribution of jobs between partners as well as the elimination of any sense of debt. We wish to greatly improve the lot of single women and especially single mothers, and make a major contribution towards the full appreciation of responsible parenthood and family life. I am quite sure that all this will have the effect of adding to the fund of human happiness.

President. — I call Mr Pesmazoglou.

Mr Pesmazoglou. — (GR) Mr President, I too would like to express my agreement with the very important report presented by Mrs Vayssade which follows up the discussion which took place last year on Mrs Majj-Weggen's report. I think that, apart from declarations, it is very important to ensure continuity in the work we are doing and in the activities of Parliament. As regards the points made by Mr Adamou from the Greek Communist Party — who said that women are not adequately represented in the European Parliament and that they do not hold senior positions in our countries and in the Community institutions — in principle this is correct and true, but the Greek Communist Party itself does not set a good example. Basically, my point is that apart from these declarations we need concrete action, and I think that this agreement and the remarks made by Mr Richard on the social aspects are highly relevant. Nevertheless I believe that in view of the wealth of ideas encountered here, it should be possible for the Community to launch concrete initiatives,

The problems facing women are far more severe in the economically weaker countries, and this means that the Community must adopt special measures for these countries, one of which is Greece.

Mr President, before concluding I would like to make three observations on themes which are of specific interest to Greece.

My first point is that health and maternity are major problems in our country. It is estimated that 8% of

women give birth without the aid of a doctor or midwife. This is a major problem which might be solved by introducing a maternity allowance for all women. If a suitable appropriation were made, the Social Fund would provide special support and aid.

My second point is that, in a country like Greece, the problem of employment is particularly severe, as are career prospects and the equal treatment of women at the workplace. But the problem also has structural causes. It is estimated that in Greece women make up less than 30% of the workforce as opposed to 40% for the Community as a whole. This means that there is a shortage of about 100 000 jobs for women, a shortage we will have to overcome.

My final comment, Mr President, is that an appropriation might be made to assist national committees on labour, coordinated by the Community Committee on Labour and subsidized to study local problems.

President. — I call Mrs Pantazi.

Mrs Pantazi. — (GR) Mr President, we PASOK representatives consider that the initiative to promote equality of opportunity between men and women is an encouraging one and we support the motion for a resolution. As socialists, we are campaigning to improve the position of women and to put an end to the discrimination experienced by women in all areas of public life. It is a fact that women today are doubly oppressed — by the capitalistic structure of the economy and by deep-rooted patriarchal views which determine family structure and social organization.

We think we are also right in saying that the implementation of equal opportunities for men and women will require long-term, intensive efforts. However, this campaign must be based on a structured programme of social development whose objective must be to change both the economic conditions and attitudes to women's problems.

The topic we are discussing today is of particular interest to us because Greek women occupy high positions in the social and economic life of our country. The goal of the present Socialist Government of Greece is to bring about equality between the sexes at all levels in the political, economic, family and cultural life of our country. After all, social emancipation is inconceivable without the emancipation of women.

However, since Greece's accession to the EEC, and as a consequence of conditions in the Community, the branches which will suffer most in our country are small and medium-sized firms which produce textiles, clothing and chemical products, together with craft industries. These small and medium-sized firms employ a high percentage of women: 60% in textiles, 75% in ready-made clothing and 55% in the chemical

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industry. Greek women — in particularly young women — will be particularly hard hit by unemployment and underemployment in this sector. Pay disparities will widen, and the lack of specialist training and firms' manpower requirements will lead to the creation of an unskilled pool of labour without prospects of advancement. Likewise, in the agricultural sector women farmworkers, who make up 34.44% of the working population, will be hit particularly hard by the inconsistencies of the present Common Agricultural Policy, which favours Northern European products — many of which have structural surpluses — at the expense of the Mediterranean products. Besides, rising production costs, the freezing of prices, the restrictions on such basic and traditional Greek crops as cotton and olive oil will all hit the living standards of women farmworkers because it is a well-known fact that the more the economic conditions of farmers deteriorate the greater the disparities between men and women become. Therefore, in the context of positive action programme which the Community is considering there is a need for special measures to help working women in these categories.

To conclude, Mr President, I would like to say how disappointed I am that with this resolution the Council does not give any undertaking, but merely takes cognizance of the programme and approves its general objectives: not only does it not make any commitment to allocate the budgetary resources necessary for the implementation of the programme but it takes the view that the objectives of the programme alone should be enough to inspire Community and national measures, bearing in mind the restrictions imposed by the general economic situation — which means that the implementation of the programme may not only be difficult but perhaps impossible.

President. — I call Mrs Lizin.

Mrs Lizin. — (*FR*) Mr President, I thought I understood from your predecessor in the Chair that the President of the Council, Mr De Keersmaecker, who is in the building, planned to arrive before the end of the debate. If he wants to hear something of the debate, he should perhaps make an effort to get here and you could perhaps have him called.

President. — We shall try to find him.

I call Mr Gontikas.

Mr Gontikas. — (*GR*) Mr President, it is not by chance that today's discussion is taking place in a country in which women have always led fulfilling lives — throughout the history of France their role has been a prominent one. Mr President, let us not forget that a few months ago a woman was sitting in your place, a fact which, among others, underscores the sig-

nificance which all of us attach to the participation of modern woman in our lives. As the son of a woman who in her time symbolized what women could achieve in a male-dominated society, as the husband of a woman who has lived an enviably full and satisfying life without prejudice to her role as wife and mother and who is still distinguished in her profession, and as the father of a daughter who is eager to explore all aspects of life without exception and who rightly refuses to compromise her career in any way just because she is a woman, I should like to thank my colleague Mrs Vayssade, because her report gives us an occasion to confirm what has already been said — namely that woman is indeed the future of mankind.

I shall not linger on the Vayssade report as it has my full approval. I would merely like to express a wish. I should like the resolution to incorporate a statement declaring 1985 to be the year of the European woman — in 1985 three years will have elapsed since the launching of the Commission's action programme and ten years since 1975, which the United Nations declared the year of the woman. I should like to make a number of brief comments on the Commission's action programme in connection with the realistic contribution by Mr Richard. Let us not forget that the general characteristics of the programme is inactivity. Mr Commissioner, what the Commission requires is greater flexibility and dynamism in order to tackle the problems we are facing today. The impression of a general and diffuse vagueness in all phases of the programme is I think due to the fact that the Commission — like ourselves — is not yet familiar with the details of the real situation in the Member States and consequently is not in a position to propose concrete solutions. I suggest that data be gathered from all the Member States and that definitive decisions be taken on this basis concerning concrete guidelines for protective legislation at national and Community level. I noted that scant attention was paid to the pre-adolescent and adolescent stages, during which women generally experience their first psychological traumas. The haste with which the Commission treated the problem of migrant female workers as workers, mothers and women, has not gone unnoticed. I attach particular importance to the vocational training of women, in particular in connection with modern technological systems and the advanced technology sectors. Nowhere do I find mention of the woman farmer. I thought that the Commission would have paid more attention to this problem, given that women farmers are a major factor in the economically weaker countries of the Community. I agree with the proposal that the tax provisions in the Member States be reviewed in such a way as to show that we recognize the role of women in the economy and their contribution to the national product. When I speak of women I also include unmarried women. It is essential to ensure wider debate on these topics and also to inform public opinion on the trends in national legislation. No proposal has been made concerning the large-scale mobilization of the media in support of the programme's

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objectives. Mr President, I hope that when we have occasion to discuss these problems here again the Commission will be represented by a woman Commissioner. Before concluding I would like to convey to you — and with your help to all the women in the Community — the militant greetings of the women's branch of the Greek New Democracy Party and the assurances of its officers that they will support you in implementing at national level whatever decisions you take.

President. — I call Mrs Fullet.

Mrs Fullet. — (*FR*) Mr President, ladies and gentlemen, fellow colleagues, I want to begin by congratulating the Council, Commission and our colleagues on the Committee of enquiry, particularly its rapporteur, my friend, Marie-Claude Vayssade. I must say that they have not let the grass grow under their feet. At the Commission's suggestion, the Council decided to consult the European Parliament on 23 December 1981. The report was approved unanimously by the Committee on 29 and 30 March and here we are discussing it today. I hope that you don't mind me prefacing my remarks in this — for me — rather unusual way, but I felt that someone needed to stress the speed with which communication took place between various Community Institutions and pay tribute to the zeal of the Members of the Committee of Enquiry.

For they have come to grips — in less than 5 months — with a subject which encompasses the whole of the female conditions and not just that of working women but where equal opportunities in a more general sense are concerned.

I want to appeal to and to draw the attention of those who will be responsible for changing mentalities in the future — and which is necessary if we really want to achieve this equality opportunity — by referring to a work held in high esteem in my country. I should like to quote to you from the Hachette Junior Dictionary of 1980: under the word 'woman', the only two examples given are: 'charwoman, chambermaid'. I suppose we must be grateful that 'woman of the streets' is not included! But under the word 'man', which is given double the amount of space, we find: 'business, lawyer, etc'.

We need look no further. When we talk about equality of opportunity we are obliged to talk about discrimination and discrimination is not confined to work. Our perception of the world is determined at a very young age from when we start to read. It is my hope, therefore, that in parallel with other developments, a project will be conducted to carry out a thorough study of schoolbooks.

We are not in the habit of expecting immediate results in this Europe of ours. Our projects are always long-

term ones. Are we being farsighted or has it just become a habit? You can each form your own opinion about that. But since we do plan for the future, let us allow ourselves to dream. The future generations will probably be grateful to us if, thanks to the efforts of both men and women today, the men and women of tomorrow are able to have a different type of relationship, no longer based on a struggle for power — and waged by feminists in the last decade — but on a completely equal footing which acknowledges nevertheless our specific nature as men or women. Unless we make an effort to imagine the type of life which will be available to young couples in less than 20 years, the relationship between men and women where studies, employment, the family, and sexuality are concerned, unless we are honest enough to criticize ourselves, we will be guilty like the men and women who have preceded us — of having taken care of the past alone. Men and women must join forces and work together on this future, guided by the idea that all the taboos which keep women in their inferior place and of which we were shown a fine example in this House not long ago, must be abolished. At the same time, we must take care not to institute other reactions which are precisely those which we are fighting against.

Women who are campaigning for equal opportunities should not be regarded as amazons. Feminism in the year 2000 will be understood as the straightforward and just acknowledgment that women are different but culturally complete and yet capable of taking on their rightful responsibility in the world alongside men, their companions. It may be, that in the Hachette — Junior Dictionary of the year 2000 the word 'feminism' will have been omitted or that its definition will be 'a philosophy which women in former times were obliged to adopt before they were recognized for being what they are'.

With all due respect, I should like to ask the Commission and the Council to make haste, to take up again the February 1981 report and to make some reply to Members of this Parliament like myself who are getting anxious at not seeing any practical applications resulting from our conclusions from that period. We will be left behind unless we have a forward looking policy on equal opportunities, but for goodness' sake, promises on paper are just not enough! We must have action in the individual Member States, of course, but we must also have it from the Commission and Council.

Finally, Mr President, I am very sorry at some of the attitudes seen here. I really do wonder what will happen to English women if the Conservatives decide to put their backs into it. Myself, if I had to nominate someone as an honorary unemployed woman, I would propose Mrs Thatcher, since that would free a top level job for a man!

President. — I call Mr Bournias.

Mr Bournias. — (GR) Mr President, the new Community action programme for women was prepared in record time and this gives us cause for satisfaction. On 28 January the Commission's proposal was referred to the Committee of Inquiry into the situation of women in Europe in whose work I myself participated and already we are discussing this Committee's report, drawn up by Mrs Vayssade, while at the same time we are debating the opinion of the Committee on Budgets.

I consider it my duty to congratulate both the Committee of Inquiry and the rapporteur Mrs Vayssade for the speed with which they have handled this important question on the promotion of the equality of opportunity for women.

Mr President, last year during Parliament's great debate on women and equality between men and women I had occasion to recall the spectacular achievements in our country after the re-establishment of democracy in 1974. The first and foremost of these achievements is Article 4 of our democratic Constitution which stipulates full equality between men and women, whereas the most recent victory is Law 1140 of 1981, which prescribes a separate pension for married women farmers. This was the work of the New Democracy government. I do not have the time to detail all that has been achieved in our country; I will confine myself to the Community achievements, the most important of which seems to be Amendment No 3 by the Committee of Inquiry concerning the participation of the various women's associations in the preparation of measures and on future committees. I also attach great importance to health and vocational training for women.

Thus I think we are justified in hoping for rapid results and in ignoring the pessimistic voices which have been heard in this Parliament.

President. — I call the Commission.

Mr Richard, Member of the Commission. — Mr President, I shall indeed be brief. One of the remarkable things about this debate has been the general degree of welcome that the Commission's proposals have received. Obviously there have been degrees of emphasis, some indeed have differed very considerably. One or two Members have expressed delight at the speed with which the Commission dealt with this matter. Mr Almirante complained that we had spent a great deal of time dealing with this matter. Even allowing for that sort of political division, which occasionally takes place in any parliament, I must say that I am heartened at the reception the Commission's proposals have got.

It is obviously impossible for me at the end of a debate like this to deal in detail with all the points that have

been raised; there have been many of them, but I would like to say a word about some of them.

Let me deal with one misconception immediately. Mrs Van Hemeldonck complained that there was no successor appointed in the Commission to Mrs Nonnon, who had gone to Paris. I can only tell her that the successor appointed has taken up her duties and, indeed, is sitting behind me.

The issue of indirect discrimination raised by a number of Members of Parliament is a difficult legal concept to define. I am very conscious of the difficulties of giving a clear definition to it. On the other hand, we in the Commission are looking to see whether we cannot be more precise than we have been in the past and whether it would be wise to have some firm legal definition of this or more sensible to leave it less clear as a concept. But I take the points that have been made and we are considering the matter.

Fears have been expressed that during this interim period, after the publication of our programme, matters may slip back a little, and I am thinking particularly of the points made by Mrs Lizin and Mrs Spaak. Let me say two words about the Belgian case. The Commission is pursuing this particular issue with the Belgian national authorities. Until we have finished trying to pursue it with the Belgian authorities, it would obviously be premature for the Commission to take any decision as to what else it might or might not do. On the other hand, I take the point that has been made that there is, or appears to be, a discriminatory element in these particular regulations. That is the matter which we are anxious to clear up with the Belgian Government.

Mrs van den Heuvel wanted to know the context within which some of our programme could be put. I would merely say to her that as far as the Commission is concerned our action programme is to be seen in precisely the same context as the OECD statement on women's employment of 1980. We drew the attention of Member States to this during discussions in the Council. We emphasized that we had to confirm that commitment which had been taken in a crisis situation in 1980 itself.

Finally, Mr President, I want to make two points. First, to put on record that I could not disagree more with the sentiments expressed by Mr Forth (and I am sorry that he is not in his place this afternoon). Quite clearly there would be a major difference both of philosophy of approach and of practicality between his position and mine on this. I just wanted to put it firmly on record that I did not agree with him.

(Applause)

Secondly, now I have heard virtually the whole of this debate, one thing that has emerged for me quite clearly is that although the Parliament is expressing

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some occasional and mild degree of dissatisfaction with the Commission's actions in this field there seems to be general agreement that pressure at this stage needs to be put, not so much upon the Commission, but far more upon the Council of Ministers, who will be considering this matter on 27 May. On behalf of the Commission, since we are making the proposals which we want them to consider and indeed accept on 27 May, may I say that I welcome the pressure on the Council that is coming from Parliament. I hope it is kept up and that the result of that pressure and the efforts of the Commission will be that on 27 May this programme is adopted.

Mr President, I think the Commission's proposals in this field are practical and sensible. They are clearly not maximalist — I totally accept that — but I do not entirely accept that they are totally minimalist. In essence and as a package of measures, they amount to a major step in the direction that the Commission and, I think, this Parliament would wish to go.

(Applause)

President. — Thank you, Mr Richard, above all for your last two remarks.

Mrs Vayssade, you have indicated that you wish to speak. I shall give you the floor because I know that you always rise to the challenges which you feel are represented by prejudice against women. I trust you are now going to disprove the prejudiced idea that women talk too much.

Mrs Vayssade, rapporteur. — *(FR)* I think that women have shown that they talk much less than their male counterparts in this Assembly.

(Laughter)

I should like to thank all the Members who spoke in the debate and who all, almost without fail, made a very useful contribution by way of speaking up for this action programme and for doing something about it. I want to say a special 'thank you' to all the men who showed an interest and who came to support the work of the women here. Let me assure them that we have no desire to set up female cliques, but to work together with them.

I find it shocking that the Council was not here today and did not want to reply to what was said. As things stand, the indications are that the Council is going to pay scarce attention to this programme and will do no more than take note of it, and that is really not enough.

(Applause)

President. — I call Mrs Wieczorek-Zeul.

Mrs Wieczorek-Zeul. — *(DE)* Mr President, as I said before that the Council should reply to the Commission's criticism to the effect that the action programme has been completely changed even before discussion by a Council working party, I should like to ask you if there were any contacts and if a representative of the Council has expressed a willingness to state the Council position here.

President. — I have been informed that the Council has formed no definite opinion and that it will consider everything that has been said in the debate.

Mrs Wieczorek-Zeul. — *(DE)* If I may, let me just say that it is never a fine example of combining functions when the President of Parliament, as it were, is required to pass on the Council's opinions. Frankly, I should have preferred it if the opinion had come from the Council itself. If you ask me, this smacks of contempt for the House.

President. — I call Mrs Lizin.

Mrs Lizin. — *(FR)* With all due respect for Mr Christophas — who is not to blame of course and who has been placed in a very difficult position — I think Parliament should take note of the Council's shortcoming in this instance, especially as we have here today its chief representative, Mr De Keersmaecker, who did not deign to say anything. I think this confirms what we said about the attitude of the Belgian Presidency on this matter.

Mr President, I must say that the informed Members have all the Council documents on this subject and, unfortunately, what Mr Christophas is supposed to have said bears little resemblance to the actual facts.

President. — Your comments are noted, Mrs Lizin.

The debate is closed. The motion for a resolution will be put to the vote at the next voting time.

2. 1983 budget (Statement by the Commission)

President. — The next item is the statement by the Commission on the preliminary draft general budget of the European Communities for the financial year 1983.

I call the Commission.

Mr Tugendhat, Vice-President of the Commission. — Mr President, the Commission this morning adopted

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its preliminary draft budget for 1983 and also adopted a proposal for an amending budget for 1982.

I welcome the fact that I am able to come before Parliament within a couple of hours of our decision in order to announce this in the Chamber. I have, of course, already been announcing the proposals to the Committee on Budgets at an earlier meeting.

I would like to stress that so far as the Commission is concerned, this budget represents an important step towards fulfilling the priorities and challenges which we set ourselves in the mandate. I know that Parliament also attaches great importance to this budget and, indeed, in your last part-session you decided upon guidelines for the 1983 budget on the proposal of the rapporteur, Mr Jackson. The Commission has given full consideration to these guidelines and finds that there is a very considerable overlap — indeed, almost an identity of view — between ourselves and Parliament on the direction in which we ought to go.

By comparison with the budgets of the recent past, which were inevitably budgets of transition while the mandate exercise was in progress, the 1983 preliminary draft budget represents the first step in the implementation of the new policies and orientations of the 30 May mandate. It constitutes a significant shift in balance and in emphasis. In particular, it provides for a modest increase in agricultural expenditure and for a renewed impetus in Community policies over a broad front. The central theme in all this is the fight against unemployment. Therefore the Commission agrees with Parliament to make this the first priority for common action through the 1983 budget.

On the other hand, the Commission has taken proper account of the general constraints on public expenditure which exist in all our Member States. The Community budget thus remains small, not only in relation to the gross domestic product of the Community — a mere 0.8% — but also involves only a relatively modest increase over the unamended 1982 budget — that is to say, 11% for commitments and 8% for payments, leaving aside spending under supplementary measures in favour of the United Kingdom, both in 1982 and in 1983. No agreement on this issue has yet been reached, as the Parliament knows, and therefore that is, I think, the only basis on which we can, at the moment, draw up our figures. What we are putting forward represents the lowest rate of growth proposed by the Commission since the first enlargement in 1973.

In the fight against unemployment, the Commission agrees with Parliament that the Community should seek the greatest effectiveness in deploying the whole range of policy instruments directly available to it. They should be directed to tackling the underlying causes: energy dependence, low rates of investment, insufficient competitiveness in important sectors like steel and new high technologies, to name only some of the most significant examples.

This must be matched by efforts to reduce imbalances within the Community. The Commission's approach in the budget is geared to the specific needs of less prosperous Member States in an effort to help them deal with structural problems.

In external economic policy, the Community has to reaffirm its special responsibility as the principal world trader and its commitment to the open-trading system. As part of this responsibility, the Community needs to strengthen its development cooperation efforts and to extend food aid as an important contribution to combatting hunger in the world.

For the amendment of the 1982 budget, the Commission followed the same principles. However, in selecting the specific areas for additional expenditure, the Commission is responding to the most immediate economic and political requirements, considering where money can most effectively be spent before the end of the year.

So in brief, Mr President, our approach is that we have put forward a budget that represents a relatively modest increase in overall size but a substantial increase in non-obligatory expenditure and in our efforts to meet the objectives which we have set ourselves in the mandate and which also, I believe, respond to Parliament's guidelines. I would ask you, in measuring the size of the effort, to take into account both the 1982 amending budget and the 1983 preliminary draft budget.

Let me now deal with the contents of the 1983 budget proposal. In the Commission's view, these strike a careful balance between a modest overall rate of increase and considerable and significant increases in priority areas.

Total commitments and payments amount to 23 960 million ECU and 21 865 million ECU respectively. These payments figures are, of course, slightly lower than last year, since the implications of the budgetary settlement with the United Kingdom have not yet been made known. I do ask people, when comparing last year with this, to bear in mind the point about the United Kingdom settlement appearing in one year and not as yet appearing in the next year.

The Community's total potential own resources are estimated at about 24 700 million ECU. The VAT rate is about 0.8%. This leaves a margin of own resources of more than 3 000 million ECU. But of course, within this margin the budgetary settlement of the mandate and any budgetary consequences of the 1983-84 price settlement will have to be accommodated.

Despite this, the danger of running out of own resources is not an immediately acute problem. In these circumstances the Commission maintains the position expressed in the mandate report and in President Thorn's programme speech to Parliament earlier

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this year that it will propose an increase in own resources when that becomes necessary to achieve agreed objectives. In drawing up such a proposal in future the Commission will give due consideration to Parliament's suggestion of a generalized system of financial equalization or a progressive rate for VAT contributions.

On the expenditure side, Mr President, I should like to deal first with non-compulsory expenditure. Here the Commission proposes substantial increases of 34% for commitments 23% for payments. This compares with a maximum rate of 11.8%. The Commission considers that these increases are warranted in view of the objectives of the mandate and the importance for the Community to contribute to the fight against unemployment. In deciding these increases the 1% ceiling on VAT was not a limiting factor. The Commission's decisions were founded on the merits of the individual budgetary items, the general constraint on public expenditure and internal and external limits on spending possibilities. As a consequence of the significant increase in non-obligatory expenditure, this budget strikes a better overall balance. The share of EAGGF guarantee expenditure in the budget has decreased from 70% in 1980 to 65% in 1983. Thus the Commission has taken an important step towards restructuring the budget in favour of the structural funds and other non-obligatory spending policies.

The Commission has dealt in depth with the forecasting of the 1983 EAGGF guarantee figures. These are the best estimates and are consistent with those underlying the assessment of the budgetary impact of the 1982/83 price proposal. The agricultural price settlement for 1983/84 is not taken into account and thus might make a supplementary budget for 1983 necessary.

For EAGGF guarantee, expenditure in 1983 is estimated to increase by 7% over likely 1982 expenditure. More significantly, the average annual increase of 1982/83 over 1980/81 is 8% compared with a growth of own resources of 10%. Thus the rate of growth in EAGGF guarantee is lower than the rate of growth in own resources. It is also worth noting that EAGGF guarantee expenditure will have decreased by an average of 2% per year.

I have to point out also, Mr President, that if the Agricultural Council next year agrees on a package as costly for 1983 as the current one is for 1982, then the rate of increase in EAGGF guarantee risks rising more rapidly than that of own resources.

The Regional and Social Funds have increased by more than the rate of growth in own resources. The Regional Fund has increased in 1982 and 1983 compared to 1980 and 1981 by about 30% in payments and about 25% in commitments. Similarly, the Social Fund has increased by about 30% in payments and commitments, in comparison with the initial budgetary

figures for 1982. And here the Commission proposes for the Social Fund an increase in appropriations by the amending budget for 1982 and the 1983 preliminary draft budget of some 55% for payments and 60% for commitments. If you take the two together the amending budget and the 1983 budget you come to a 55% increase in payments and a 60% increase in commitments.

The Commission is aware of the need to improve the effectiveness of both funds as instruments in providing Community assistance in the fight against unemployment and in particular the need to secure more additionality. The revisions of the funds are being geared to these needs. The Commission believes that it is necessary to continue integrated operations and is proposing expenditure increases. Appropriate proposals will be brought forward. The Commission also intends to strengthen its policy for the environment, public health and consumer protection, as well as for youth, education and culture. Increases in budgetary appropriations in the order of 50% are proposed for these purposes.

In the fields of energy, innovation, research and development and transport, the Commission recognizes that spending possibilities will depend crucially on legislative acts by the Council, for which the Commission has already submitted proposals or will do so in the near future.

Substantial progress needs to be made by the end of 1982 to enable the Commission to implement its budgetary proposals in these fields. I would like to draw Parliament's attention to the potential risks of non-implementation if the necessary progress is not made. However, these cannot be altogether avoided in a budget which reflects the Commission's priorities with regard to the objectives of the mandate. I hope that Parliament will remember this point, particularly when considering the 1983 discharge.

For energy, the Commission proposes an increase in commitment appropriations from 65 million ECU to 167 million ECU and in payment appropriations from 47 million ECU to 104 million ECU. The percentage increases of 170% and 120% are significant, although, of course, the absolute figures remain modest. In line with Parliament's guidelines for 1983, the Commission proposes new actions for coal, and interest-rate subsidies for energy investment. Priority is also given to actions in the areas of new sources of energy and energy-saving.

For innovation, research and development, the Commission has concentrated its efforts in areas where it believes the Community has a comparative advantage. Strategic importance is attached to the Community's research and telematics programmes. The development of supporting infrastructure for innovation and technology transfer is an important new initiative. Its impact should go far beyond the budgetary means

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allocated to it. The overall rate of growth in the area is in the order of 30%.

For transport, the Commission proposes 52 million ECU in commitments and 32 million ECU in payments for 1983 as a financial underpinning for transport infrastructure projects.

The Commission is conscious of the serious problems facing the Community's Mediterranean regions and considers the increase in expenditure in favour of these regions as noteworthy. In line with Parliament's guidelines, the Commission favours integrated development programmes: a specific chapter in the budget is provided with an additional appropriation of 10 million ECU. In the event of early decisions in this matter being taken by the Council, the Commission intends to put forward supplementary financing proposals.

In the field of external policy, the Commission reaffirms the Community's special responsibility *vis-à-vis* the Mediterranean basin. Payment appropriations within the framework of cooperation agreements with these countries are increased by more than 50%. Moreover, it proposes to strengthen the cooperation with non-associated countries more generally. Finally, a significant increase is envisaged in quantities delivered as food aid as a Community contribution to the fight against hunger in the world.

As regards Commission staff, we are submitting a request for a total of 152 additional posts, of which 61 are A grade. We believe that a reinforcement of this kind is the minimum necessary to enable us satisfactorily to discharge our responsibilities. Many of the extra posts we are seeking lie in areas to which Parliament itself has attached particular importance, for example the need for better accounting and financial control arrangements and the improved anti-dumping scrutiny.

The Commission estimates for the 1982 budget arise from the fact that we believe that agricultural expenditure in this year is likely to be some 500 million ECU lower than expected, even taking into account the likely additional cost in 1982 of the 1982-83 agricultural price settlement. These reductions arise from better market conditions, the strength of the dollar and, of course, from continued prudent management. As a consequence, refunds have turned out to be lower than could have been foreseen when the 1982 budget was drawn up. In proposing this adjustment, the Commission is responding to Parliament's desire regarding a timely presentation of possible changes in EAGGF (Guarantee) expenditure. In view of the volatile character of agricultural expenditure, the Commission draws attention to the potential risks of any such adjustment and reserves the right to make further alterations later this year, should that prove necessary.

The Commission proposes to use the reductions mainly for boosting expenditure in the Social Fund,

food aid, research and a specific housing measure in Northern Ireland. In selecting these areas, the Commission is responding to the immediate economic and political requirements, considering where the money can be most effectively spent before the end of the year. For the Social Fund, an increase of 215 million ECU is proposed; in the field of its external responsibilities, an increase of 200 million ECU; for research, an increase of 28 million ECU; and for the special housing measure for Northern Ireland, an increase of 12 million ECU.

In order to respond more adequately to its external responsibilities, the Commission has decided upon a major restructuring of its Directorate-General for Development. In this connexion, the need for 67 new posts has arisen.

The Commission believes, Mr President, that if these proposals could be effectively implemented — and I refer here to the 1982 amending budget and to the 1983 preliminary draft budget — the Community would be enabled to make its contribution to the challenges of the 1980's and in particular to the fight against unemployment. The dynamism of European integration could be recovered and a significant step made towards living up to the hopes and aspirations of the people of Europe. The Commission is confident that its proposals constitute the right basis for the Parliament to exercise its budgetary powers.

(Applause)

President. — I call the Committee on Budgets.

Mr Lange, Chairman of the Committee. — (DE) Mr President, we should indeed be thankful that we have received preliminary information from the Commission on the draft 1983 budget nearly four weeks earlier than in previous years. It is equally important that the Commission has informed us at the same time about the proposed amending budget for 1982. This means for Parliament that all its committees must examine the preliminary draft for 1983 and also the preliminary draft of the amending budget in the next few weeks; for what we are engaged in today is not a debate on the draft but at most some institutional or procedural assessments which, however, appear necessary to us. The committees must therefore be in a position to give their opinion to the Committee on Budgets by the end of this month — there will be a committee meeting on the 27th and 28th.

The debate on the preliminary draft budget is due to take place in the June part-session, and we must then be in a position to state our views very specifically on the individual proposals.

What Commissioner Tugendhat told us today sounds good. He spoke of increases and gave percentages and

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absolute figures — all of this sounds very good. However, we shall have to compare these figures with the declared political will of Parliament. We shall then have the guidelines for the 1983 budget. We shall no doubt also consult the report which the Committee on Agriculture drew up last year on the reform of the agricultural policy, in order to see how far the Commission has gone towards meeting the views of Parliament.

We shall also have to assess to what extent the task of reducing unemployment within the Community can actually be tackled with this proposal by the Commission, and we must add this cannot be a task for the Community alone but must at the same time be a task for the Member States. Harmony between the Community and the Member States on this decisive question must therefore be brought about, and we shall see to what extent the estimate meets this requirement.

We shall also have to assess to what extent it meets the requirements of our external relations, particularly our relations with the countries of the Third and Fourth Worlds, since they too are not without importance, for they have an effect on general, economic and social developments within the Community.

While we acknowledge the efforts of the Commission to put the preliminary draft before Parliament as early as possible, it will find in Parliament a critical observer.

I repeat, now rather more unkindly: all the absolute or percentage figures given ought not to turn out to be pure juggling with figures — percentages often indicate a considerable volume and thereby an impression. But when one investigates the absolute figures and actual possibilities behind them, the picture is then quite different. The Committee on Budgets will do this with all the necessary exactitude, and I hope that the other committees will give us the necessary help in this, so that a fully prepared debate on the preliminary draft may take place in the June part-session.

We must then also make sure that we deal with the amending budget for 1982 as quickly as possible. We ought not to wait until the whole budgetary procedure for the normal 1983 budget has been completed, since a decision must be taken on it beforehand — and then we can follow suit.

We shall therefore assess to what extent the budget meets the economic and social needs within the Community, but also to what extent it meets the needs of the external relations of the Community, which must be designed to keep our links with the countries of the Third and Fourth Worlds stable, notwithstanding certain current political developments the possible effects of which on the Community's external relations are not yet clear to us.

At this stage we cannot yet hold a well-grounded factual debate. From eleven o'clock to half-past twelve

we held a discussion in committee with the Commission, without documents or papers and solely on the basis of an oral report. However, I think that even this discussion in committee was quite useful. We shall continue it on 27 and 28 May and the Commission will help us to achieve greater clarity on the matter. We shall then be able to continue this discussion on the Thursday of the June part-session as a debate on the preliminary draft budget for 1983 and the amending budget for 1982. I hope that the Commissioner's optimistic statements will then prove to be true.

On the basis of my experience with the Commission in recent years I am rather sceptical, but I may be wrong! I even hope that I am indeed wrong in this case and that we shall arrive at the results which the Commission would like to achieve. At any rate, we expect the Commission to take considerable account of the views of Parliament, since only then will it be at all possible to take a step forward in the further development of the Community and extricate it from the stagnation into which an indecisive Council has plunged it — and is plunging it deeper than ever before. The most recent developments in the Council are not particularly encouraging. The responsibility of our Parliament for the Community as a whole is hence all the greater.

(Applause)

(The sitting was suspended at 1.15 p.m. and resumed at 3 p.m.)

IN THE CHAIR: MR DANKERT

President

3. Membership of committees

President. — At its meeting of 11 May 1982 the enlarged Bureau, having been consulted on the matter by the Bureau, considered the request from the chairman of the Socialist Group, Mr Glinne, that the appointment of Mrs Castellina in place of Mrs Macciocchi as a member of the Committee of Inquiry on the Situation of Women in Europe be rescinded.

The enlarged Bureau noted that Mrs Macciocchi had been appointed to this committee as a representative of the TCDI Group, which would lose its seat on the committee if Mrs Macciocchi could not be replaced by Mrs Castellina.

The enlarged Bureau thought it desirable, in view of the earlier decision of the Bureau based on decisions

President

taken by the House, for all the political groups to be represented on the committee of inquiry.

The enlarged Bureau recognized however that a problem arose when a Member decided to leave his original political group, and the matter had been referred to the Committee on the Rules of Procedure and Petitions.

In the meantime Mrs Castellina will take the place of Mrs Macciocchi as a member of the Committee of Inquiry on the Situation of Women in Europe. Since no objections have been raised to the replacement of Mrs Macciocchi on the Committee on the Verification of Credentials, the appointment of Mr Pannella as a member of that committee is confirmed.

I call Mr Glinne.

Mr Glinne. — (*FR*) It goes without saying, Mr President, that I want Rule 92 of the Rules of Procedure to be rigorously applied. I imagine that it is on this matter that the Committee on the Rules of Procedure and Petitions has been consulted, since it would be quite wrong if when a Member of Parliament exercises his inalienable right to change groups the group he goes to is penalized by having this extra Member while in theory it has been strengthened.

Anyway, every Member of Parliament should have the right, again inalienable, to be a member of one committee and a deputy in another.

President. — You are quite right, Mr Glinne, and it is for this reason that the matter has been referred to the Committee on the Rules of Procedure and Petitions because the ruling here is not very clear. The decision of the committee will determine the future course of events.

I call Mr von der Vring.

Mr von der Vring. — (*DE*) The number of seats a group has on the committees depends on the total number of Members the group has. If a Member leaves a group, it automatically loses a seat on a committee.

President. — The matter is more complicated than you imagine, Mr von der Vring. If you were right, the seats due to each group on the committees would be allocated according to the d'Hondt procedure. The matter has therefore been referred to the Committee on the Rules of Procedure and Petitions.

I call Mrs Castellina.

Mrs Castellina. — (*FR*) Mr President, to clear up any misunderstanding let me say that our assumption was

that all the groups were entitled to be on all the committees and working parties, but I do not want to get into any argument with Mrs Macciocchi. I do hope that in deciding on this matter Parliament realizes there are really no differences between Mrs Macciocchi and myself.

President. — Thank you, Mrs Castellina. What you said will serve as a starting point for the Bureau when it decides. Your position is fully understood and it is up to the Committee on the Rules of Procedure and Petitions to rule on this matter.

I call Mr Forth.

Mr Forth. — Mr President, if the special committee of inquiry now has an extra or a new member, I hope it will not feel obliged to create yet another rapporteurship to keep that member happy, as has been its custom in the past.

President. — I call Mr Sieglerschmidt.

Mr Sieglerschmidt. — (*DE*) Mr President, I have no desire to anticipate the decision by the Committee on the Rules of Procedure and Petitions but I am wondering if we are not in some way anticipating that decision if we do not abide by the old ruling, until such time as the committee makes up its mind, and instead adopt the new position.

President. — The answer is yes and no, Mr Sieglerschmidt. I say no on account of the fact that each group is represented on the committee of inquiry, and yes because we do not yet know what role the individual members have. It is for this reason that the matter has been referred to the Committee on the Rules of Procedure and Petitions.

4. Topical and urgent debate (objections)

President. — Pursuant to the second subparagraph of Rule 48(2) of the Rules of Procedure, I have received the following objections, tabled and justified in writing, to the list of subjects for the next topical and urgent debate tomorrow morning.

(The President read out the list of objections)¹

The vote on these objections will be taken without debate.

(Parliament rejected the objection by Mr Kirk and accepted by roll-call vote the objection by Mr von Hasel)

¹ See Minutes.

President

I call Mr Forth.

Mr Forth. — I am sorry, Mr President, I do not believe that a roll-call vote was requested before the original vote and I do not believe, with every respect, Mr President, that you are entitled to accept a request for a roll call on an electronic vote. I think that was wrong. I do not mind my vote being recorded, but I think we should get this absolutely clear. If that group is going to ask for a roll call, would they please do it before the vote is open and not between two halves of the same vote.

President. — Mr Forth, I think you may be right, but we have to check the rules very carefully to see whether we are entitled in case of an electronic vote to hold a roll call. The Rules of Procedure state:

The vote shall be taken by roll call if so requested by at least 21 Members or a political group before voting has begun and in cases where Rules 30 and 76(3) apply.

That means that there is nothing stipulated here, as far as this roll-call vote after an electronic vote is concerned.

I would like not to lose too much time, as this afternoon's debate is an important one, so I would like the points of order to be limited a little bit.

I call Sir Henry Plumb.

Sir Henry Plumb. — Mr President, I am well aware that the order of business for the day is fixed first thing in the morning. One or two of my colleagues have made representations to me and asked that we vote on the Falkland debate immediately after the debate has taken place.

For that reason I ask you, Mr President, to put to the vote the question of whether in fact we can take the vote immediately following the debate.

President. — Sir Henry, even if it is my prerogative to decide whether or not to put your proposal to the Assembly, I think the problem is so important that we ought to leave the decision to the House. I therefore propose to vote on your request that we take the vote immediately after the debate on the Falkland Islands.

(Parliament agreed to Sir Henry Plumb's request)

I call Mr Glinne.

Mr Glinne. — *(FR)* Mr President, I want to make a *dua* protest in view of the fact that the agreements among the group chairmen have not been respected.

(Applause)

The fact is that yesterday we agreed that the item on Mr Eëvit's fate would be listed at number five in the topical and urgent debate, and all the group chairmen agreed to this.

Secondly, it was agreed that the vote on the Falklands crisis would be held this evening. Given the importance of this matter, those who really want to see a full House for the vote should realize that you can hardly tell people at a quarter past three that they are going to vote at six o'clock when at two o'clock you told them the vote would be held at nine. That is no way to do things!

(Applause)

What it means is that in future I shall not consider myself bound in any way by any agreement among the group chairmen.

(Applause)

President. — I appreciate, Mr Glinne, that there is some risk in the case of agreements by the group chairmen on the order of urgent items or on urgent debates in general that by voting the minority in the House might be deprived of certain opportunities, and I am not referring only to this part-session but to the last one as well. The matter will have to be gone into. Be that as it may, it is my view that when the House is sitting it is entitled to decide when it is going to vote provided that decision gets a majority backing. Mr Glinne, it was at your request that we changed the deadline for tabling amendments on Monday, and that is a similar state of affairs. I do share your concern as far as the urgent debates are concerned.

Mr Glinne. — *(FR)* But at least I gave you fair warning!

President. — I call Mr von der Vring.

Mr von der Vring. — *(DE)* Mr President, since it has just been made clear that manœuvring of this kind can occur at any time, I should like to put it that a motion to ascertain that a quorum is present can be tabled at any time, so that the rights of other Members are safeguarded, if need be by resorting to such methods.

President. — Mr von der Vring, this matter is well covered in the Rules of Procedure. You always have the opportunity to table such a motion.

I call Mr Rogers.

Mr Rogers. — Mr President, as I see the agenda for today and the items set down, it says — and I am open

Rogers

to correction — ‘possibly vote on motions to amend the list of subjects for urgent debate’. If I am wrong in that perhaps you will tell me.

Later on, in the agenda, which was carried by a formal vote in this House we find the following item: ‘7 p.m. — vote on motions for resolutions on which the debate has closed’. Now, I think you are the custodian of the wishes of this House and that it is incumbent upon you not to act upon the particular fluctuations of any political group or any political balance within the Chamber at any time. If the House has taken a specific vote to set this agenda up for the day, then I do not see how under an item listed under 3 p.m. you can possibly take any motion to amend the time of voting. My agenda says: ‘Vote on motions to amend the list of subjects’ . . . There is no mention under that item of the agenda of the alteration of the time to vote. You are the custodian of the rules of this House, Mr President, and of the decisions of this House and you should not accept any motion to alter the time of voting, once the agenda has been published and voted by the majority of the plenary when it was so decided.

President. — Mr Rogers, I think there is no provision in Article 56(2) which forbids me, if I feel that in the House there is a strong desire to vote immediately after the debate, to propose to the Assembly to have such a vote. And so I ask you to re-read Article 56(2), which is quite clear.

I call Mr Boyes.

Mr Boyes. — You are the one who is causing the problems, with respect, Mr President, by taking that resolution from Sir Henry Plumb. Also, you took that resolution from Sir Henry Plumb without asking him for any justification whatsoever for changing something this afternoon when he had an ideal opportunity at 9 o’clock this morning. Now I am wondering what happened between 9 o’clock this morning and 3 o’clock this afternoon to make him want to change the voting time and I think that before you took that resolution so readily and so easily, knowing what the feeling of this Parliament was at this time, you should have asked him for at least a justification of that action. I think it was a disgusting piece of presidency.

President. — Well, Mr Boyes, I would protest against those remarks. You saw what the feelings of the House on the question were — it was decided by a majority that we should change the time of the vote.

I call Mrs Castle.

Mrs Castle. — Of course we will all support you to the hilt in your determination to protect the rights of backbenchers and of the Parliament as a whole. Of course the final decision must rest with the plenary on

these important matters but nonetheless, Mr President, may I point out to you two things: one, the fixing of the time of voting is at the very heart of democratic control, because if the time of voting is to be changed arbitrarily in the middle of a day, that is to disfranchise a number of people who are carefully keeping to a timetable that they thought was sacrosanct for that day. And Mr President, if it is going to be possible at the last minute, to suit the political manoeuvres of one political group in this Parliament, to change the time of voting in order to try and get a vote their way, then Mr President, we must call on you for your protection of the rights of this House. May I ask you, therefore, to examine in the Bureau carefully the need for a change of rule so as to lay down that the time of voting may not be changed once the agenda has been published for a particular day.

And secondly, Mr President, of course you are right that in the end the final decision on, for instance, the choice of votes of urgency must rest with this Parliament, but it is now becoming a habit, as I know from my experience as a substitute for Mr Glinne in the enlarged Bureau last plenary, for the enlarged Bureau to spend a lot of time negotiating between political group chairmen on a certain order of business and then for the very chairmen who agreed to that order to change their minds when they get onto the floor. That happened of course dramatically on the question of plastic bullets in the last plenary, and it has now happened on the important question of Mr Ecevit. That being so, may I suggest, Mr President, that the time has come to cut out the farce of the enlarged Bureau’s discussions of urgency, for you the President to take the responsibility of recommending a certain list to the House and then leave the House a free vote as to how it reacts to your proposal.

President. — I call Mr Pannella.

Mr Pannella. — (FR) Mr President, everything that has happened is perfectly correct in my view. But if I may, let me just say that your decision was not exactly the best one. I am convinced that the procedure employed by the Conservative Group is quite unfair, but I do agree with what Mr Glinne said to the effect that a political decision will have to be taken on the matter for the future. I therefore think we should not go on with this point of order any more, as the votes we have had seem perfectly correct to my way of thinking.

President. — I call Mrs Seibel-Emmerling.

Mrs Seibel-Emmerling. — (DE) Mr President, I have my doubts about the regularity of this vote. Before the vote I made it quite obvious I wanted to speak, as I wanted to oppose the proposal by Sir Henry Plumb. I

Seibel-Emmerling

was not seen and I do not think a vote can be valid unless both sides have been heard.

President. — I am sorry but I did not see you.

I call Mr von der Vring.

Mr von der Vring. — (DE) Mr President, perhaps you could explain why the following sentence can be found in Rule 56(2) of the Rules of Procedure:

Once adopted, the agenda shall not be amended, except in application of Rules 57 and 84 to 88 or on a proposal from the President.

The proposal did not come from the President; at least I do not think that Sir Henry is the President of this Parliament. Nevertheless, in violation of the Rules of Procedure you asked us to vote on a change to the agenda. It was in fact a motion to amend the agenda that was tabled. That is not permitted. The rule is going to be absolutely meaningless if times are going to be changed at random even if the items are left as they are.

President. — Mr von der Vring, you heard Sir Henry making a proposal. You were also in a position to see that I then referred this proposal to the House so that it could vote on it. The vote was then taken.

I call Mr Enright.

Mr Enright. — Mr President, since we have already decided under Rule 44(1) that we shall in fact be having Question Time at 5.30 p.m., can I have an absolute guarantee from the presidency that not even voting at 5.30 p.m. will stop us starting Question Time promptly at 5.30 p.m., as this would undoubtedly be contrary to the spirit of Rule 44(1) even if it would not be contrary to the hypocrisy of the group opposite, which decides only in a very selective way what is a junta and what is fascist?

(Laughter and applause)

President. — I call Sir Henry Plumb.

Sir Henry Plumb. — Mr President, I am amazed that this has developed into the sort of row and *fracas* that it has developed into.

(Interruptions)

I merely asked with no sinister motive whatever that we vote on this immediately after the debate.

(Cries of 'Hypocrite!' from the Socialist Group)

If it is your wish, Mr President, to rescind the decision that has been taken by this House, then I am prepared to take it back. I can do nothing further than that for the simple reason that there was no sinister motive in this whatever. I was merely interested in the business of this House and that we vote on a very important debate immediately after the debate had taken place. Nothing was further from my mind and I am appalled at my colleagues over there who seem to think that there is some other motive in making this request than the very straight and pure motive that I had in my mind.

(Applause from the Conservative benches and the centre)

President. — Sir Henry Plumb, I have to say that one of the reasons why I took over your proposal was exactly that in our public relations we have great difficulty over the disjunction between our debates and our votes, and I would urge that in other cases also we try to link debate and vote. This for public relations is an essential element.

5. Falklands crisis

President. — The next item is the joint debate on four motions for resolutions:

- motion for a resolution (Doc. 1-228/82), tabled by Mr de la Malène on behalf of the Group of European Progressive Democrats, on the crisis in the Falklands;
- motion for a resolution (Doc. 1-230/82), tabled by Mr Glinne on behalf of the Socialist Group, on the crisis over the Falkland Islands;
- motion for a resolution (Doc. 1-235/82) by Mrs Clwyd and others on the safety of three British journalists held by the Argentine authorities;
- motion for a resolution (Doc. 1-241/82) by Mr Fanti and others on the Falkland Islands.

I call Mr Junot.

Mr Junot. — (FR) Mr President, may I first point out that I am speaking here on behalf of Mr de la Malène, who drafted the motion for a resolution, and as the only speaker for our group.

This is the second time in less than a month that Parliament has had to debate the Falklands conflict. We can only regret this.

When Christian de la Malène expressed on our behalf on 20 April our Community solidarity with one of our Member States subjected to unacceptable military

Junot

aggression, and our total support for the decisions of the United Nations Security Council expressed in Resolution 502, we fervently hoped that the voice of reason would be heard and that we would not have to come back to this painful problem a month later — a problem which has been painful from the start, and which today alas is a problem involving bloodshed.

A number of motions for resolutions are before us. They reflect various political views some essentially stressing solely the rights of Great Britain and the condemnation of Argentinian military aggression, and others emphasizing certain geographical factors and a certain sense of Latin American community. All the shades of the political spectrum are represented.

Our motion, Mr President, is more modest, in that it does not itself suggest a solution, but also more ambitious in that it is intended to be acceptable to all. It is intended to try to retain a rational approach in order to bring to an end this conflict, about which Christian de la Malène said a month ago that the importance attached to it was astonishingly disproportionate to its cause.

That is true, and increasingly true as more and more human lives are thrown into the balance. But also, and going beyond these sacrifices which are unacceptable for the civilized nations which we represent, fundamental principles are at stake. The most important is the principle of solidarity. But there are several kinds of solidarity, Mr President. The essential one is Community solidarity. We respect it and remain faithful to it. Allow me now to refer to one aspect of Community solidarity which we are sorry to see is not better respected, for solidarity cannot always be one-sided — and it is not because a less emotive subject, but one which — let us say — comes more properly within our sphere of responsibility, is involved — but we would like our friends in the United Kingdom to show a more real spirit of solidarity towards the Community.

(Applause from the European Democratic Group)

Although we are dealing with very different fields, Community solidarity is indivisible. We respect it and we demand that it be respected by all. But there is another concept of solidarity which, although falling less within the sphere of responsibility of our Parliament, is no less important to Western Europeans, to the free people that we are — solidarity with the peoples of Latin America. It is sad that we have reached the point where we see the Organization of American States, if not forced to express its solidarity with the Argentinian position, at the very least led, contrary to the European positions, to support Argentina's claims. It is even sadder and more worrying to hear the Soviet Union and Cuba supporting Argentina, although they express this support with a deliberate and disturbing discretion.

That said, we are at liberty to clarify — if it is necessary to do so, and I do not think it is — that this does

not mean that we approve of the nature of the Argentinian régime. At all events, this conflict is not only deplorable and bloody, but also absurd.

Our British colleagues are the first — and we congratulate them on this — to hope that what is now happening in the South Atlantic will not compromise in future the traditionally good relations between the United Kingdom and Argentina, and between the European Community and Latin America.

In this spirit, we firmly hope that the encouraging news which reached us this morning of the possibility of a peaceful solution will come to fruition. But in any event, we can only urge Parliament, when it votes shortly, to take into account the fundamental need to try to avoid complicating further a situation which is already very difficult.

Our aim, in the deliberately brief motion for a resolution which we have put before you, is first to give our support to the Security Council resolution, to reaffirm Community solidarity, and finally and above all, to stress the fact that a lasting solution acceptable to all can be achieved only by diplomatic means. Any military victory — any victory achieved by military action — would give rise to resentment. We would like the voice of reason to be heard in this conflict, which, I repeat, is absurd; we would like the obvious rights of the United Kingdom to be upheld and the military aggression to be condemned, but we think that the solution should be achieved by agreement under the aegis of the United Nations. That, Mr President, ladies and gentlemen, is the spirit of our motion for a resolution.

President. — I call Mrs Clwyd.

Mrs Clwyd. — Mr President, I speak on the resolution put down by myself and colleagues from all sides of the House on the safety of three British journalists in Argentina. There is considerable cause for concern about the welfare of these three British journalists held on spying charges in Argentina. At the weekend they were visited by a Swiss diplomat who says that at the moment they are both psychologically and physically well. Following his visit, and only following his visit, they have had some restoration of the privileges which a federal judge had said earlier would be given them during the whole period they were awaiting trial. They remain nevertheless anxious and concerned about their future, although they have been told that a number of organizations and individuals are making efforts on their behalf with a view to having their cases reviewed.

The journalists are Simon Winchester of the Sunday Times and Ian Mather and Tony Prime of the Observer. They were arrested at Rio Grande in the Province of Tierra del Fuego on 13 April and after several days of interrogation placed in what has been

Clwyd

variously described by the authorities as 'protective custody' and 'preventive detention' until their trial date. They deny that they were doing anything other than normal journalistic work. Concern, however, is growing that their plight may worsen with any serious escalation in the Falkland conflict.

The editor of the Sunday Times has cabled the UN Secretary-General appealing to him to urge the Argentinian authorities to secure the release of the three and expressing concern for their welfare. Hundreds of organizations and individuals who can testify to their international standing as journalists have offered to write to Buenos Aires on their behalf. The International Press Institute meeting in Madrid this week are to discuss the case and consider a resolution requesting the Argentinian Government to respect their journalistic status and guarantee their well-being in custody. The three share a cell at police headquarters in Ushuaia, the principal town of Tierra del Fuego. Three weeks' ago it was decided they would be tried for breaches of Argentina's security code. The federal judge then issued instructions to the police that they should get certain privileges.

Since then there has been a steady tightening up of restrictions. First, phone calls, other than those made by the journalists' families, were refused. Then visits were restricted — even before all foreign journalists were expelled from Tierra del Fuego a week ago. Even efforts by the families of the three prisoners at various times to telephone them are being met with refusals. Because of a ban on commercial flights in and out of the area, it is doubtful whether their own lawyer, based in Buenos Aires, will be able to see them for sometimes.

This has left Winchester, Prime and Mather almost entirely isolated in a war zone where it has become nearly impossible, because of Argentinian jamming, to receive BBC World Service broadcasts on their short-wave radios.

Inside the police station the Commissioner, it must be said, has been treating the three Britons with great kindness and sympathy. The jail is warm and until recently the food was palatable. Other prisoners with them are people serving sentences for crimes of violence. They are on good terms with the three Britons, according to their papers, and are able to converse with them. But, totally cut off from the outside world and with reduced privileges, the British prisoners are undoubtedly worse off than they were a fortnight ago. It is not unlikely that the judge's orders are going to be overruled by the military in a bid to maintain the tightest possible security around a sensitive zone. Even before the sinking of the Argentinian cruiser General Belgrano tensions among the town's 8 000 people were rising, but were still under control. Some survivors from the cruiser were brought into that town and this may have contributed to a further raising of emotions in the town. It cannot be confirmed whether the

restrictions on the three British journalists are designed to isolate them protectively from these tensions.

Mr President, I believe it would be the wish of colleagues on all sides of the House to support this resolution which merely calls for the continued humane treatment of these three political prisoners. They were working as journalists and were carrying out normal journalistic assignments. I would ask that all my colleagues support this resolution calling for their continued well being as long as they have to remain in the custody of the Argentinians.

(Applause)

President. — I call Mr Glinne.

Mr Glinne. — *(FR)* Mr President, many feelings of an irrational nature have been given full rein for some time. I think we must keep an open mind, and that our reason must not ignore important factors.

The Socialist Group, for its part, did not wait for the invasion of the Falklands before using democratic arguments against the Argentine Junta. For a long time now, for reasons of principle and without waiting for an opportune moment, we have been denouncing the Buenos Aires dictatorship, its odious treatment of its opponents or presumed opponents — particularly by the systematic practice of abduction and torture — and the flagrant failure of an internal policy characterized by anti-union and anti-worker repression and, particularly in the last few months, by an extraordinary rise in the foreign debt.

Nor is it only today that we have discovered the external ambitions of the Argentine regime and, in particular, the interference which it carried out, and was still carrying out quite recently, to the disadvantage of the Latin American peoples and to the advantage of other military juntas. I am referring here to the fact that Buenos Aires chose to give active support, by sending experts in repression and military equipment, to the worst oligarchies in El Salvador, Honduras and Guatemala, for example.

Nor is it only recently that the Socialist Group has denounced the pernicious ideology of national security, the spread of which in Latin America has unfortunately been largely encouraged by certain agencies of the United States Government, which is eager to consolidate centres of private power and their Praetorian guards. It can happen, Mr President, that this type of militarist ideology of national security south of the Rio Grande escapes from the control of its protector and that the outpost becomes independent. It is quite possible that this ideology will be the shameless pretext, in coming years, for a number of frontier conflicts in Latin America involving Argentina and Chile,

Glinne

Colombia and Peru, Peru and Chile, Colombia and Venezuela, etc. — a very serious matter, therefore! The fact that in the Falklands affair the territorial dispute is between Argentina and a power outside the Latin American continent is certainly an important point, combined as it is with a fairly unconvincing anti-colonialist disguise — but that is not the essential point. The main thing is the national security ideology, which acts as a prop for so many Latin American juntas, and the observation that this ideology needs nationalistic excitement and diversions. If I may summarize a speech in last month's debate in this Parliament: the invasion by the Argentine Junta is an unacceptable act of force; faced with internal difficulties, the Argentine regime, which probably holds a record for the violation of human rights, was tempted to embark on foreign adventure in order to achieve a pseudo-patriotic consensus — a ploy once used by Mussolini. Such was the gist of the speech by our colleague and friend Mr Segre, from whom I have borrowed these very pertinent points.

Mr President, I shall end this introduction by reminding you that the occupation of the Falklands by the Argentine forces on 2 April constituted a unilateral act of war and an obvious violation of international law.

On 3 April the United Nations Security Council unanimously adopted Resolution 502 demanding the immediate withdrawal of all the Argentine forces which had landed on the islands. Such a withdrawal cannot be linked either with previous recognition of Argentine sovereignty over the disputed territory, which in any case is as far from the Argentine coast as Marseilles is from Algiers, or with an excessively casual and easy abandonment of the principle of self-determination.

The considerable distance separating European countries from their archipelagoes or islands scattered in various oceans is moreover not enough to justify — against the wishes of the inhabitants, which must be an important rule in a democratic system — claims for so-called decolonization which merely substitute a desire for new colonization for a settlement which may be hundreds of years old.

Mr President, we are indeed obliged to note that the Argentine Junta refused to withdraw its troops, contrary to the letter and spirit of Security Council Resolution 502. It also rejected reasonable proposals for negotiation put forward by the President and Government of Peru.

The sending of a British task force seemed to many of us to be inevitable, not as a military instrument but as a means of forcing the other side to negotiate.

The failure of the American attempt at mediation did not mean that it was necessary to resort to a trial of strength and to military engagements which are distressing for us, I repeat, for as a spokesman for the BBC very rightly said yesterday: 'The Buenos Aires

widow and the Plymouth widow are equally deserving of pity'.

The solution must be a political one, and already last month Mrs Barbara Castle called on our behalf for a parallel and simultaneous withdrawal of the Argentine forces and the British task force.

I regret that this proposal was rejected at that time by the European Parliament, and I note with very great interest that in his speech to the House of Commons on 7 May the British Foreign Secretary in fact defended the same idea, albeit somewhat belatedly in relation to our statement here.

In view of the present situation our very ardent hope is that a ceasefire will be declared and that both sides will acquiesce in it without either wishing to impose its own solution to the sovereignty problem before the declaration of the ceasefire.

The sovereignty question must remain negotiable, and the diplomatic and political solution will of course only have meaning if the fighting stops and if neither side tries to achieve, before the ending of hostilities, the outcome at which it originally aimed by the use of force.

I think it is in the interests of the whole of Europe — of the whole of the Community — to work to this end. It is unwise to oppose one escalation to another escalation, and it is necessary for friendship to be re-established between all the peoples of Europe and all the peoples of Latin America, and for the peoples of Latin America, by one day regaining political democracy with our support, also to discover the need for a lucid attitude towards warmongering rulers.

President. — I call Mr Arndt on a point of order.

Mr Arndt. — (*DE*) Mr President, earlier when there was some bother in the House the Conservative chairman said he was ready to withdraw his proposal for a change in the agenda. The proposal was nevertheless voted on. We shall be in deep water if things stay as they are. I think the matter should be cleared up again with the chairman of the Conservative Group; otherwise we shall have to ask for explanations of vote to be allowed. I know that this will prompt another debate on the Rules of Procedure, as to whether this is an urgent debate, normally held on Thursdays, or not.

I should be grateful if you would follow the Conservative chairman's proposal and have the vote at seven o'clock when it was originally scheduled to take place. We should then be shot of all this fuss.

President. — Mr Arndt, I agree with you that there should be as little fuss as possible in the House. A vote was taken and we should abide by it. You mentioned

President

explanations of vote. That is a matter for the Rules of Procedure and their interpretation. This is an urgent debate and there is no provision for explanations of vote.

Mr Arndt. — *(DE)* Mr President, my agenda for today indicates a joint debate on the following motions for resolutions, etc. There is nothing about an urgent debate. We decided this earlier today. I should be grateful — and the Conservative chairman showed how we could get out of this without a lot of fuss — if you could take up this proposal even though there has already been a vote. There is already so much fuss over the Falklands that we do not want to create any extra fuss here.

(Applause)

President. — Mr Arndt, there was a thorough discussion yesterday with the group chairmen about urgency. All the chairmen agreed that we should follow urgent procedure, in other words without explanations of vote. The alternative would have been to have the voting tomorrow morning, as this was another possibility. If the group chairmen all change their minds, I am naturally ready to go along with them.

I call Mr Bonaccini.

Mr Bonaccini. — *(IT)* Mr President, we do not share the opinion of those colleagues who consider that basically one need only stick to the resolution of 22 April. Things have taken another turn since 22 April and it would be unrealistic and unwarranted, to say the least, to cling to that document.

The fact of the Argentine invasion remains and we repeat our condemnation of it. We hold to our political assessment of the Argentine and other Juntas in Latin America, and as Mr Glinne mentioned earlier, we have not waited until now to speak up clearly and raise the problems of democracy involved. Moreover serious acts of war have since occurred, a high number of lives have already been lost and the reason why these lives have been cut short is dubious or rather absurd. We take this opportunity of expressing our full sympathy with the British and Argentine peoples and our desire to contribute to finding them a way out of this impasse which we see, I repeat, as absurd and costly in human lives and material.

We are already beginning to use war correspondents' jargon. Some people have even aired the possibility of bombing the Argentine mainland, a step in an escalation the consequences of which you can easily imagine. There has been a psychological change and a curious interpretation of territorial limits has made its appearance. I think that Grotius would turn in his

grave if he were to hear the way people are talking of how they can stretch from 12 to 200 miles.

Yet new paths to negotiations have been opened up after the illusion faded that Haig could find a solution to the affair. We must support these hopes of negotiations, in particular by emphasizing the need for the withdrawal of all the armed forces in the area, since they have all been involved in the hostilities although we are not saying that they are all equally responsible. With the way things are developing, there are grounds for wondering whether people are not beginning to lose their senses in Buenos Aires and perhaps also in London, if our English-speaking colleagues do not take umbrage!

We consider that a level-headed speedy reaction is called for to stop the situation worsening. This must aim at discouraging the cynical recourse to diplomatic and military pressure. That is why in our opinion the application of the United Nations' Resolution No 502 is still the only basis, although we hold to our opinion that the economic and military sanctions applied in this case for the first time at least in recent years, should be excluded from our considerations. In this respect we support the motion for a resolution tabled by Mrs Clwyd, for the added reason that we have no time for double standards. The British journalists in our eyes are as important as Ecevit and other victims of persecution in Turkey and elsewhere.

Obviously we will support our own motion for a resolution, but we are also interested in the debate and vote on the motion tabled by the Socialist Group, even if or especially if the parallel and simultaneous withdrawal mentioned just now by Mr Glinne actually eventuates. We therefore request that the vote for this motion for resolution, should such a vote occur, be conducted clause by clause.

(Applause from the Communist and Allies Group)

President. — I call Mr Arndt on a point of order.

Mr Arndt. — *(DE)* I am sorry I have to disagree with you again, Mr President, but to my mind it is the decision of the House which counts and not the meeting of the group chairmen. The House decided that on Thursday there would be an urgent debate and that at three o'clock on Wednesday there would be a debate, but not an urgent debate, on the situation in the South Atlantic. In the agenda that was adopted the deadline for tabling motions is given as 8 p.m. on 10 May 1982. You are going to get into a real mess if you do not allow the Socialist Group to give an explanation of vote because according to the agenda this is not an urgent debate. For the fourth or fifth time let me ask if we can come to some amicable arrangement — which is what the best solution would be for the Falklands as well. The chairman of the Conservative Group has

Arndt

said he has no intention of rubbing anyone up the wrong way. He has no objection to the vote taking place at seven o'clock. You have a choice now. Either you go along with the Conservative proposal or you get 40 or 50 explanations of vote from the Socialist Group, which comes to the same thing.

(Applause)

None of it makes any sense. We are calling on those at war to reach an agreement and here in Parliament everyone is in agreement, except for the President who says. 'No, I have to abide by the decision of the group chairmen'. Granted, the group chairmen are infinitely important but Parliament is just a little bit more important.

(Applause)

President. — There are only two alternatives here. Either we deal with the resolutions in accordance with Article 47 and refer them to the committees, or we deal with them in accordance with Article 48, which means discussing them under the urgent procedure, in which case no one has a chance to give an explanation of vote. In the course of this debate, no one — including your group — has asked for the application of Article 47, which means that the only option I have is to come down in favour of the application of Article 48, which means — as I said — that no explanation of vote can be given. The only alternative is to refer the resolutions to the committees.

Mr Arndt. — *(DE)* Mr President, the situation is perfectly simple. We have already taken a number of votes. Why not have one more vote to decide whether or not the vote should be taken at 7 p.m.? Having allowed one such vote to be taken at 3 p.m., you must surely allow another one to be taken at 4 p.m. Seeing as the Chairman of the Conservative Group has indicated his agreement in the circumstances, that would surely be the best course to adopt. Personally, I am gradually coming to realize why the British and the Argentinians cannot reach agreement if something like this can happen here in this House.

(Laughter and applause)

President. — Be reasonable, Mr Arndt. Parliament has decided to take the vote immediately after the debate, and I believe that decision must be respected. The only thing we could vote on now — and it is something you are not being consulted about — is whether this debate should be conducted on the strength of resolutions based on Article 47, which would mean that no vote would be taken and that the resolutions would be referred to the appropriate committees, or whether it should be based on Article 48, in which case we would take a vote without an explanation of vote. That is the only choice we have on the basis of the Rules of Pro-

cedure now that the earlier vote has been taken. As you say, there is no need at all for a vote to be taken; the resolutions can simply be referred to the committees, but it seems to me that that is not what you are after. Do you want a vote to be taken on whether Article 47 or Article 48 should apply? That is, after all, the only issue open to debate.

I call Mr Glinne.

Mr Glinne. — *(FR)* Mr President, I should like all the same to give my version — which I think is a fair and objective one — of the atmosphere around the meeting of the group chairmen. The original plan was to include the Falklands in the urgent debate for Thursday morning, with the result that there would have been no opportunity for explanations of vote. The main thrust of the discussion — and in this respect we had our usual courteous exchange of views with Mr Christophas — concerned the presence of the Council, so that it might have a chance to say something about the diplomatic stance of the Ten on this extremely important issue of the Falklands.

I have not insisted on referring to this or that section of the Rules of Procedure over this matter but to my way of thinking — and I am quite happy to say so here in the Chamber — it is perfectly normal to allow explanations of vote on such a major political question which has been discussed in the presence of the Council as well.

President. — I appreciate your position, Mr Glinne. The fact is that we decided yesterday to hold a debate in the presence of the Council. There was then a discussion about just when the vote was going to be held. Like last time we have the choice of voting this evening or tomorrow morning. The decision was taken to vote this evening but this does not alter the procedure involved because the only way we can vote this evening is to do so in accordance with Rule 48 of the Rules of Procedure, in other words without any explanations of vote. You know the rules as well as I do and you know that I cannot change them. Consequently there will be a debate without explanations of vote.

I call Mr Arndt.

Mr Arndt. — *(DE)* Very well, Mr President, but after Parliament had decided to put the matter to the vote at nine o'clock you allowed a motion to be put calling for a vote immediately after the debate. Why will you not agree now to a request for the vote not to be held until seven o'clock?

President. — Mr Arndt, it is ridiculous if a Parliament spends its time voting every half hour or so. We cannot allow it!

(Mixed reactions)

President

I call the Council.

Mr De Keersmaecker, *President-in-Office of the Council.* — (NL) Mr President, President of the Commission, ladies and gentlemen, I have no intention of repeating what Mr Tindemans said on the same subject on 21 April this year. We have already heard so many reports, comments and interpretations of the problem of the invasion of the Falkland Islands, that I feel there is a danger of us losing sight of the essential point. I should therefore like to confine my remarks today to the essential point, or at least to what is the essential point from the European Community's angle. It would be a good thing, therefore, first of all to spell out those elements which have dictated the European Community's attitude to this crisis.

Firstly, two principles have been violated in the course of this conflict: the first that no territory must be taken by force, and the second that a conflict between two States must be brought to a peaceful conclusion. Secondly, we must bear in mind the fact that one of the parties involved in the conflict is a Member State of the European Community. So we have on the one hand the fact that two fundamental principles have been violated and on the other the fact that one of the parties involved is a Member State of the Community, and these dual aspects together dictate the attitude adopted by the Ten. So what in fact have the Ten decided to do? I think it would be a good idea to reiterate the Community's attitude on this issue.

Firstly, in the light of the violations of the principles I mentioned just now, the Ten are, and will remain, in favour of a peaceful and rapid solution to the conflict.

Secondly, the Ten believe that any settlement must be based on United Nations Resolution No 502.

Thirdly, the Ten support the efforts being made by the UN Secretary-General to reach a diplomatic settlement in the same way as they supported — as Mr Tindemans said so clearly — Secretary of State Haig's earlier efforts to find a peaceful solution.

Fourthly, the Ten are, and remain, solidly behind the United Kingdom in this matter. I feel I must add, however, that our solidarity in this respect must not be interpreted as being directed against the people of Argentina or of Latin America in general, and I think it appropriate that we should, on behalf of the Ten, express our sympathy for the victims of this conflict, whether citizens of Argentina or of the United Kingdom.

Finally, the aim of the economic measures adopted by the Community against Argentina was and is to exert pressure on Argentina to persuade the Argentinian Government to accept a diplomatic settlement of the conflict as quickly as possible.

Mr President, ladies and gentlemen, I have listened attentively to the debate on your various motions for resolutions, from which it is evident that you are following these events with great concern, an attitude which is wholly paralleled by the great and increasing sense of concern felt by the population in general in the face of these events. I can give you an assurance that this sense of concern is shared to the utmost by the Member States and their governments. No one can say at the moment how events will unfold, but I can assure you that the Ten will be keeping closely in touch with events and will remain in constant contact with each other, and I can also assure you that the Presidency is leaving, and will leave, no stone unturned to ensure that this conflict is brought to a rapid — not to say immediate — conclusion by peaceful means.

President. — I call the Commission.

Mr Thorn, *President of the Commission.* — (FR) Mr President of the Parliament, Mr President of the Council, three weeks ago, at its sitting of 22 April, your Parliament passed a resolution on the Falklands conflict in which it unreservedly condemned the Argentine invasion. This resolution followed on a statement by the Foreign Ministers of the Ten and a statement by the Commission which condemned the Argentine invasion with equal firmness.

As Mr De Keersmaecker reminded us, the Community gave expression to the two basic concerns which have inspired our attitude from the beginning of the conflict and still inspire it: on the one hand, recognition of the danger which the acceptance of the use of force would entail for international peace and security, regardless of the nationality of the countries involved; on the other hand, the acknowledgement of the solidarity which our Community has a duty to show towards one of its members which is the victim of aggression. Those are the two principles which I felt it necessary to recall and stress.

Our Community unanimously supported Security Council Resolution 502 — which calls for an immediate cessation of hostilities and the immediate withdrawal of all the Argentine forces from the Falkland Islands, and calls on the Argentine and British Governments to seek a diplomatic solution to their dispute. Faced with Argentina's failure to respect this Resolution, the Ten decided to strengthen diplomatic pressures by resorting to economic sanctions. That is a summary of our attitude following on Resolution 502, Mr President, of which I thought it necessary to remind Parliament.

On 16 April last, when the Council adopted, on a proposal from the Commission, a regulation banning for one month all imports from Argentina, your Parliament agreed to this embargo and asked that it be

Thorn

maintained until — I hardly need to remind Parliament of its own decision — ‘the implementation of Security Council Resolution 502’, the arrangement was intended to allow the removal of sanctions when desired. The Commission thus clearly demonstrated its intention to encourage the search for a negotiated solution to the dispute, in implementation of Security Council Resolution 502.

Unfortunately, since your Resolution, ladies and gentlemen, the conflict has given rise to a dangerous military escalation which I think everyone deplures. The various efforts at mediation undertaken after the adoption of Resolution 502 have not yet yielded any result, so that it has not been possible to lift the embargo.

The Commission wishes to remind you forcefully here that it condemns the armed Argentine invasion and deplures the subsequent escalation which has cost the lives of several hundred men. But above all, the Commission takes the view that a negotiated diplomatic solution must at last be found, and as rapidly as possible, to the dispute between the United Kingdom and Argentina. The Secretary-General of the United Nations is continuing his efforts, and our Commission firmly hopes that they will meet with success as soon as possible. In this context, I would like to pay a personal tribute to Mr Perez de Cuellar for his personal commitment to the search for a negotiated agreement between the two sides, just as we were unanimous in paying tribute to the efforts of the American Secretary of State, Mr Alexander Haig.

(Applause from the European Democratic Group)

For reasons of objectivity and for information, I wish to tell Parliament that the Commission decided here this morning to propose to the Council of Ministers that the embargo be extended to 17 June, since Resolution 502 has not yet been implemented.

(Applause from the European Democratic Group)

However, I wish to stress that our proposal is once more — as is only right, and as Parliament will, I am sure, appreciate — combined with a provision designed to allow the lifting of the embargo before that date, i.e. as soon as a negotiation on the basis of a peace plan is begun between the two parties in implementation of Resolution 502. The Commission wishes thereby to reaffirm, like you, Mr President, and like Parliament as a whole, its hope that there will be a positive outcome of mediation as soon as possible, and its desire to see right prevail at last and peace safeguarded.

Let us hope that in the meantime there will be no dangerous escalation.

(Applause from the European Democratic Group)

President. — I call the Group of the European People's Party (Christian-Democratic Group).

Mr Penders. — *(NL)* Mr President, the fact that we are once again conducting a debate on the Falklands crisis is proof of the depressing fact that the conflict has not yet been brought to a peaceful solution — unfortunately, one is bound to say, because a diplomatic settlement was the tenor of our previous debate and the central element in our resolution of 22 April.

I should like, incidentally, Mr President, to pay tribute to all those who have done their best to bring about a peaceful solution, particularly the American Secretary of State Mr Haig. His efforts foundered, though, on the chaotic Argentinian system in which President Galtieri was evidently incapable of shaking the Argentinian generals out of their officers' mess '*alte Kameraden*' dreams. I would also pay tribute to President Belaunde Terry of Peru, who endeavoured constructively and inventively to find the right formula. Finally, thanks and a slap on the back are due to the UN Secretary-General, who was and still is making every effort to bring about a peaceful settlement. We frequently — and not always unfairly — hear disparaging comment on the United Nations, but in this case, the Secretary-General has done a good job, and Resolution No 502 has also met with general respect.

How close were we, or are we, to a peaceful solution? Minister Mendez indicated that the question of sovereignty did not absolutely have to be settled right from the start of negotiations, and Mr Pym was talking about the start of withdrawal on the part of Argentinian troops, rather than of withdrawal as such, although unfortunately to an unsatisfactory extent so far. We must keep hammering home the need for a peaceful settlement. The United Kingdom too is subject to the legal consideration that its justified military action must be in reasonable proportion to its interests.

Because of the need for caution and a peaceful settlement, we must keep up the pressure on Argentina as much as possible. The solidarity shown by the Community impresses not only British public opinion, but also the ruling junta and the people of Argentina, and it would be unwise and unreasonable to slacken the Community's solidarity with London at this stage. It would also be unjust because there are still plenty of other territorial conflicts throughout the world, and it would be a bad precedent and even an open invitation to aggression if we were to tolerate such aggression here.

I should like to continue, Mr President, with a word of criticism of the British Government.

(The speaker continued in English) I shall now speak in English, because with all due respect to our interpreters, the wording here is very important.

Penders

There can be no question in this serious and sad affair of tit-for-tat. Aggression is not on the same level as budgetary quarrels. The British have always praised the quick political reaction of the Community. It has shown them that the Community can be very flexible and can live up to its basic political commitments, and the British have always wanted the Community to be a political body and not a legalistic institution. London has now had the political opportunity to demonstrate how great its appreciation of our solidarity is. I am not asking for a dramatic gesture in the field of the mandate discussion, but doing away with the blockade of the agreement on agricultural prices would have been deeply impressive. I am sorry, Mr President, and a little bit sad that I have to conclude that so far solidarity appears to be a one-way street, and this, I regret to say, is not a fair deal.

(The speaker continued in Dutch) Returning, Mr President, to the question of the Falkland Islands, I believe that the Veil-Haagerup amendment designed to replace the Glinne resolution is a good and fair reflection of our position, and I shall be commending it to my Group.

(Applause)

President. — I call the European Democratic Group.

Sir Henry Plumb. — Mr President, firstly may I thank the President-in-Office of the Council for his statement, and in particular may I thank the President of the Commission for his very firm statement of intent to recommend the continuation of the embargo against Argentina until 17 June, unless, of course, Resolution 502 by the United Nations is accepted. We received that statement with the belief and the conviction that the whole of Europe can be united in supporting your recommendation.

In supporting the amendments which have been tabled by Mrs Veil, Mr Haagerup and the Christian Democratic Group, my own group is making two specific requests. First, we ask for a reaffirmation of the Community's moral support for Great Britain as the unwilling victim of powerful military aggression by a totalitarian dictatorship. This moral support was embodied in the sanctions against Argentina adopted so readily in April and which now, Mr President, have to be renewed.

Secondly, we ask for the further declaration that the Community, while asserting the principle that territorial disputes are not to be settled by force, stands with Britain in believing that armed aggression must not be allowed to succeed. How this aggression is met affects us intimately, whether the end comes by economic and diplomatic persuasion or by military measures. If this brigandry against the territory of a Member State is not dealt with conclusively and if the voices prevail

which say that struggle is not worthwhile, not worth the loss of life on either side, then we must prepare to see countless similar claims pursued by force again and again across the globe, because no one has the nerve to stop it. Strasbourg, Mr President, remembering what it symbolizes, is supremely the place in which to say that we would be back then in the Europe of the 1930s. Today our hopes are still with the United Nations.

Members will appreciate what an extraordinary distance Britain has moved, being prepared now to contemplate United Nations trusteeship as an option for the islands, which she regards as indisputably her own in international law. In return, perhaps because there is actually no one in Buenos Aires capable of taking the one brave decision to back down; the Argentine has not retreated one centimetre. Peace efforts have crumbled one after another, while from the moment Resolution 502 was passed by the Security Council the Argentines have done everything to build up their military might on alien territory. And they have tried to insist that Britain concedes sovereignty before they will withdraw a single man. The United Kingdom, whose servicemen are at risk, actually wants a peaceful outcome even more than any of her friends. We do not need to be held back from military action if it is avoidable, but we do ask all Members here and all countries to stay with us in being prepared to defend to the end the freedom we all believe in and the rule of international law which is the guarantor of peace.

(Applause from the European Democratic Group)

Mr President, the Foreign Minister of France has said that any link between the support for Britain on the Falklands crisis and the settlement of the farm price and budget issues would be indecent. He is right. Friendship does not have a price, but solidarity must be shown by all Members in a time of crisis. And I for one accept that many of Europe's farmers probably, in a very different way, are in a crisis too. But we in this group clearly recognize the deep concern amongst the electors of many Members of this House about the problem of settling those farm prices. We recognize that the Community will be a much more credible force in international affairs when she can settle her domestic problems with greater speed and with greater efficiency.

(Applause from the European Democratic Group)

Mr President, other groups in this House know very well that we are in favour of majority voting as a means towards the end.

We also, in this group, while representing our own countrymen, recognize a responsibility towards the Community as a whole. Therefore, we are bound to acknowledge the very real difficulties which some of our European colleagues — and I am thinking especially of our international colleagues — experience in

Plumb

trying to explain to their countrymen the importance of their support for Britain over the Falklands. And we for our part undertake willingly to express to our own government and to the people the concern which these current problems are bound to engender in the minds of our fellow Europeans. We will continue to urge our government to do everything in its power to bring to a rapid and successful conclusion the causes of our internal difficulties.

On the Falklands, however, let me point out with due diffidence the consequences now of weakening in any way the Community's wholehearted support for Britain, greeted last month with such relief and gratitude by the British people. The effect in Britain of having the carpet pulled from under us, of removing support once pledged, I leave, Mr President, to you and to this House to judge. The Community would be signing a blank cheque, not for Britain but for Argentina. She would be encouraged in the belief that if she holds on long enough diplomatic and economic pressure from Britain's friends and allies will evaporate.

But that is only a beginning. If economic pressure or even the promise of continued economic pressure were to evaporate the prospects of a diplomatic solution might or might not fail, but without any doubt the military option for Britain would look more and more like the only one left. And on the possible use of minimum force, when all else has been tried, there is one more point to be made if we continue to believe in the alliance that has preserved Europe's peace for 35 years. There are good reasons always for not resisting force with force but being afraid to do so must not be one of them. Of course, we should all be worried by the possible spreading of the conflict.

However, let it be clear that the amendments that my group supports do not endorse a military solution. It is an attempt, perhaps our last attempt, Mr President, to use peaceful persuasion on the aggressor nation. But do not let us use one ounce less peaceful persuasion than we have at our disposal. It is for these reasons that I ask and indeed plead for the support of those amendments that are before this House.

(Loud applause from the European Democratic Group)

President. — I call the Communist and Allies Group.

Mrs Le Roux. — *(FR)* Mr President, the war must be stopped! The murderous naval fighting and the bombardments of the last few days have already claimed too many victims. These most recent and serious events thus confirm the rightness of the stand which we, and very few others, took here in April. The fighting must be stopped, negotiations must be held under the aegis of the United Nations, and any unilateral measure, particularly economic sanctions, must be eschewed.

Mr Thorn has just informed us that the Commission proposes to renew the embargo. But I would like to remind you that among the Ten a number of states are now hesitating, and we are pleased at this, for such an extension would tend to exacerbate tensions and compromise the necessary settlement. The European Parliament would play a positive rôle if we took a decision in this sense so as to avoid blocking the action of the United Nations and the good offices mission of its Secretary-General. It would thus respect the appeal by the non-aligned countries for peace and a negotiated settlement, and, finally it would safeguard the future of its relations with the whole of Latin America. The problem is not merely one for the British and Argentine Governments. It is one for the two peoples involved, for their interests are not served by war.

It is especially a matter for the whole Argentine people, committed and united in a deep-rooted anti-imperialist and anti-colonialist movement against General Haig's attempts to safeguard American strategic interests in the South Atlantic, against the British blockade and military escalation and the danger of a worsening of the conflict with the possible landing of British forces on the Falklands, and against the régime of General Galtieri which has been responsible for the Argentine peoples sufferings throughout six years of dictatorship.

The French Communists and Allies wish to reaffirm their solidarity with the Argentine people and the democratic forces in Argentina. Finally, we think it is particularly regrettable that the British authorities refused to allow the Argentine Nobel Peace Prize holder into Britain. This decision, indicating a particularly hard and intolerant attitude, runs counter to the urgent need for dialogue and negotiation to bring about a ceasefire. The motions for resolutions tabled do not take sufficient account of all these needs. We shall vote against or abstain.

President. — I call the Liberal and Democratic Group.

Mr Galland. — *(FR)* Mr President, ladies and gentlemen, it seems to me important to remind you that the Liberal Group was the first to table; in the April part-session, a motion for a resolution on the Falklands conflict. Moreover, that motion very largely inspired the resolution passed by Parliament on 22 April. And may I say here on behalf of the Liberal Group that we regret that Parliament has decided to reopen a debate which seems to us more dangerous than useful. Indeed, the 22 April resolution remains perfectly applicable. That is why the Congress of European Liberals and Democrats held in Venice last week adopted this resolution without reservation. Moreover, it had found a broad consensus, since we had adopted it by 203 votes to 28, with 10 abstentions.

Today's debate therefore seems to us pointless in terms of content, ill-timed in terms of its international

Galland

repercussions, and dangerous for the image of European unity. The proof of this is that we are faced with four motions for resolutions, and an amendment by my group which reflects a fifth viewpoint. And I am proud to defend the views of the overwhelming majority of the Liberal Group (Mr Luc Beyer de Ryke will explain the views of a small minority of our group), for to vote against Amendment No 4 by the Liberal Group would be to incur heavy responsibilities and political consequences. How can one fail to deplore the loss of human lives, and how could one deny that these events result originally from the failure of Argentina to implement Resolution 502? Indeed, Mrs Le Roux, before negotiating it is necessary to respect the decisions of the United Nations. How can 203 of our colleagues who voted for it fail to reiterate forcefully the declaration contained in our resolution of 22 April? How can one then fail to accept the extension of the embargo against Argentina beyond 16 May if no new factor has come into play? And on this point we are completely aligned with the Commission's position which Mr Thorn has just set out. And finally, how can one fail to be aware that in the Falklands conflict the international legal code, the authority of the United Nations and Community solidarity are at stake? That is why we still hope that Parliament will reach a consensus around this amendment by the Liberal Group, which stands for an upright and responsible Europe which rejects false security and the illusory peace brought about by weakness and renunciation.

In conclusion, I would like to reply to an objection which is being voiced within my group. Why should one show solidarity with Great Britain, which has never itself shown solidarity on any European question? It is true that one cannot hold it against Mrs Castle and her friends, who want to leave the Community. But you, the British Conservatives — you, Sir Henry Plumb — we must tell you that solidarity is a word which seems to exist in all the Community languages except English.

(The speaker continued in English)

I will say it in my poor English. Solidarity, solidarity, do you know what that means?

(The speaker continued in French)

Solidarity is indivisible. It cannot be asked for, ladies and gentlemen, when it suits you. It cannot be rejected on the pretext that it can involve financial commitments. No, with regard to solidarity you have understood nothing. And Sir Henry Plumb should have been even clearer in his speech, and therefore critical, with regard to the British Government's blockade — of course I mean its blockade on agricultural prices. And even if we all share the same views on the total absence of solidarity on the part of the British, we refuse to take pointless vengeance for this by becoming inconsistent and therefore anti-European. Take a good look at us: we continue to show solidarity and

remain faithful to the European spirit and ideal which you do not want to share. Yes, Englishmen, we continue to fire first, and we are doing so in order to help you.

(Applause)

President. — I call the Group for the Technical Coordination and Defence of Independent Groups and Members.

Mr Pannella. — *(FR)* Mr President, we already knew that these generals were murderers! And I think that Europe owes it to itself to oppose these generals who murder their own people and who must gradually base their power first on disregard for law and then on the taking of others' lives. That is why we are here — and I am addressing our Conservative colleagues — and our views are consistent with those that we have always held. We shall face up to our responsibilities against these murderers, whether they are called Evren or Galtieri.

For, Conservative colleagues, for us freedom and life are not a privilege of one race or class — they are a duty and a hope. I do not think you can continue to maintain that that is the case for you, in your everyday policies! You, Sir Henry Plumb, showed this only an hour ago by your arrogant rejection of the urgent debate on the fate of Mr Ecevit. Thus, as is only natural, you will find solidarity here on the question of the rights of the 1 800 people who risk losing the right of *habeas corpus*, with its significance for European civilization; you will find active solidarity against the murders perpetrated by these generals, and you will find it, Sir Henry Plumb, even though you are and have for a long time been accomplices in the murder of many Argentines every day. For they were fighting for their freedom, for their rights and also for those of the citizens of the Falklands and of the whole world. When our friends and comrades are tortured, you generally vote in this Parliament as if that did not concern you, and this is shown daily by your attitude to events in Turkey.

Mr President, we shall see this, then, as the amendments are voted on, but we shall not adopt the attitude of a tactician or politician in order to reject a *fait accompli* and to reject a policy of appeasement. In a few days another problem could arise for our Community. We agree with the embargo against Argentina, and consistently with that, we would agree with an embargo against Britain if it continued to seek to solve by the arrogance of war a problem of law, life and freedom.

President. — I call the Non-Attached Members.

Mr Psemazoglou. — *(GR)* Mr President, I wish to stress the importance of this debate, and I think it is

Pesmazoglou

impossible to weaken earlier decisions of the European Community and the European Parliament. For this reason I think that the motion for a resolution which we can support is the one tabled by the Socialist Group. However, I would like to say this: for reasons of consistency and credibility, our decisions must rest on the clear understanding that, firstly, they must strengthen the internal cohesion of the Community and are therefore based on principles of general validity. Wherever there are an invasion, *faits accomplis* and unacceptable violations of general resolutions of the United Nations, similar principles of solidarity apply.

My second observation is a general wish that the loss of life be limited, that diplomatic negotiations should make progress, and that the military activity should be limited. Thirdly, there is a need for us to strengthen the internal cohesion of the Community in this and other ways, and that means on other important questions, such as the question of agricultural produce, on which there should be no further delay or postponement in the taking of decisions.

President. — I call the Socialist Group.

Mrs Castle. — Mr President, once again the Socialist Group in this Parliament has to assume its position of leadership on issues of peace and of human rights.

Sir Henry Plumb has rightly said that Britain has been the victim of aggression by a fascist dictatorship. But who has sustained that dictatorship in recent years? Time and again the Socialist Group in this Parliament has pointed to the dangers that follow from building up right-wing and undemocratic regimes. We are now reaping the bitter fruits of the failure of European democracies to stand up to dictators, who always, in situations of economic difficulty, try to find militant distractions for their own people. So I think Sir Henry ought to approach this matter with some humility. I suggest to him too that he owes the House a little humility for the fact that in our discussions last April he led his right-wing allies in this House to vote down a key paragraph in the Socialist Group's motion on the Falklands, a paragraph which said that we believed the simultaneous withdrawal of Argentina's forces and the halting of the British naval activities would be the essential foundations for a negotiated peace. They mobilized this House to vote against that. Yet only last Friday in the House of Commons Mr Pym, the British Foreign Secretary, told the Members of the British Parliament that the British Government now accepted this element in the Peruvian proposals and blamed the Argentinians for turning them down. All I can say is that if Britain had shown that kind of balanced approach earlier, perhaps some of the earlier negotiations might have succeeded.

We also welcome the fact that the British Minister for Defence, Mr Nott, told the British people on televi-

sion only last weekend that the British Government was now prepared to keep its military options open. Having talked for a long time about the inevitability of driving forward to a military invasion and conquest of the Falklands, perhaps even to the bombing of bases on the Argentine mainland, now he at last began to use the language of sanity and to say that there were wider military options. Britain could maintain a military blockade without necessarily opting for an escalation to total war. We welcome this belated conversion.

I also remember how many of us in the Socialist Group of this Parliament have pleaded for a long time with the British Government to take this terribly difficult issue out of the hands of national governments and put it into the hands of the United Nations to be the arbitrator and supervisor of an independent settlement. That has been derided on Conservative benches for a long time. Now we are told — and I am glad to hear Sir Henry say it this afternoon — that Britain's attitude has changed. It is now prepared to accept that the United Nations should play a central role.

So there are hopeful factors in the situation, and we on the Socialist benches want to build on them because our sole purpose in this matter is to secure two principles. One is the upholding of international law and the second is the settlement of disputes by peaceful means. We must not put these two great principles at loggerheads, because if we do, we can lose support for one or other of them. The purpose of our motion is to press home this fact. A military solution here will solve nothing. The future relationships of the Falklands with Argentina have still got to be built. The future relationships of this Community with Latin America have still got to be built. We must seek absolutely every means of avoiding war. We must satisfy ourselves, as custodians of peace and international law, that every possible alternative peaceful avenue is being explored. And so we welcome the decision of the Council of Foreign Ministers to review the question of economic sanctions on 17 May in the light of steps that have been taken meanwhile towards the pursuit of those twin objectives we have outlined.

May I just say this? We think it is an absolute tragedy that the economic solidarity shown by the Community has not been matched by equivalent economic solidarity on the part of the United States in resisting the aggression in Argentina. If only that powerful economy, with such a stranglehold over the life of Argentina, had really come out and exercised its economic strength to secure a negotiated settlement, we would have had it ages ago without the loss of life on either side.

So we are in favour of economic pressure as an alternative to military pressure, but we say they must be alternatives. Let us move towards the economic solution of substituting economic pressure on Argentina

Castle

for the military escalation we are so afraid will otherwise take place.

(Applause from the Socialist Group)

President. — I call Mr Schall.

Mr Schall. — *(DE)* Mr President, ladies and gentlemen, when the European Parliament, like the Council, expresses a view in the short space of three weeks on a conflict which has developed outside Europe, this fact alone is enough to show that we are dealing with a development which is full of political significance, which touches the people of our European Community at the most personal level, and which is fraught with crisis and tragedy.

We bear no responsibility for its outbreak and military escalation. However, we do bear real responsibility for the position we must inevitably take up in the clash of so many arguments, considerations, emotional commitments, real disadvantages and in particular, understandable resentment. But is it our task to develop a stable, reliable long-term policy in the interest of the European Communities as a whole — a policy which will be recognized by the world public — or to express the rapidly changing emotions, transient opportunities and equally understandable individual aspects of a generally complex crisis situation? We should choose the first alternative.

The motion before us, with Amendments 4 to 9, fully meets this requirement. It extracts from the mass of individual aspects the four most important points, which as overall guidelines direct us on the right path, from which we must not deviate in future. It underlines our deepest regret, indeed shock, at the fact that military action with the loss of human lives is possible in the civilized Western world which regards peace as the highest goal. The unambiguous allocation of responsibility for this tragic development is stressed. It is not the possession of bare, rocky islands, 13 000 km away from Europe, or even the right to self-determination of 1 800 British citizens, which are in the foreground, but rather the clear breach of international law by the Argentinian dictatorship — the breach of the legal system of all civilized peoples, which is an essential precondition for the maintenance of peace. Is the use of force, the idea that might is right, the law of the side which imagines itself stronger, to have the upper hand, or indeed to set an example and thereby set our Western civilization back by centuries?

The motion also stresses the appeal to the opposing sides in the present conflict and their moral and practical obligation to do everything in their power to reach a peaceful solution to the conflict, taking account of international law. And finally, the solidarity of our European Community with a member and partner state is stressed. We decided this three weeks ago

and made it known to the whole world. What Parliament could allow itself solemnly to announce to the world its solidarity with a Member State and then distance itself therefrom three weeks later, without subjecting itself to the general contempt of the world public as a trembling, unreliable and powerless reed?

I therefore ask you to support this as fully as possible — even those colleagues who in making this decision would have to throw overboard many doubts or even perhaps their hearts.

President. — I call Mr Alavanos.

Mr Alavanos. — *(GR)* Mr President, the crisis on the Falkland Islands is still fraught with direct threats to world peace. Neither the European Parliament, nor in particular the Council of Ministers, is free of responsibility for this dangerous development.

The policy of total support for the British Government and of economic sanctions, which the Ten also adopted, strengthened the unconciliatory stance of the Thatcher Government and egged it on to the military adventurism, involving many deaths, with which we are all familiar.

It is certainly well known that the apparent acquiescence of some in the violations of basic freedoms by the dictatorial regime in Argentina is merely a cover for their warlike policy.

If just and peaceable views had prevailed in the Community context, we would certainly not have had the threatening prospects which we face today. And such views were also heard from the British side, for example the fair and shrewd analysis by Mr Lomas in the previous sitting. The Socialist Group's motion for a resolution calling for an immediate ceasefire is perhaps more positive than the earlier position of the European Parliament, even though it comes too late in the day. It is, however, inadequate and one-sided, since:

Firstly, it does not deal clearly with the question of the immediate withdrawal of the British task force in parallel to that of the Argentine troops.

Secondly, it does not call for the immediate lifting of the EEC sanctions against Argentina, nor for a distancing from the official British position. We expect the Greek Government at the Council on 17 May to do what in our view it should have done right from the beginning of the crisis — to defend the interests of world peace and not those of Mrs Thatcher or of the EEC. At all events, to follow the example of the Irish Government, which, after all, on the basis of its political standpoint, has more reasons to respect Community solidarity than does the Greek Government. For the Greek Communist Party questions of world peace are not negotiable, particularly when the other

Alavanos

side is morally bankrupt and warmongering, as is the Thatcher Government, which apart from anything else does not appear even to have very much chance of political survival.

Thirdly, the Socialist motion ignores the need for implementation of the United Nations resolution on the decolonization of the Falklands in parallel with Resolution 502. There is still time for the nine Member States to act before Mrs Thatcher finally leads us into the abyss.

For all these reasons, the Greek Communist Party will not vote for the motion tabled by the Socialist Group.

President. — I call Mr Beyer de Ryke.

Mr Beyer de Ryke. — (*FR*) Mr President, ladies and gentlemen, I thank the majority of the Liberal and Democratic Group for showing itself to be really liberal by allowing me to express a different view on behalf of a number of my colleagues. Different, not that we approve of General Galtieri's attempt to settle by force a real dispute about sovereign rights, but because we think that Great Britain responded to the aggression by a reaction so disproportionate that its consequences may turn out to be incalculable. And when I say 'may', the word is too cautious; and when I say 'incalculable', I have to correct myself, for already the consequences can be calculated in numbers killed on both sides.

There is more. By sinking the 'Belgrano' outside the exclusion zone which it had itself defined, the Royal Navy has without doubt torpedoed the Western allegiance of Argentina. On the pretext of rejecting a maritime Munich, Great Britain runs the risk of provoking a lasting Soviet-Argentine pact.

Mrs Thatcher is cheerfully, and with a remarkable lack of awareness, bringing about destabilization on the scale of the Latin American continent. She is managing to achieve even more than this, since the North-South axis is being strengthened within Europe itself. Spain is, in this matter, in a position of moral disagreement with other European countries, and even Italy, from which so many Argentines originated, is beginning to reconsider its position. The British — and I say this without the least irony, with the greatest respect and the greatest admiration — are a great people, but sometimes their error is equal to their pride, and when pride is clearly suicidal, not only for them but also for us, there are a number of us who cannot follow them. We therefore call for the lifting of the embargo — except of course the embargo on arms — and the simultaneous withdrawal of the belligerent forces, and we support all efforts designed to bring about the only possible victory, namely peace.

I would add on a personal basis — but I am sure that I speak this time on behalf of all my colleagues — that I

fervently associate myself with the hope that Argentina will at once free the three British journalists and realize that for a democratic country — and Great Britain is a democratic country — the communication of information is not spying but an honour.

President. — I call Mrs Castellina.

Mrs Castellina. — Mr President, I shall use my one minute and forty seconds just to explain the significance of the two amendments that I have tabled on the Glinne motion for a resolution.

Firstly, without going into the vexed question of whether these islands should be called the Falklands or the Malvinas, it is quite certain that the disproportionate use of military force by Great Britain, which has made negotiations much more difficult, should induce the Community to abandon its solidarity with Mrs Thatcher and suspend the economic sanctions. This, by the way, is the point of view being voiced by the governments of many Community Member States at home, but not the official stand taken at the recent meeting of the Foreign Ministers in Liège, which not only did not suspend the embargo but actually prolonged it. This Parliament should express its disapproval and not just appeal to the need to respect Resolution 502 of the United Nations, which in the present conditions is somewhat out of date.

Secondly, if we are, as the Glinne resolution urges, to pursue the negotiations in order to reach an agreement between Argentina and Britain, we should also bear in mind that the Falklands had been included since the beginning of the sixties in the list of 24 territories due for decolonialization, which means that some Argentinian right to sovereignty had already long been established. This does not justify General Galtieri's move, but it emphasizes how much Great Britain was to blame for not having been able in so many years to agree on a solution. I, as most of you — I am sorry, not all of you, for many of you until yesterday never objected when military supplies were sent to Galtieri — hate the Argentinian fascist régime, but it is not very honest to oppose fascism from a point of view which is still so marked by a colonialist spirit, and may well seriously undermine anti-fascist values. That is the least one can say.

The fact that not everyone understands this has been proved by all the interventions expressing astonishment that all the Latin American peoples, just as the Third World as a whole, should take the side of the Argentinians. Well, you have tried to force the present conflict into the narrow framework of West-East contradictions, but you did not understand that the North-South contradiction does not fit in and is probably far more important.

President. — I call Mr Romualdi.

Mr Romualdi. — (*IT*) Ladies and gentlemen, when the other nine countries of the Community expressed their complete political and moral solidarity with Britain three weeks ago, and I do not believe that anyone would not confirm that fully now, we stated our opposition to economic sanctions. In the first place, this was because it was clear then and even clearer now that such measures taken just as the British task force was setting sail from Britain to reconquer the Falkland Islands, not only would not have contributed towards a peaceful solution to the conflict but would actually have made it all the more difficult, which is precisely what has happened. The sanctions have strengthened the Argentines' support of their government, and stiffened their national resolve to resist and not surrender.

Secondly, we were against such economic measures because they could not fail to upset Europe's economic, financial and thus political, relations not only with Argentina, but with almost all of South America, and even elsewhere. Here I am thinking of the countries engaged in the North-South dialogue and of East-West relations. The Argentine Government is guilty of an unacceptable act of force, which had to be condemned and required us to express our solidarity with Britain. Whatever reservations, however serious and well-founded, as to the legality of Britain's formal sovereignty over those distant islands, so cherished and perhaps so valuable to the Argentines from whom they were taken by force so long ago, cannot however justify the Argentine Government's decision.

We all agree up to here, ladies and gentlemen. But responding to an act of force, however serious and blameworthy, even though practically no material damage was done to anyone, with a real act of war was not in our opinion exactly what was called for by the spirit and the substance of the international principles and commitments in whose name the Argentine Government's act should have been and was condemned, as we said, by the whole of the West and the free world.

Now, in view of the dramatic and fatal turn that events have taken, to continue with the economic sanctions, which affect the military situation even if only indirectly, would not contribute to finding a peaceful solution to the tragic conflict, but to putting it in jeopardy, now that we also have to take due account of the dignity and honour of the peoples directly engaged in it.

However much we may dislike having to face up to it, the only thing to do if we really want to try and avoid things coming to the worst, is to attempt to convince all parties involved of the absolute necessity to bring all warlike acts to an end, including the naval blockade. We must also all commit ourselves even more seriously than we have done so far, to putting pressure on the Argentine government to withdraw immediately from the Falkland Islands, in accordance with the United Nations' Resolution No 502, which has

become rather arduous to implement in these circumstances. The future sovereignty of the islands should be referred to the United Nations or the International Court in The Hague, or some other international body nominated by both sides, for arbitration.

Ladies and gentlemen, we must all realize that the time has come for a sense of responsibility and an overall view of the dangers that this conflict implies, to prevail over any other considerations of principle or fact. Naturally the principle whereby no one should take the law into his own hands is a basic tenet to be defended at all costs, but that means at all political costs, and not by causing a war with unforeseeable human, political and military consequences. That is not proof of sense, but quite the opposite!

We are confident that the British people with their centuries of political experience cannot fail to realize and understand that our support and sympathy must remain bound up with our reservations and concern.

President. — I call Mr Antoniozzi.

Mr Antoniozzi. — (*IT*) Mr President, ladies and gentlemen, I will give you a brief statement of what I think about this debate on the situation in the South Atlantic. On 22 April the European Parliament approved a resolution which was an expression of its evaluation of the situation, its solidarity with a government and its hope for a solution. That evaluation still holds today because the lawless acts imperilling peace were carried out unilaterally by the Argentine Government. We reaffirm our solidarity with Britain for general reasons and on specific grounds. But the hope we expressed has been disappointed, at least for the time being. Bloody military acts the fault of both sides, occurring in succession or mutually inflicted, have occurred, aggravating the dangers to peace.

For these reasons, before any direct practical suggestions are put forward to implement our political solidarity, and which might give encouragement to steps further disturbing peace, out of a sense of responsibility we now call firmly and forcefully on both parties to abide by the United Nations' resolution and come to arrangements which are still feasible for a truce leading to negotiations.

By virtue of its choices and its calling, Europe has the right and the duty to demand a return to common sense, so to aid in the re-establishment of peace in the South Atlantic and thus dispel the clouds overshadowing world peace.

This is our real hope, and I am confident that it is also shared by Britain and the Argentine people, the friendship of both of whom we hold dear.

President. — I call Mr De Goede.

Mr De Goede. — (NL) Mr President, I shall state our attitude in just a couple of minutes. There are important issues at stake in the Falklands crisis. Firstly, we have to uphold the international rule of law; aggression must be punished, and in this respect, UN Resolution 502 is perfectly clear: withdrawal of Argentinian troops from the occupied islands. We support that view.

We are rather less pleased about the rigid steadfastness of Mrs Thatcher. It is unwise to foster a British national psychosis based on the idea of a kind of holy war, which takes too little account of the possibility of the conflict getting out of hand. Was it really unavoidable for the Argentinian cruiser to be torpedoed with the resultant loss of several hundred lives? We rather doubt it. Is it not a bit too easy for the British to talk about all kinds of military operations, from the idea of bombing Argentinian airfields on the mainland even up to — in certain sections of the British press — the idea of using tactical nuclear weapons? We should like to see a little moderation on the British side.

Secondly, the solidarity of the European Community is also at stake. The Community embargo appears to be a good thing, but it seems to us that two essential preconditions must first of all be met. Firstly, only an effective trade boycott can hope to make a real impression, and the Seeler report — which has been removed from this week's agenda — spells out clearly how difficult it is to achieve that kind of thing. Too many mistakes and too much evasion tend to make trade boycotts a blunt weapon. We think it a good thing that other countries like Japan have associated themselves with the move. Secondly, solidarity with the United Kingdom presupposes also Community agreement on what policy should be adopted with regard to Argentina. In other words, we should not issue a blank cheque to our British friends, and I believe that that point has come out very clearly over the last weekend. This House would be well advised to make the point too. Diplomatic pressure must be brought to bear and sabre-rattling moderated.

My final comment is that I should like to see our British friends demonstrate the same kind of Community spirit on other issues — like agricultural prices and the British contribution to the budget — as the Nine are showing with regard to the Gilbert-and-Sullivan-like war over the Falklands. Mr Glinne's motion for a resolution comes closest to our own views, and we shall be giving it our support.

President. — The joint debate is closed.

I call Mr Balfe.

Mr Balfe. — Mr President, under Rule 85 of the Rules of Procedure and in protest at the cynical way in which the European Democratic Group voted the

Egevit debate off the agenda and manipulated the time of this vote, I should like to move that these resolutions be referred to committee.

(Parliament rejected Mr Balfe's proposal)

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Votes¹
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(The sitting was suspended at 5.20 p.m. and resumed at 5.30 p.m.)

IN THE CHAIR : LADY ELLES

Vice-President

President. — I call Mr Forth on a point of order.

Mr Forth. — Madam President, the President of the European Parliament has on several occasions invoked Rule 48 to support his ruling that there would be no explanations of vote after the debate we have just held and that the vote would be held immediately after the debate. I will now refer you, Madam President, to Rule 48, with which I know you are very familiar, and suggest to you that the debate we have just had must be taken out of the three hours maximum permitted for urgent and topical debates held under that same Rule 48. I would therefore ask you to rule that the time allocated to urgent and topical debates tomorrow will be three hours minus what we have spent today on this obviously urgent and topical debate. The President himself has indeed several times referred to it in these terms.

President. — Mr Forth, I take note of what you have said. I do not think that this is a reasonable request, because it was agreed by the chairmen of the political groups that there should be a general debate on this matter this afternoon and that it would have no effect on the topical debates as for tomorrow. Further, of course, the decision as to which debates should be taken was voted on at 3 o'clock this afternoon, and this point was not raised at that juncture. So I think that I must abide by the earlier decisions of the House.

¹ See Annex.

President

If any further arguments are put before me, of course, I am very willing to hear them.

I call Mr Enright.

Mr Enright. — I am very unwilling, Madam President, to question what you say, but, as I understand it, what you are saying is that the chairmen of political groups had agreed this procedure. While that may be entirely true, in fact we decided at 3 p.m. that we would overrule all sorts of agreements by the chairmen of political groups. It seems to me therefore that Mr Forth's point of order is a perfectly valid one.

President. — I call Mr Forth.

Mr Forth. — I accept part of what you said, Madam President, but — with respect — only part. My point was about the President's refusal to allow explanations of vote. I am not disputing the fact that the debate took place and was in order. However, the President said specifically that he was ruling out explanations of vote and invoked Rule 48 to justify this ruling and also his decision that the vote would follow immediately on the debate. Neither the President or anyone else can have it both ways. Our Rules are quite explicit. Rule 48 was invoked. I therefore similarly invoke Rule 48 and request again that the time taken by the Falklands debate this afternoon be deducted from urgent and topical debate time and that only the remainder be allocated tomorrow.

President. — I call Mr Griffiths.

Mr Griffiths. — Madam President, while I agree with the logic of what Mr Forth is saying, the precedent was created last month when we had a special debate on the Falkland Islands. It was an emergency debate but did not take any part of the time for emergency resolutions. As the precedent was created last month, I cannot see how we can complain this month about exactly the same procedure being used. The only reason I can see for the complaint coming this month is that the President did make some specific references to explanations of vote, which, of course, were not asked for last month so that the problem did not then arise.

President. — I should like to consider this matter and give you an answer by the end of Question Time, because various Rules are involved in the points that have been put to the President on this issue.

6. Question Time

President. — The next item is the second part of Question Time (Doc. 1-191/82).

We begin with questions to the Council.

Question No 51, by Mr Purvis (H-11/82):

In answer to Question H-662/81¹, the President-in-Office of the Council replied that he did not know how often ministers of the ten Member States met 'informally' and therefore not as properly constituted meetings of Councils of Ministers.

Can the Council reassure the Parliament that these meetings are not a subterfuge to avoid questions in Parliament and elsewhere concerning them? Why are they denominated 'informal'?

Mr De Keersmaecker, President-in-Office of the Council. — (NL) The Council can assure the honourable Member that the informal meetings held by the Ministers of Governments of the Member States of the European Community are not intended to prevent the European Parliament from exercising the advisory and supervisory powers conferred on it by the Treaties.

It may sometimes be useful for Ministers of the Governments of the Member States to meet informally for a general exchange of views and information on matters for which they are responsible. However, decisions pursuant to the Treaties establishing the Communities are discussed and adopted in the institutions and in accordance with the procedures, laid down by the Treaties, including, in particular, consultation of the European Parliament.

Mr Purvis. — I thank the President-in-Office for his answer and his assurance that this is not a subterfuge. However, could her perhaps expand his answer to explain how often and why these informal meetings take place? Furthermore, in order to show his good faith in this matter of not hiding anything from Parliament, could her perhaps give us full details of what happened at what I gather was an informal meeting in the Belgian countryside last weekend?

Mr De Keersmaecker. — (NL) I would reply to the honourable Member that in the context of the Council of Foreign Ministers it is customary to organize a meeting of the 'Schloß Gymnich' type one per Presidency and a meeting of this kind indeed took place last week in Belgium. Generally speaking, the Ministers of Finance, Agriculture, Social Affairs, Transport and the Environment also hold informal meetings once every Presidency. That is the general rule. The aim is to hold an informal meeting which will permit the Ministers — and this is perhaps the most essential — to get to know each other better and to discuss certain subjects in order to get their bearings. That is all there is to it. I agree that these meetings cannot be intergovernmental in character. The Commission has also

¹ Debates of the European Parliament 1-280.

De Keersmaecker

made its views very clear on this point but I think that these informal meetings are nevertheless useful.

Mr Seligman. — Is the meeting of the European Council of Heads of State or Government also an informal meeting, since it is not specified in the Treaty of Rome? Furthermore, does he agree that the European Council reduces the authority of the Council of Foreign Ministers, is too infrequent and too short to be effective and should therefore cease?

Mr De Keersmaecker. — (NL) The answer is no, since the European Council on the one hand takes decisions and on the other hand makes statements. Neither of these things are done at these informal meetings.

Thus my answer to your last question is no.

Mr Radoux. — (FR) Does not the President-in-Office of the Council think that it is preferable not to hold an official meeting if as is invariably the case, it is merely to realize that the situation has reached deadlock?

Mr De Keersmaecker. — (NL) I have no comments to make on this point. It is unfortunately true that no results have been reached in certain areas, but be that as it may, the purpose of these meetings is clear. They should, I think, be maintained with a view to creating an atmosphere which might produce certain results.

Mr Purvis. — The President-in-Office did not answer my question completely. As evidence of his good faith in not attempting to hide anything from Parliament, could he give us an account of what happened at the informal meeting last weekend?

Mr De Keersmaecker. — (NL) First and foremost, I should point out to you that I was not present myself but as far as I know this meeting kept within the limits of the so-called informal meetings and I assume that a report will be produced and debated in due course. As far as I know, a number of topical questions were discussed with a view to arriving at a general approach. These questions included, for example, the topic we have already discussed today, i.e. the Falkland Islands and the problem of the mandate. However, I cannot give you any further details here today.

President. — Question No 52 by Mr Seligman (H-846/81):

What is the total value of loans and grants made by the European Community to the Indian Government and what conditions attach to these loans?

Mr De Keersmaecker, President-in-Office of the Council. — (NL) In the context of action to aid the non-associated developing countries, India has from 1976 to 1981 received grants totalling approximately 140 million ECU, which amounts to 27% of Indian's aid programme. This aid includes chiefly the supply of fertilizers, with counterpart funds being devoted to rural development projects. It should be added that, as regards food aid, India is receiving aid equivalent to roughly 50 million dollars each year under a multiannual programme. In addition, India is far and away the prime beneficiary under co-financing operations carried out with non-governmental development organizations: for the period 1976-1980 the Community's contribution to such co-financing was close on 4 million ECU.

Lastly, India benefits from an annual trade promotion programme totalling roughly one million ECU.

Mr Seligman. — I would like to thank the President-in-Office for a very informative and impressive answer. 140 m ECU is a lot of money by anyone's measurement and it is all in grants apparently and not in loans, which is good. However, in view of the great importance of this democratic nation of 700 million people for the future of the free world, will the Council press the Commission to open its New Delhi office now without further delay in order, among other things, to keep close touch with the administration of these large funds, especially as the Court of Auditors has criticized the Commission in connection with this administration of food aid?

Mr De Keersmaecker. — (NL) Obviously I must refer you to the Commission itself on this last point. The Commission is an independent body and must take on the necessary responsibility on this matter. On behalf of my own government I might add that we are prepared to grant the Commission as much competency as possible. However, this is a general statement which has nothing directly to do with the point you have just raised. For an answer to your specific question, I would refer you to the Commission itself.

President. — Question No 53, by Mr Radoux (H-857/81):

Now that, with the setting up of a special committee, the European Parliament has implemented its resolution of 9 July 1981 on a draft constitution treaty for the 1984 elections, is the Council prepared to give its backing to a move by the European Parliament to have the Heads of State or Government meeting within the European Council formally recognize Parliament's responsibility in the matter?

Mr De Keersmaecker, *President-in-Office of the Council*. — (NL) The Council has duly taken note of the Resolution adopted by the European Parliament on 9 July 1981 and will look with interest at any resolutions the European Parliament may adopt further to the work of its Institutional Committee.

Mr Radoux. — (FR) In view of the Council's virtually total inability to solve the problems and the confusion in both the Council and the Commission, does not the President-in-Office of the Council feel that Parliament's initiative would be a useful one?

Mr De Keersmaecker. — (NL) I can only confirm that the Council has not adopted a position on this question and I must also refer you to what Mr Tindemans said to your Political Affairs Committee recently when speaking in a personal capacity. The Council chooses its own path on the basis of the Genscher and Colombo proposals and in the light of the proposals by Mr Hänsch and Mr Van Miert, and hopes to be able to come up with concrete proposals on this basis. That is the job of the Council. As regards Parliament's options concerning a draft act or constitution, the Council has not yet adopted a position. I can tell you however, on behalf of my own country, that we continue to stand by the decision of the European Summit of December 1974 regarding the granting of greater powers to the European Parliament.

Mr Antoniozzi. — (IT) Is it true that, at its last meeting, the Council voiced some really serious objections to the Genscher-Colombo proposal? If so, what attitude can we expect the Council to take to the far more ambitious proposals put forward by Parliament?

Mr De Keersmaecker. — (NL) The discussion of the Genscher-Colombo proposals has not yet been concluded. The matter has been entrusted to an *ad hoc* group which is currently working on it. It would, I think, be completely premature to draw any conclusions at this stage. The Council has decided not to issue a report yet since it is not at this stage in a position to inform you of any definitive conclusions or decisions.

President. — Question No 54, by Mr Moreland (H-4/82):

How soon after the Parliament has given its opinion will the Transport Council be called in order to alter its provisional view given in December on the 1982 Community Quota for the carriage of goods?

Mr De Keersmaecker, *President-in-Office of the Council*. — (NL) At the earliest opportunity after an opinion was adopted by the European Parliament on 12

March 1982, the Council, at its meeting on 22 and 23 March 1982, adopted the Regulation in question, which amends, as regards the increase in the quota, Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States.

Mr Moreland. — As the Council will know, the legal document says 'having regard to the opinion of the European Parliament'. Can one have an assurance that some time was spent looking at and discussing the opinion of the European Parliament and, in particular, in adjusting the December announcement on this in the light of the Parliament's resolution which said 'Believes that the demand for permits under the quota in certain Member States justifies a higher allocation to those Member States' or did the Council ignore that and simply stick to its resolution in December?

Mr De Keersmaecker. — (NL) I can inform you that the Council agreed to grant eight Member States a 5% increase in the Community quota, while two peripheral Member States, i.e. Ireland and Greece, were granted a premium in the form of a special increase of 15%.

Mr Harris. — Could we go back to first principles? Does the President-in-Office realize that by continuing with these ridiculous quotas which go completely and utterly against the Treaty of Rome and the free movement of goods, the Council is now actively encouraging a flourishing black market in these permits? I personally know of a haulier who has had to pay £50 a time to get hold of a permit from another haulier who has got a surplus. When on earth is the Council going to scrap completely this nonsensical business and go back, as I say, to first principles and the Treaty of Rome?

Mr De Keersmaecker. — (NL) All I can say is that the Council was in possession of the opinion in which the European Parliament deplored this restriction of quotas.

The Council did not reach agreement on the granting of a higher quota.

Mrs Ewing. — Could I follow on from the point that was raised by Mr Moreland and, indeed from the answer of the President-in-Office as to the areas on the periphery of the Community. Has the President-in-Office looked lately at the map of the Community and noticed that some of the remotest areas must lie in the north of Scotland, my area alone being the size of Denmark or Belgium and as remote as they come? And is it right, therefore, that Greece and Ireland should have been singled out for some special consideration? But any test of remoteness or whatever other

Ewing

test you may apply, it does look as if my area has been discriminated against. I would like his comments on this situation.

Mr De Keersmaecker. — (NL) I would refer you to the answer I gave a few moments ago. The special quotas of 15% were granted to the two Member States which are in fact the most peripheral. . .

Mrs Ewing. — I am further away than they are. Have a look at the map!

President. — Mrs Ewing, you have not got the floor but I think the House will agree that we could come back to this question next time and that this avenue could be explored further in relation to Oral Questions and an answer from the Council.

Mr Nyborg. — (DA) I should like to ask Mr De Keersmaecker, the President of the Council, whether we can hope to see a liberalization of the road haulage sector, since I am sure he will remember, as a previous Member of this Parliament, how we receive the assurance of a President of the Transport Ministers every year that liberalization is now going to be introduced. They all say they are in favour of this, but when it comes to making a decision in the Council they back down. Is there the slightest hope of liberalization in the near future?

Mr De Keersmaecker. — (NL) The Council has asked the Commission to submit two reports — one on the implementation of the Council Resolution of 15 December 1981 on rail transport policy in the Community and one on the implementation of the regulation on the harmonization of certain social provisions in the rail transport sector. The Commission has not yet submitted these reports and we therefore do not have the necessary information to answer your question.

President. — Question No 55, by Mr Balfe (H-26/82):

Can the Council state which Member States do not provide access to its parliament building and its parliament library, etc., to Members of the European Parliament?

Mr De Keersmaecker, President-in-Office of the Council. — (NL) I must be very brief since the Council does not possess the information requested by the honourable Member. However, I can tell you in my capacity as Belgian Minister that in our parliament a regulation is in force granting access to the Members of the European Parliament, insofar as they do not have a double mandate, to the committee meetings in

the sectors for which they are competent in their national parliaments. I do not know if there are similar arrangements in other parliaments.

Mr Balfe. — I am surprised that the President-in-Office does not have this information as I am sure it would be in his interests to promote closer contact between parliamentarians and Member States.

Can I point out to him that three years after taking office, British Members in this House have less rights in their own House of Commons than part-time secretaries or American researchers? And could I suggest to the Council that it might be as well if they were to take an interest in this matter because I am sure that communication between Members of this Parliament and members of national parliaments on such subjects as agricultural prices for instance, might facilitate the smooth functioning of the Council which appears to be currently having some difficulties in this regard?

Mr De Keersmaecker. — (NL) Obviously, I share the questioner's concern and I can also imagine that this would be a serious problem for those Members of this Assembly who do not have a double mandate. When I was a Member of the European Parliament, I had a double mandate which meant that I was not faced with this problem. Personally — and I think I can also say this as a member of the Belgian Government — I think it is desirable that we work hand in hand as much as possible. As regards information and, in particular, the introduction of measures, this is a matter which must be discussed and dealt with between national parliaments and the European Parliament.

Mr Marshall. — Would the President-in-Office of the Council please note that some of us feel that certain British Labour Members might more appropriately be given permanent access to the Tower of London?

President. — Question No 56, by Mr Eisma (H-30/82):

Have the legal and linguistic problems of the Seveso directive now been settled so that the decision of principle taken in December 1981 can be adopted in its final form during the forthcoming Environment Council in June?

Mr De Keersmaecker, President-in-Office of the Council. — (NL) The Council can confirm to the honourable Member that the legal and linguistic finalization of the Seveso Directive is now being completed with a view to its formal adoption in the official languages of the Communities at the latest at the Environment Council scheduled for June 1982.

Mr Eisma. — (NL) Question Time so far seems to have been virtually a Conservative Group monopoly,

Eisma

but that is by the way. Am I to conclude from your answer that it is now humanly possible — and I put this question to the President-in-Office of the Council — that this directive, including all the annexes, may be formally adopted at the latest at the Environment Council scheduled for June 1982? Secondly, does not the President of the Council regard the period of six months which has elapsed since the beginning of September as an extremely long time merely for the legal and linguistic finalization of a directive such as this and can he give us an assurance that similar cases will be dealt with more swiftly in future?

Mr De Keersmaecker. — (NL) My answer to your first question is 'yes'. Your second question depends on your point of view. You may regard it as a long time, but I have drawn attention to the technical and linguistic complexity of this subject and I am sure that the Council intends to deal with any similar case as swiftly as possible.

President. — Question No 57 by Mr Cousté (H-43/82):

Does not the Council consider that the repeated central parity adjustments within the EMS may hinder progress towards the second phase of the EMS?

Mr De Keersmaecker, President-in-Office of the Council. — (NL) The Council considers that the European Monetary System has worked well in its first three years and has made an essential contribution to a more stable and orderly development of currency relations in the Community and to economic and monetary policies more conducive to stability and economic development. Adjustments to the central rates within the system have been carried out under good conditions and in compliance with the agreements governing the system. At its meeting in Brussels on 29 and 30 March 1982 the European Council agreed to give fresh momentum to the EMS by strengthening economic convergence, the EMS mechanism, the role of the ECU and monetary cooperation between the Community and third countries. The Council is at present studying all these problems.

Mr Cousté. — (FR) I am pleased that the European Monetary System would not appear to be a new aspect of what might be referred to as the pathology of the European economy. However, might I point out, Mr De Keersmaecker, that the European Council's request in March for new impetus does not so far appear to have been met, which is why my question remains valid, both as I originally put it and as I will put it again. What measures are you really intending to take to ensure that the Europe of the Community be an area of monetary stability?

Mr De Keersmaecker. — (NL) I can confirm that the European Council of December 1980 decided in favour of continued efforts towards strengthening the European Monetary System so that it will, in due course, move on to an institutional phase. Unfortunately, this has not in fact happened. This is an institutional question. It was also intended that one of the elements on the institutional phase would be the setting up of a central or Community bank — I am not sure of the precise term. This has not been done, but I do not think this is a result of the monetary perils we have been going through, i.e. the adjustments of the currencies.

I would repeat, in answer to your question, that in spite of these perils and quite apart from the fact that the next step, i.e. the institutional phase, has not been taken, the European Monetary System has been functioning well or as well as possible and that one thing is certain, i.e. that we still have some sort of monetary stability notwithstanding the lack of convergence and notwithstanding the various adjustments. If we had not had this system, with all its shortcomings and imperfections, the lack of monetary stability would have been much greater.

Sir Brandon Rhys Williams. — Do we not have to admit that inflation is still proceeding in each of our Member States at different rates? Is it not therefore logical that if we have a fixed numerical rate of exchange system between each of the currencies of the Member States, within a matter of months some Member States will have over-valued currencies and others under-valued currencies in relation to each other? Does not the recent devaluation by Denmark and Belgium show that this is only a spurious system for maintaining stability? And contrary to what Mr Cousté is suggesting in his question, would it not be far more realistic if we consciously pursued a purchasing power parity policy in the European Monetary System with very small adjustments, possibly of a fraction of 1% every month or every quarter, which would in fact be a fixed rate system but it would be predictable and realistic and would not simply be an attempt to defy market forces.

Mr De Keersmaecker. — (NL) This, I think, depends on one's point of view. It seems to me that increasing divergence in the economies of the Member States — which is reflected in a very wide variation in the rates of inflation — makes maintaining this system more difficult and yet at the same time all the more necessary. We must do whatever we can to encourage convergence and this is point No 1 in the Council's plan of action. The Council hopes to create the necessary conditions for us to proceed with the EMS, but unfortunately the difficulties facing us are considerable.

Mr De Goede. — (NL) Can the President-in-Office

De Goede

of the Council confirm that the relative stability in the EMS of which he speaks can only be maintained if we manage to achieve greater convergence, and does he agree that it is high time the Council made recommendations to various Member States regarding their monetary policies, with a view to avoiding more monetary adjustments than already appear likely in the course of this year?

Mr De Keersmaecker. — (NL) As regards Mr De Goede's first question, I can refer him to what I have just said and thus my answer is obviously 'yes'. The lack of convergence constitutes a threat to the maintenance of the EMS itself. However, as I have already said, the increasing divergence at the same time makes it all the more essential that we maintain this system. It is, in fact, a vicious circle, but I fully share your opinion. As to the second question, there is indeed a need for such recommendations and the Council felt this so strongly that at one point it gave the Belgian Government very precise guidelines regarding a number of aspects of our economic policy affecting the problems of monetary stability.

Mr Radoux. — (NL) The President-in-Office just now used the phrase 'to move on, in due course, to the next phase'. What do you mean by this? The Community is at liberty to make a decision whenever it likes.

Mr De Keersmaecker. — (NL) Mr Radoux, I can hardly go into the interpretation of this statement by the European Council in December 1980 at this time. It seems to me that the Council's intention was to take certain steps which it felt would be useful with a view to considering at a later date whether or not the time had come to move on to a subsequent phase.

President. — Question No 58, by Mr Schwartzberg which has been taken over by Mrs Vayssade (H-80/82):

Does the Council not think that, in order to prompt a more active contribution by the European Community towards combating hunger in the world, a proposal should be made to place this fundamental issue on the agenda for the next meeting of the European Council?

Mr De Keersmaecker, President-in-Office of the Council. — (FR) In June 1981, when discussing the North-South Dialogue the European Council laid quite specific stress on the problem of hunger in the world and 'considered it intolerable that widespread poverty and hunger persist in various parts of the developing world'. This problem was also one of the major topics of concern at the Ottawa and Cancun Summits and was the subject of an important initiative on the part of the Italian delegation.

Spurred on by these developments, and also by the European Parliament's action which brought home more vividly to the general public and the Community institutions this distressing problem, the Community has initiated vigorous action to combat hunger in the world and has, I think it is fair to say, made a more active contribution than any other country or organization to this fight which is crucial for a large section of mankind.

Mrs Vayssade. — (FR) I should like to thank the President-in-Office for his reply. However, it was not very precise. Would it not nevertheless be useful if this question were included on the agenda so as to solemnly reaffirm the Community's resolve in this matter and bring it up to date?

Mr De Keersmaecker. — (NL) This problem has been discussed in the Council, but there is currently no precise agenda indicating that it is to be discussed at a subsequent meeting.

Mr Chambeiron. — (FR) I should like to take the opportunity afforded by the reply given by the President-in-Office of the Council to remind you that the Cancun Conference led to an agreement in principle on the opening of global negotiations for the beginning of 1982. It is now the middle of May and nothing has happened. I would therefore repeat the question put by the previous speaker, i.e. does not the Council think that it should formally include this question on the agenda for the next European Council, rather than just talking about it, so that the Community can take the necessary initiatives to promote the opening of these negotiations and facilitate the resumption of the North-South Dialogue?

Mr De Keersmaecker. — (FR) I can, I think, answer this question by pointing out that this question was on the agenda under the Belgian Presidency. The deliberations led to the Council adopting a position and issuing the following statement:

The European Council approved the report on North-South policy drawn up by the Council and recommended its approach for subsequent action. It is of the opinion that cooperation with developing countries and the intensification of international economic relations serve the interests of all concerned and that they are necessary not only in order to strengthen the economies of the developing countries but also to promote the recovery of the world economy. It considers it intolerable that widespread poverty and hunger persist in various parts of the developing world.

The European Council was of the opinion that the preparations for the new round of global negotiations should be completed as soon as possible. It

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emphasized the crucial importance of a positive impetus to be given to this effect by the summit conferences in Ottawa and Cancun.

Mr Boyes. — When you next discuss this subject, Mr President, will you bear in mind that people are starving and encourage the Ministers to cut down the amount of cash that they are spending on armaments and also the efforts that they are making to persuade the developing countries to buy these armaments.

I understand that recently an Argentinian ship was shot out of the sea by a torpedo costing approximately half a million dollars and that a British ship was sunk by a missile that probably cost a quarter of a million dollars. Do you not think that this ought to be weighed against the fact that people in other parts of the world are starving and yet we can waste such amounts of money on warfare? Will you take that into consideration when you next discuss this topic?

Mr De Keersmaecker. — (NL) I should be very glad to. However, I should also point out that the Council has adopted the Commission's three-part action plan. I would also draw your attention to the fact that I recently received the Ambassador of Upper Volta, who told me that the work being done by the European Community in this respect is the best in the world. I agree with you that all of this is still not enough compared with the need but it is a start, and the Commission proposals indicate further possibilities. If I am not mistaken, your Parliament is also to draw up a report on this matter. Ultimately, this will surely get us all working along better lines.

Mr Pannella. — (FR) Since you say, if I have understood you correctly, that you do not envisage including this subject on the agenda for the next meeting, what are we talking about? One moment you are telling us that you hope perhaps etc., and the next minute you say that you are not even including it on the agenda. When you meet the Ambassador of Upper Volta would it not be a good idea to ask him if he has any news of our colleague, the Co-President of the ACP-EEC Assembly, who is still held prisoner in that country? Would it not also be a good idea to tell us something about Resolution No 375/81, which was signed by President Tindemans among others, which called for action in 1982, whereas you have not even included the subject about which we feel such concern on the agenda?

Mr De Keersmaecker. — (NL) None of the Councils of the European Communities draws up an agenda in advance. There are a large number of dossiers which are systematically included on the agenda for the successive Councils as circumstances permit and it could be said that each of them has priority! The fact that I cannot say today that question of hunger in the world

is included on the agenda of a particular Council meeting does not mean that the Council does not feel a very particular concern for this matter. As regards the other two points, I shall inform Mr Tindemans of what you have said and, as regards the specific question of Upper Volta, I would be grateful if you would give me some precise details so that I will be able to ask the Ambassador in question for precise information on this subject.

Mrs Dury. — (FR) Considering that the fight against hunger in the world is also an aspect of general development cooperation policy, I should like to ask the President if, as he sees it, the proposals made by the Belgian Presidency at Libreville regarding Stabex are not out of keeping with the usual phrases expressing goodwill as regards this question.

Mr De Keersmaecker. — (NL) A meeting, attended by President Tindemans, is indeed being held in Libreville at the moment and you are right when you point out the need for coordination between what the European Community can do and what can be done in the context of the Lomé Convention. However, I cannot give you any information on what the Council will decide, since the Council will draw up its proposals on the spot.

Mr Habsburg. — (DE) I should like to thank the Minister as representative of the Council for pointing out an important aspect of this question, namely that, relatively speaking, our Community has the best record in the world. I should like to ask him whether or not it would be useful to point out more clearly and emphatically that the Community is doing a great deal and that if hunger in the world is to be effectively combated, this calls not only for one-sided action on the part of the Community, but cooperation in other parts of the world too.

Mr De Keersmaecker. — (NL) I can endorse this point of view.

Mr Galland. — (FR) Does not the President of the Council think that, with a view to solving the problem of hunger in the world, the Council should work more in the direction of energy aid to the developing countries? For example, could not solar-powered water pumps enable ground water to be used for irrigating large cultivable areas in equatorial regions and would these not be an excellent way of finding an intelligent and lasting solution of the problem of hunger in the world?

Mr De Keersmaecker. — (FR) There are, I think, a large number of technical proposals which could be of use. I take due note of the point you have made, but I

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am sure that the Council as such has not discussed this specific proposal.

Mr Welsh. — I feel rather cheated because Mr Boyes has left the Chamber, but I was going to ask the President-in-Office if he would not take profit from the wise advice of Mr Boyes. He will know, of course, that the country with the biggest expenditure of its GNP on arms is the Soviet Union and at the same time that country's record in terms of development aid is extremely poor. So will the President-in-Office make representations to the Council — no doubt with the support of Mr Boyes — to the Soviet Union, and then perhaps we would not need to spend so much on arms ourselves.

Mr De Keersmaecker. — (NL) This is a view which I share and it is a reality with which we are all familiar and which corresponds to the attitude of the European Community, as I here described it. What we are doing is inadequate when considered from the point of view of the needs, but in comparison with what other countries or institutions are doing we are making a fairly reasonable effort.

President. — Question No 59 by Mr Welsh (H-90/82):

On 21 April 1982 at a meeting in the framework of the Luns-Westerterp procedure, Mr Tindemans, as President-in-Office of the Council, stated that the Council was studying the implication of enlargement for the Community's treaty engagements with other Mediterranean countries but as yet had evolved no strategy for dealing with the apparent conflicts of interest.

In view of the frequently proclaimed target of 1 January 1984 for the accession of Spain and Portugal to the Community, when does the Council expect to reach a firm conclusion which can then become part of the negotiating framework?

Mr De Keersmaecker, President-in-Office of the Council. — (NL) In the next few weeks the Council should be receiving a report from the Commission on the implications of the Community's enlargement for its relations with the Mediterranean countries.

The Council is aware of the importance of this question and will certainly examine this report as soon as possible.

Mr Welsh. — I am very grateful to the President-in-Office for confirming that the Council is concerned about this matter. Would he agree, though, that it is a matter of extreme urgency to get these problems resolved because they certainly will not disappear and can we be sure that the Council will put maximum

pressure on the Commission to deliver its proposal as soon as possible and, of course, to consult Parliament on its content?

Mr De Keersmaecker. — (NL) I obviously share your view, but I would nevertheless repeat what I have already said. We are waiting for this report and as soon as we have it we will examine it. I might, however, point out that progress has in fact been made in certain areas but, of course, not enough. However, there are prospects of certain solutions in the context of the discussions on the agricultural prices and related topics which represent considerable progress in this respect. Arrangements regarding Spain and Portugal are under consideration during the Belgian Presidency. However, you were talking about outlining a general strategy, which is something which must naturally be done on the basis of the report we are awaiting.

Mr Bucchini. — (FR) Certain Mediterranean countries complain that the enlargement would make the preferential cooperation agreements concluded with the Community meaningless. Generally speaking, does the Council feel that this enlargement of the Community to include Spain and Portugal is really in keeping with the commitments entered into by the Community, particularly as regards agriculture, under the terms of the cooperation agreements with the Mediterranean countries and the Lomé agreements? How does the Council intend to reply to the Mediterranean countries calling for negotiations on these questions?

Mr De Keersmaecker. — (NL) This is, of course, exactly what the report is about or, to be more precise, what it will be about. I have no intention therefore, of making any predictions since it is on the basis of this report that the Council must conduct its deliberations.

Miss Hooper. — Would the President-in-Office not confirm that if a decision is not made by July of this year, then it will be impossible for the practical steps of accession to be taken by 1 January 1984 and if this is so, would he care to inform us how much consideration has been given by the Council to the Parliament's resolution passed in November last year which overwhelmingly showed the political will and support for an early decision on the date of accession of Spain and Portugal?

Mr De Keersmaecker. — (NL) If the decision is not reached by June this would not necessarily imply that these expectations will come to nothing.

Mr Blumenfeld. — (DE) Can the President-in-Office assure this House that, in view of the fundamental significance and urgency of this document and topic,

Blumenfeld

Parliament and, more particularly, the competent Parliamentary Committees, such as the Legal Affairs Committee, will be presented with it as soon as possible so that, in accordance with the decisions passed by the Council in July and at the beginning of this year in connection with the question of increased powers for Parliament, it will be able to state its opinion on the Council's position?

Mr De Keersmaecker. — (NL) This is certainly a matter about which we are concerned, and this was in fact done by Mr Tindemans — on 21 April 1982, if I am not mistaken — in accordance with the well-known Luns procedure, which involves providing the Committee with confidential information.

Mr Galland. — (FR) Mr President of the Council, do you not think that in view of the very different problems presented by Spain on the one hand and Portugal on the other it would be possible for the negotiations to be concluded at a different time in each case.

Mr De Keersmaecker. — (NL) This is possible, and the Community has the political will to reach results as soon as possible on both dossiers whilst obviously exercising the necessary caution in view of the complexity of the problems. I do not think that one should regard them either as inseparable or as essentially separate and that one must be dealt with before the other.

President. — We turn now to the questions to the Foreign Ministers.

As the author is not present, Question No 62 will be answered in writing.¹

Question No 63, by Mrs von Alemann (H-20/82):

Have the Ministers any intention of recommending to the *ad hoc* group which, chaired by Mr de Schoutheete, has the task of preparing the draft text for the 'European Act', to liaise with the Institutional Committee of the European Parliament, in order to coordinate their proposals?

Mr De Keersmaecker, President-in-Office of the Foreign Ministers. — (NL) The Ministers intend on 24 May to examine the progress made to date by the *ad hoc* group responsible for preparing the draft text for the European Act, after which they will take a decision on the subsequent procedure to be followed. Pending this decision, I cannot answer the honourable Member's question.

Mrs von Alemann. — (DE) Mr President of the Council, could you at least assure us that the report currently being prepared by Mr Spinelli in the Institutional Committee will at least be included in the discussion in your *ad hoc* group, since I am sure you will agree that this report is a very valuable one. It would be totally pointless for the two institutions and the working parties not to take account of each other's work.

Mr De Keersmaecker. — (NL) I can only give you a general answer. The *ad hoc* group has been instructed by the Council to familiarize itself on the Council's behalf with all proposals and documents concerning this subject and to take account of them in drawing up the proposals in parallel to the Genscher-Colombo Act.

Mr Radoux. — (FR) In view of the fact that Parliament's initiative has led to the setting up of the Institutional Committee is one thing, and that the European Act is another, and bearing in mind what Mr Tindemans said at the beginning of January, is the President-in-Office of the Council really unable to say more here today than that we will have to wait and see what happens after the May meeting? One would have thought that the Belgian Presidency would do what was necessary for there to be an answer before 30 June this year.

Mr De Keersmaecker. — (NL) I can certainly answer in the affirmative, but only on behalf of the Belgian Government. I must point out, however, that the work is going forward and a report will be issued only when the *ad hoc* group has completed its task. We are, however, concerned — and I say this in my capacity as Belgian Minister — that Parliament should be informed of the state of affairs at an appropriate time.

Mr Johnson. — Could the mandate of this *ad hoc* working group be extended so that at least it can already have in mind now that at the end of this year there will be proposals coming forward from the Parliament on the basis of a report made by the Institutional Committee? I think it is rather important that these two things should go together and that the Council have a coherent approach.

Mr De Keersmaecker. — (NL) I should draw your attention to the nature of the task assigned to this *ad hoc* group since this group now tends to be regarded as a permanent institution — a sort of appendage to the Council. It has been instructed on a one-off basis to reach conclusions as soon as possible, although I can obviously not specify any particular date.

¹ See Annex II.

President. — Question No 64, by Mr Johnson (H-76/82):¹

In June of this year the Antarctic Treaty powers, which includes several Member States of the EEC, will be meeting in Wellington, New Zealand to consider the possible commercial exploitation of Antarctic oil and minerals.

Can the Minister of Foreign Affairs indicate

- (a) what coordination is now taking place among Member States with a view to ensuring that an environmentally sound position is adopted on this matter, bearing in mind the possible impact on the whole Antarctic ecosystem;
- (b) what steps are being taken by EEC Member States to ensure adequate participation at the Wellington meeting by organizations such as the International Union for the Conservation of Nature and Natural Resources (IUCN) and the Southern Oceans and Antarctic Coalition (SOAC), bearing in mind that the participation of such organizations is essential if the Antarctic Treaty powers are not to be accused by the public of cloaking their deliberations with a veil of secrecy?

Mr De Keersmaecker, President-in-Office of the Foreign Ministers. — (NL) The Ministers of the Ten meeting in political cooperation have not discussed the problem of the Antarctic and I am therefore not in a position to answer the question on behalf of the Ten. However, I can inform you in my capacity as Belgian Ministers that these are consultation meetings which take place *in camera*. These meetings have their own agenda and are at any rate concerned with the environment.

Mr Johnson. — I must say I am rather surprised when he says that the Ministers meeting in Political Cooperation have not considered the question of Antarctica at all. It is not a million miles away from the Falklands. The President-in-Office will be aware that the Community has just deposited its instrument of acceptance with the Australian Government and is now a full member of the Southern Ocean Convention which, of course, deals with the marine resources of Antarctica — I am not referring to marine in the sense of soldiers, but in the sense of biological resources. Now the Community is a full contracting party of the Southern Ocean Convention . . .

(The President asked the speaker to put a question)

. . . Will the President-in-Office indicate whether or not, bearing in mind that the Community under Article 113, common commercial policy, certainly has

competence in some aspects of the matter to be discussed in Wellington in June this year, give a comment as to whether or not Commission and Community participation is envisaged at that Wellington meeting?

Mr De Keersmaecker. — (NL) I must point out to you that this question has not been discussed by the Ten and that I can therefore not give an answer. You also asked about the meetings of the Southern Ocean Convention and about countries which may or may not be party to this Treaty. I am afraid I can not give you an answer on this question.

President. — Question No 65, by Mr Normanton (H-62/82):

Amnesty International in my constituency has written to the Polish authorities about Polish citizens detained without trial since 13 December 1981. Has the Conference of Foreign Ministers requested the Polish authorities to release Polish citizens detained without trial, within the framework of the Conference on European and Security?

Mr De Keersmaecker, President-in-Office of the Foreign Ministers. — (NL) The Foreign Ministers of the Ten met on 4 January to consider the consequences of the introduction of martial law in Poland. The meeting led, among other things, to a statement to the effect that the Foreign Ministers of the Ten urgently appeal to the Polish Government to discontinue martial law as soon as possible, to release the detainees and to resume a genuine dialogue with the church and Solidarity. This appeal was reaffirmed by the President on behalf of the Ten on the occasion of the resumption of the fifth phase of the Madrid meeting, i.e. the security conference on 9 February 1982. In addition, at their meeting in Brussels on 31 March, the Heads of State or Government of the Ten made the same appeal. They also took note, with concern, of the statements by the Polish Government regarding the possibility for emigration of internees from Poland and condemned any move to exert pressure on the people concerned.

Mr Normanton. — I should like to thank the President-in-Office for that very constructive reply, but say with perhaps regret that it appears to have fallen somewhat short of what the situation in Poland really demands from the Community.

Could the Minister tell the House whether the ambassadors of the Ten who operate in Warsaw carry out their duties as part of a coordinated collective team on behalf of the Ten in exactly the same way as they do in many States in the Western world? And would, therefore, the Foreign Ministers take urgent steps to collect and collate infractions of human rights by the military government and follow them up within the framework of the Helsinki Final Act?

¹ Former Oral Question without debate (0-3/82), converted into a question for Question Time.

Normanton

I must add, Madam President, that I have received no response to my representations in this connection as a Member of this Parliament and I wish the Foreign Ministers of the Ten greater success.

Mr De Keersmaecker. — (NL) The answer to your question is 'yes'. I can also inform you that the Council is greatly concerned about this matter and that the Council and the various representatives of the Member States maintain permanent contacts with a view to keeping *au fait* with the situation.

Mr Balfe. — Could I ask the President-in-Office to take note of the great selectivity shown by my colleagues, who earlier today did not find it necessary to support any action in relation to the Turkish military regime and the imprisonment of Mr Eçevit, and draw the attention of the President-in-Office to the statements of Archbishop Glemp which, I think, put forward a slightly more realistic view of the current very difficult situation in Poland. I hope he will also take them into account when assessing the Community's attitudes as well as the hypocrisy which allows only some military regimes to be condemned by the people opposite, whereas I am prepared to condemn them all.

Mr De Keersmaecker. — (NL) I have taken due note of your observation.

Mr Alavanos. — (GR) In reply to the question by Mr Normanton, the President-in-Office of the Foreign Ministers meeting in political cooperation again linked the Conference on Security and Cooperation in Europe with the human rights situation in Poland.

Quite apart from whether one agrees or disagrees with this link, I should like to ask the President-in-Office whether, with regard to this Conference, there is a similar interest in violations of human rights in Turkey, a country associated with the EEC. Why is there no such interest in the extreme violation of human rights in Cyprus, where Turkish and NATO forces currently occupy 40% of the territory? Why are the Ten so selective?

President. — I must remind Members that the question is on internment and imprisonment in Poland and I would ask all Members of all sides of the House to stick to the subject in hand.

Mr De Keersmaecker. — (NL) Firstly, the Council and European Community through its institutions make no distinction regarding infringements of human rights wherever they take place. We should like to affirm this well-known principle. Secondly, the question raised by the honourable Member comes within the scope of a subsequent question.

Mr Israël. — (FR) Mr President-in-Office of the Council, do you not think that your difficulties in intervening in favour of the Polish detainees results from the fact that the Madrid Conference is a sporadic affair? Do you not think that permanent activities along the lines of the Madrid Conference should preferably have been proposed long ago?

Mr De Keersmaecker. — (NL) That is one point of view and I cannot give the general answer. It is, however, a fact that the Madrid Conference does not permit continuity in our approach. This is an interesting aspect which confirms the need for the Council to continue devoting the greatest attention to this problem via bilateral and multilateral channels.

Mr von Hassel. — (DE) I should like, with reference to the question put by a Socialist and Communist Member, to ask the President of the Council whether or not, firstly, one can only compare things which have some intrinsic similarity and whether, secondly, Poland and Turkey are really comparable cases. Were not the points of departure and the subsequent events totally different in each case?

Mr De Keersmaecker. — (NL) Naturally, no two situations are completely alike. However, in spite of the difference the Council intends to adopt the same critical approach in its assessment of the infringements of human rights wherever this takes place.

Mrs Lizin. — (FR) First of all I should like to say that even if the historical situation are different, the fact of being held without trial for several months constitutes a fundamental violation of human rights, whatever the country involved. I should like to ask Mr De Keersmaecker, since the question of the meeting at Villers-le-Temple has been raised, whether precise measures have been proposed in this connection. Have any representations been made or has anything specific emerged on this question of East-West relation from the Villers-le-Temple meeting?

Mr De Keersmaecker. — (NL) I cannot answer the question regarding what was or was not discussed last weekend since this was an informal meeting at which no decisions were made or statements issued.

President. — As the author is not present, Question No 66 will be answered in writing.

Question No 67, by Mr Ephremidis has been taken over by Mr Alavanos (H-81/82):

Having regard to the belligerent and inflammatory statements by Alexander Haig who openly declared that the Reagan government has no intention of renouncing the doctrine of the 'first

President

nuclear strike' nor of agreeing to freeze nuclear weapons at their present level — which is one of the urgent demands of the peace movements who are calling for an end to the arms race and a gradual armaments' reduction — can the Council of Foreign Ministers state its reaction to and views on these statements which outraged international public opinion?

Mr De Keersmaecker, President-in-Office of the Foreign Ministers. — (NL) The statement made by Alexander Haig at the University of Georgetown have not been discussed by the Foreign Ministers of the Ten since defence problems are not dealt with in the context of European Political Cooperation. However, at its meeting of 27 November, the European Council welcomed the American commitment announced by President Reagan in his address on 18 November to introduce a substantial arms reduction. This objective should be achieved by mutual reduction of both nuclear and conventional weapons and by means of measures aimed at creating a climate of mutual trust. The Heads of State or Government have expressed their satisfaction at the prospective negotiations between the United States and the Soviet Union regarding medium-range nuclear missiles and their hope that these negotiations may soon lead to positive results.

Mr Alavanos. — (GR) As regards the first part of the answer, I should like to ask to what extent the assurance that defence matters are not the responsibility of the President-in-Office is in fact true, and whether nuclear war and the extremist policy of the Reagan administration involve not only defence matters but also peace and détente in Europe and these, as we saw from the example of the Madrid Conference and its link with human rights, are topics which are frequently discussed by the ministers.

My second question relates to President Reagan's proposals; even if the President-in-Office probably does not read *L'Humanité*, is he not at least aware of the remarks by Senator Kennedy to the effect that Mr Reagan's statements are unacceptable and that, in particular, they do nothing to solve the problem of mutual arms reduction.

Mr De Keersmaecker. — (NL) As regards the first question, I must repeat that the Ten have not discussed this point, in view of the fact that defence problems are not dealt with under European Political Cooperation. As regards the second question, I am afraid I have not read *L'Humanité*.

President. — Question No 68, by Mr Balfe (H-98/82):

Have the Foreign Ministers discussed the desirability of formulating a convention providing for

the repatriation of prisoners between Member States of the Community?

Mr De Keersmaecker, President-in-Office of the Foreign Ministers. — (NL) The Foreign Ministers have not discussed the question of whether a convention providing for the repatriation of prisoners between Member States of the Community should be drawn up.

Mr Balfe. — Would the Foreign Ministers accept that frequent misunderstandings arise when prisoners are in prison in States other than their own and that at a practical level it might well be a first step forward in cooperation between European countries if the States could trust each other, not to try each other's prisoners, but at least to draw up a convention whereby prisoners are repatriated between the States thereby enabling them to be somewhat closer to the families and to the culture with which they presumably are much more familiar?

Would the Foreign Ministers be prepared to look into this matter?

Mr De Keersmaecker. — (NL) As regards the last point, I wholeheartedly share your view, but I say this not as President of the Council but on behalf of my own government. The Belgian Government is in favour of a repatriation procedure of this kind since it takes the view that the problem of social reintegration can be dealt with much better in the prisoners' own context and culture.

I think, furthermore, that the Council of Europe is intending to draw up a new convention on this point.

Mr Sieglerschmidt. — (DE) Might I inform the President-in-Office of the Foreign Ministers that the Council of Europe is not working on a new convention on the validity of verdicts, which is in fact the question at issue here, but that a convention of this kind has existed for some time already and is simply awaiting ratification by all the Member States of the European Community for the problem raised by the questioner to be solved. Would the President-in-Office perhaps agree that it would be desirable for the Council and the Foreign Ministers meeting in the context of political cooperation, to press for ratification by all the Member States as soon as possible?

Mr De Keersmaecker. — (NL) Yes, perhaps there has been a misunderstanding here. There is indeed a convention, but the problem is that extradition is not the same thing as repatriation. In view of this, therefore, the answers I have given are, I think, still valid.

President. — I call Mrs Lizin to put a supplementary question, but would explain to Mr Schmid why I am

President

not calling him. We have a working arrangement during this Question Time that I try and call one member of the same nationality from each group. I have applied it rigorously to my own group and I hope Mr Schmid will understand why, having called Mr Sieglerschmidt, I am applying it to him.

Mrs Lizin. — (*FR*) I should like to ask Mr De Keersmaecker whether he intends next month finally to give consistent answers to the questions put to him during Question Time and whether — this is my second point, since he has repeatedly made distinctions between the attitude of the Presidency and the attitude of his government in his replies — we can take it, on the basis of these questions, that he himself has come to negative conclusions regarding the functional and specific role of the Belgian Presidency.

Mr De Keersmaecker. — (*NL*) Mrs Lizin, the answer to this question is very simple. I will always give you whatever answers the Council allows me to give. As regards the second question, this concerns my attitude to the role of President which is quite a different matter.

Mr Hutton. — Would the President-in-Office of the Council say whether his views on repatriation apply to all prisoners, including those who move from one Member State to another and then claim political motives as a means of escaping the punishment for the most heinous crimes?

Mr De Keersmaecker. — (*NL*) I should like to draw your attention to the problems connected with the revision of the Convention. These are being studied in the Council of Europe of which all the Member States are members.

President. — I should like to thank Mr De Keersmaecker on behalf of the House for his replies to these questions.

Question Time is closed.¹

I now come back to the point of order raised by Mr Forth concerning topical debates to be held tomorrow morning. I was not able to answer him earlier as I had not the facts necessary for a full answer at my disposal. The facts are these: in the debate that took place this afternoon under Rule 48 of the Rules of Procedure, Members had 60 minutes to speak. In the Minutes of yesterday's sitting which are published today, you will see that the time allocated for topical debates to Members, including all Members, amounts to 93 minutes. In accordance with rule 48(3), the maximum time for

topical and urgent debates is 3 hours per part-session. I hope Mr Forth will be satisfied with the explanation that the time set aside for tomorrow does not exceed the rule as laid down in the Rules of Procedure, and the other available time is, of course, for the Council and Commission, which are not included in the 3 hours.

I call Mr Forth.

Mr Forth. — I certainly would not want to prolong this or to delay the House, Madam President, and of course I would never dream of challenging your ruling. Could I simply say this in the most constructive sense? Perhaps the President could be reminded that if in future an occasion arises where a debate is held such as we had today, he should, please, be clear in his mind whether or not explanations of votes are allowable and if so under what Rule, in order to avoid any possible confusion in the future.

President. — Mr Forth, I can reply to you. I understand that no explanations of vote are allowed on Rule 48 motions. I do not know of any rule in the Rules of Procedure which permit explanations of vote following these particular topical debates.

I call Mr Prag.

Mr Prag. — I am sorry to say this while you are in the chair, Madam President, because it really refers to what was done before, but Rule 48(4) is absolutely clear. The enlarged Bureau made an awful hash of the whole business of the urgency debate, because Rule 48(4) says quite clearly that the vote will take place at the end of the debate. It is a mandatory rule. There is no discretion given to the President, and that really was what caused all the trouble.

President. — Mr Prag, I do not think it is very helpful to continue this debate, but I think it is something of which chairmen of political groups might take note when they are discussing the agenda with the President. They too should be aware of the Rules of Procedure, which after all are available to all Members of this Parliament.

I call Mr Arndt.

Mr Arndt. — (*DE*) Madam President, I am very sorry to have to bring up a point which will presumably again result in considerable confusion in this House and I am particularly sorry since Mr Dankert is not actually in the chair at the moment.

We have voted on Amendment No 4 by Mr Haagerup and Mrs Veil. However, in the official German translation, this amendment is completely different from

¹ See Annex II.

Arndt

the French or English version, in that the German version does not include the paragraph to the effect that the embargo on Argentina should be extended beyond 16 May. Instead, it contains a completely different paragraph. Thus, this is not an error of translation — it means that in German we were voting on a completely different amendment than in English or French.

For this reason, in the final vote I voted in favour of this text — i.e. the *German* text, as this was the only one I had received. Nor did I have time to check whether the English and French texts corresponded with the German text. I only became aware of this discrepancy when Mrs Castle drew my attention to it and asked how I could have voted for such a text — to which I replied that I would never think twice about voting for this German text. However, when I saw the English version, I realized that it was totally different.

The vote on Amendment No 4 should consequently, in my view, be regarded as null and void since we were voting on a totally incorrect text. I would therefore like to request the Bureau to confirm this and propose when the new vote should be held.

President. — Mr Arndt, I was aware of some of the difficulties that have arisen in connection with this particular translation. First, I would draw your attention to Rule 53(6) which says: 'Unless Parliament decides otherwise, amendments shall be put to the vote only after they have been printed and distributed in all the official languages. Amendments which have not been printed and distributed in all the official languages shall not be put to the vote if at least ten Members object'. Now ten Members did not object, and this amendment — Amendment No 4 — was put to the vote. I have ascertained from the electronic vote that you and your group voted against Amendment No 4.

Now these amendments were tabled yesterday, and I think that it is within the competence of the group secretariats to check if there are any differences or divergencies in the texts. Presumably these must have been discussed in the groups. I accept that there has been a difficulty, in that clearly a mistake was made by the services of Parliament as far as the translation of your amendment was concerned. I cannot go back on the vote that has been taken. It was taken perfectly properly in accordance with the Rules of Procedure.

I would, however, like to propose to the House that where there is a mistranslation in amendments, the matter should be discussed in the Committee on the Rules of Procedure and Petitions and an opinion handed back to Parliament on the principle, and certainly not on this particular matter.

I call Mr Haagerup.

Mr Haagerup. — Madam President, thank you for your ruling. However, I thought it would be of some help to you if I informed you and the House that the original text is the English text and that all negotiations that took place among the groups took place on the basis of the English text. I was not aware of the defective German text until long after the voting took place because everything took place on the basis of the English text, even including the first proposal signed by Mrs Veil and myself on the English text.

President. — I call Mr Arndt.

Mr Arndt. — (*DE*) I am not disputing the fact that the negotiations took place on the basis of the English text. Madam President, this is not a question of a wrong translation, but of a different text.

No secretariat is under any obligation to check whether a valid translation is available or not. If the Bureau had found that your amendment, Mr Haagerup, was not available in German, more than ten Members would certainly have requested that no vote should be held on it.

In the case of us Germans at least, the vote was held on a different text, which means that it was null and void.

President. — Mr Arndt, I really do not wish to continue this discussion. You have raised an important point of principle, but the fact of the matter is that I have in front of me the result of the electronic vote on Amendment No 4, which is the amendment we are discussing, and you and your group voted against it. Now if you are saying that you would have voted in favour of it if the text had been different, then I can understand your argument. But I am sorry, I do not understand your argument now.

Mr Arndt. — (*DE*) I should like to point out that a vote was first held on Amendment No 4 which replaces the two paragraphs. In the electronic vote, my Group voted against it. We subsequently voted on this text and I voted in favour of it after reading it.

Thus, if I had known that paragraph 2 was in fact included in it, as in the case of the English and French versions, I would have voted against it.

I assume that someone must have noticed that in the final vote, I explicitly voted for this 'yellow' text — i.e. I voted for a text which did not officially exist.

President. — I am very sorry, Mr Arndt. Two texts which have been submitted to me are both Amendment No 4, one in English and one in German. I totally accept, and as you rightly complain, that

President

Amendment No 4 in German is not parallel to the English text. However, I am afraid it does refer to Amendment No 4 on which we took a vote. As far as the ruling of the chair is concerned this particular matter cannot be opened again. The vote cannot be taken again. I propose that we close this debate now and that this matter, which is, I admit, a very important matter of principle, be put to the Committee on the Rules of Procedure and Petitions for a ruling on how matters of this kind should be dealt with in the future.

(Parliament decided to refer this matter to the Committee on the Rules of Procedure and Petitions)

I call Mr Luster.

Mr Luster. — *(DE)* Madam President, I should like to draw your attention to the fact that — as the ladies and gentlemen sitting next to you, have noticed — I have been asking to speak on a point of order for the last 3 or 5 minutes.

However, this was not why I wanted to speak. I thought I might be able to provide some help. Madam President, you are under no obligation to inform the House immediately of your ruling. Mr Arndt has made an observation regarding the application of the Rules of Procedure — in accordance with, as I see it, Rule 83 of our Rules of Procedure. This would have

enabled you, in accordance with Rule 83(3), to decide by way of exception to inform the House of your decisions within 24 hours — possibly after referring the matter to the appropriate Committee. I wanted to make this point, which I regard as a helpful one. Perhaps in future it would be possible to give me or others in a similar situation the floor in good time.

(Applause)

President. — The matter is now closed.¹

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*Votes*²

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President. — Before I close this sitting, I should like, on behalf of the House, to thank the interpreters and the staff for carrying on the work after the agreed time. We must express our gratitude to them.³

(Applause — The sitting was closed at 7.50 p.m.)

¹ Membership of committee: see Minutes.

² Cf. Annex I.

³ Agenda for the next sitting: see Minutes.

*ANNEX I**Votes*

(The Annex contains the rapporteur's opinion on the various amendments and the explanations of vote. For a detailed account of the voting, see Minutes.)

DE LA MALENE MOTION FOR A RESOLUTION (DOC. 1-228/82):
REJECTED

GLINNE MOTION FOR A RESOLUTION (DOC. 1-230-82): ADOPTED

CLWYD MOTION FOR A RESOLUTION (DOC. 1-235/82): ADOPTED

FANTI MOTION FOR A RESOLUTION (DOC. 1-241/82): REJECTED

PONIATOWSKI MOTION FOR A RESOLUTION (DOC. 1-215/82/rev.):
ADOPTED

Explanation of vote

Mr Chambeiron. — (FR) Madam President, the modest aim of the amendments which my colleagues and I tabled was to enhance the motion for a resolution put before the House by the Committee on Development and Cooperation. What we were hoping for was a better explanation of the current crisis in the Stabex system, emphasis on the need to organize world markets, especially by negotiating agreements incorporating profitable prices for producer countries, and in particular a request to the governments of the Member States to act in the pledge given at the EEC-ACP Council meeting in Libreville for 100% financing of Stabex transfers in 1982 until the Lomé Convention expires.

We are sorry that our amendments were not adopted. But this will not change our positive assessment of the motion before the House. Consequently, the Communist and Allies Group will vote in favour of the motion for a resolution tabled by the Committee on Development and Cooperation.

VAYSSADE REPORT (DOC. 1-101/82): ADOPTED

The rapporteur was:

- in favour of Amendments Nos 1, 2, 4, 12, 13, 16 and 24;
- against Amendments Nos 8, 9, 10, 11, 14, 15, 17, 18, 19, 20 and 21.

Explanations of vote

Dame Shelagh Roberts. — Madam President, I support the Commission's action programme, and indeed I welcome it, and I shall vote also for the motion for a resolution. But I want to place on record that there is one paragraph in the explanatory statement which was not susceptible to amendment and with which I disagree. I refer to paragraph (h) on the last page of the explanatory statement which invites the Commission to investigate the situation in the United Kingdom since 80% of the cases concerning equal treatment which are brought before the Court come from the United Kingdom.

Well I can tell the Commission now that the reason why such a very large proportion of the cases come from the United Kingdom is that the United Kingdom has a very effective way of helping individuals both financially and with advice to bring their cases before the European Court. That help comes from public bodies which are financed from public monies. And I would suggest that the cause of equal treatment would be very much more furthered if the Commission were to investigate the position in the other nine member

nations to find out why so few cases concerning equal treatment are brought to the European Court. If, in fact, the position is splendid in the other nine countries, I find it hard to understand why Members voted against the amendment standing in your name, Madam President, and mine which was that this committee should complete its work as a matter of urgency and within the time limit which 110 Members of this Parliament signed and supported.

Mrs Dury. — (*FR*) I should like to take this opportunity to echo the other Members who voiced their regret that the Belgian Presidency was absent during the debate on the Community programme on the promotion of equal opportunities for women.

The fact is that while the Commission works closely with us it would also have been useful in my view to hear the Council as well in this instance. I think this is particularly important because I have always felt that the Community supported women's campaigns, and this support is needed even more nowadays. Women are really suffering as a result of the economic crisis. Not only are the old horrors of sexual discrimination reappearing or taking firmer hold but what we have achieved is being jeopardized as well.

In Belgium, especially, the situation is worsening if you consider tax allowances and social benefits. Let me give you some examples. While a man who is a head of household gets certain tax benefits, women are now exempt. Unemployment benefits are considerably lower for those who are not heads of household or who are living with someone, and this of course affects women more. Widows' benefits have been scrapped and replaced by survivors' pensions, which are circumscribed when it comes to the right to work. In the case of retirement pensions, the principle of reversion which we favoured seems to have gone by the board. Family allowances cut back, activities for schoolchildren on a Wednesday afternoon phased out, more and more part-time work: the list of measures affecting women is endless.

In view of these circumstances, Madam President, and while we welcome the good intentions of this Community action programme, I do feel that a list of good intentions is not enough to ensure real progress in helping the position of women. You have to admit that the sad fact is that most of the Member States understand only methods of pressure. I shall therefore be voting for the Vayssade report.

Mrs Wiczorek-Zeul. — (*DE*) It was mentioned during today's debate that as we were discussing this action programme the Council was already working on a new draft resolution. I asked if this was true and we were told that the Council had not changed its position. In the meantime I have received the text of this new draft, which prompts me to say this. The Council has obviously let us believe something that was not true. Secondly, the Council seems to regard this Parliament's decisions as not worth the paper they are printed on and it seems to feel that they need not be considered. I cannot criticize enough the manner in which the Council has behaved in this affair.

Mrs Cinciari Rodano. — (*IT*) Madam President, I wish to confirm my vote in favour of the motion for a resolution and at the same time, as chairman of the Committee of Inquiry on the Situation of Women in Europe, I should like to thank our rapporteur, Mrs Vaysade, and all the Members who contributed to the debate.

I also wish to thank Mr Richard of the Commission who acknowledged that our committee had worked rapidly and well. I interpret Parliament's vote as proof of a broad basis of support for our committee's proposed amendments to the draft resolution.

I must also endorse what was said about the absence of the Council and about how reticent it was, first in committee and then again here, in telling us exactly which text the Council was working on. Let me add that the debate highlighted how difficult the problems are and how they have to be gone into thoroughly. This is why Parliament set up our committee on inquiry, for the precise purpose of monitoring the situation of women in the Member States of the Community and the application of the February 1981 resolution, and thus our task was to see how the programme was implemented.

I should like to think, however, that the political groups and the Members here — male as well as female — and the Bureau of Parliament will in future offer genuine support for the work of the committee of inquiry, which even now is still working in an uncertain and tremendously difficult situation.

Mrs Vayssade. — (*FR*) Madam President, I just want to reassure Dame Shelagh Roberts with regard to paragraph (h) in my report. The explanatory statement cites the British system as an example which many countries might well follow. I was not criticizing but paying tribute to what has been done in the United Kingdom.

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ANNEX II

Questions which could not be answered during Question Time, with written answers

1. *Questions to the Commission*

Question No 1, by Mr Pranchère (H-669/81)

Subject: EEC food aid

In a notice to the Council on special food aid to the least developed countries the Commission considers that the Community food aid programme for cereals is inadequate to meet the needs of these countries.

With a view to achieving a lasting and significant increase in food aid, does not the Commission consider that urgent action should be taken to promote the development of these agricultural products within the EEC in order to enable the EEC to pursue such a policy?

Answer

The Commission shares the honourable Member's concern in view of the estimates by various international organizations regarding the increasing food shortage, particularly as regards cereals, in the least developed countries. In its report published in October 1981 and entitled 'Guidelines for the European agricultural policy' the Commission mentions that this problem also has implications for the agricultural sector.

It is indeed true that increased food aid will be required over a long period, but it should be used in such a way as to contribute towards promoting greater self-sufficiency in the developing countries as regards food supplies. To this end, the Commission has introduced measures under the terms of its action programme for the combating of hunger in the world — which was submitted to Parliament in October last year — and under its normal food-aid programme for 1982, which calls for a quantitative increase of 17.2% compared with 1981.

As regards the cereals sector, the Commission has proposed a total production threshold of 130 million t for all cereals for 1988, corresponding to an increase of some 7 million t compared with the record harvest of 123 t in 1980 which was also the total for all cereals taken as a whole. This should make it clear that the Commission does not wish to keep cereal production at the current level.

As regards the prices package for 1981/82, the Council has agreed in principle to co-responsibility measures in the cereals sector under the terms of the decision to the effect that the reference prices and intervention prices should not be adjusted in the current harvest year, but that these adjustments should be postponed until the 1982/83 season.

In view of this, the Commission has proposed that if the production threshold is reached — i.e. a total of 119.5 million t for all cereals with the exception of durum wheat — the Community intervention price for cereals for use as feedstuffs and the reference price for ordinary cereals, for which the price proposals for 1983/84 apply — should be reduced by 1% per million tonnes above the threshold, up to a maximum of 5%. This would provide the basis for planning the inevitable increase in production in such a way as to avoid putting an excessive burden on the budget.

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Question No 2, by Mrs Tove Nielsen (H-836/81)

Subject: Cheap air fares

The Scandinavian airline SAS is offering special cheap air fares to passengers flying from London to Scandinavian airports including Kastrup. However, passengers whose point of departure is Kastrup are not entitled to the same cheap fares. Does the Commission consider this new initiative acceptable to the European Community and does it not agree that such initiatives, which also split the common market into national entities, must be combated; if so, what measures does the Commission intend to take with regard to this matter, bearing in mind that the arrangement has been approved by the Danish Social-Democratic Minister for Transport?

Answer

1. According to the Commission's information, the Danish and British civil aviation authorities two or three months ago introduced a special cheap rate for the slack season on a proposal by SAS and British Airways. This is known as the 'Snowflake' tariff and applies to passengers whose point of departure is London for the trip from London to Kastrup over the period from 13 February 1982 to 17 April 1982.
2. A similar promotional rate which applied from both London and Kastrup, was introduced in 1981. However, there was very little interest shown among passengers whose point of departure was Kastrup, particularly, it would appear, since attractive ITC trips were also available with the Danish charter companies.
3. The Commission does not regard this initiative, which was undertaken for commercial reasons, as resulting in a splitting of the common market into national entities and does not intend to take action in this connection, since initiatives of this kind are already provided for in the draft directive on air fares currently before the Council.

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Question No 9, by Mr Israël (H-31/82)

Subject: Transport of food aid to Poland

Does the Commission not consider that there is a danger that the humanitarian aid supplied to the Polish people by the European Community will provide an opportunity for a group of road hauliers to make excessive profit?

Has the Commission considered the possibility of concluding an agreement with charitable organizations approved by the Polish Bishop's Mutual Aid Commission?

Answer

The emergency aid granted by the European Community to the Polish population (Article 950 of the budget — 2 millions ECU approved on 23 December 1981 and 8 million ECU approved on 3 February 1982) is transported by non-governmental organizations.

Certain of these (all of which are based in the ten Member States) have their own means of transport or appeal to benevolent haulage companies for assistance. Others hire vehicles for the purpose of transporting the food aid. In the latter case, they are obliged to choose the most competitive haulage companies in order to keep the costs as low as possible.

The Polish Bishop's Mutual Aid Commission is kept informed, via Bishop Domin, of all shipments to Poland financed out of Community funds. All the products delivered to various dioceses are distributed by the Mutual Aid Commission in each diocese under the

authority of the bishop. In view of the very close cooperation which has been established between the non-governmental organizations receiving the Community aid and the bishops, the current distribution system would appear to afford the best guarantees.

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Question No 10, by Mr Remilly (H-40/82)

Subject: Monetary adjustment and sliding parities

Does the Commission not think that the important adjustments made in the EMS in the past year as a result of multiple tensions are equivalent to sliding parities and that in consequence the EMS is ineffective?

Answer

Since it was introduced on 13 March 1979, there have been five realignments within the EMS, three of which involved more than one currency. Details of these operations are given in the annexed table, which permits a calculation of the variations resulting from these realignments as regards the exchange rates between the currencies in the EMS as a function of their initial parities. These variations have remained at a lower level than those between the same currencies over the three years before the EMS was introduced. One is justified, therefore, in saying that the EMS has, to a certain extent, been successful as regards stabilizing the exchange rates in an international monetary context characterized by substantial fluctuations in the major third currencies, particularly the dollar.

Nevertheless, it is true that, as regards convergence, the EMS has not produced the results anticipated and for this reason the Commission, in its communication to the Council of March 1982, has proposed that it should be strengthened since if parity adjustments are an essential element for flexibility in the EMS, it is imperative that the system should be able to contribute effectively to establishing a satisfactory degree of convergence so that recourse to parity adjustments will continue to be the exception rather than the rule.

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Question No 16, by Mr Collins (H-17/82)

Subject: Establishment of veterinary surgeons

In answer to written question 70/81¹ the Commission indicated that it proposed to initiate the infringement procedures provided for in Article 169 of the Treaty of Rome against the five Member States which had not then taken the necessary national legislative steps to implement Directives 78/1026 and 78/1027² relating to the freedom of movement and rights of establishment of veterinary surgeons. Will the Commission please report which Member States have still not passed the necessary national legislation and advise why the infringement procedures have not so far been effective in compelling these Member States to meet their obligations?

Answer

1. The five Member States which have not yet fully implemented the provisions of the 'vets' Directives are France, Greece, Italy, Luxembourg and the Netherlands.

¹ OJ C 278, 29. 10. 1981, p. 23.

² OJ L 362, 23. 12. 1978.

2. Whilst these countries affirm that their university-level training of veterinary surgeons¹ already conforms to the provisions of the Directives they have yet to make full and proper arrangements for the recognition of diplomas awarded in other Member States.

The Commission has therefore initiated infringement procedures against all these Member States, with the exception of Greece, by sending them letters of formal notice on 14 December 1981. Greece was not included for the present since, according to the Greek authorities, recognition is possible in practice and above all on account of the heavy workload that Greece has had to cope with in the legal field following its recent accession to the Community.

The Commission has however, asked the Greek authorities to introduce the requisite measures at the earliest possible date.

3. The main reason cited by the Member States concerned for the delay in implementing the Directives is the volume of work involved.

However, as these Directives provide for a period of two years for the introduction of the necessary measures and as the Member States concerned have already overstepped this deadline by 15 months the Commission intends to send them a reasoned opinion.

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Question No 19, by Mr Welsh (H-33/82)

Subject: Preferential tariff for natural gas

Would the Commission make a statement of its intentions regarding the decision of 15 December 1981 on the preferential tariff charged to glasshouse growers for natural gas in the Netherlands?

Answer

On 23 April 1982 the Netherlands Government notified the Commission of the measures it had taken to implement the decision of 15 December 1981.

The Commission takes a favourable view of the tariff proposals submitted by the Netherlands Government particularly since it has made considerable efforts to align itself with the Commission's position and current Community policy on energy prices and with recent developments on the fuel market.

The Commission has written to the President of Parliament and to the chairmen of the Committee on Agriculture and the Committee on the Environment giving details of the agreement reached between the Netherlands Government and the Commission.

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Question No 24, by Mr Pearce (H-75/82)²

Subject: European Regional Development Fund

Whilst it may be true as indicated by Commissioner Cantogeorgis in his answer to my supplementary question (Verbatim Report of Proceedings 9 March 1982, page 54) that

¹ There is no full-length university-level course for vets in Luxembourg.

² Former Oral Question without debate (O-14/82), converted into a question for Question Time.

details of grants from the European Regional Development Fund are published in the Official Journal, will the Commission give the dates when information on grants from, respectively, the European Regional Development Fund, the European Social Fund and the Guidance Section of the EAGGF were published in the Official Journal since the beginning of 1980? Did the Official Journal indicate, in respect of each grant made from the 3 funds, the total cost, level of grant, nature and location (in terms of local authority area) of the function or operation being aided? Does the Commission believe that the frequency, rapidity and level of detail given in the Official Journals in respect of the individual grants concerned is sufficient to allow the public to understand properly how their money is being spent? Does the information published amount to the 'immediate and detailed information' which my supplementary question referred to?

Answer

The list of Official Journals containing details of the aid granted under the EAGGF, Guidance Section, since 1980 is fairly long. Copies will be forwarded to the honourable Member and the Secretariat of Parliament: without delay. Publication in the Official Journal always takes place some two months after it has been decided to grant a certain part of the aid.

Details of aid granted under the European Regional Development Fund in 1980 and 1981 will appear in the Official Journal during the first and second halves of this year respectively.

Aid granted under the Social Fund is not announced through the Official Journal.

With regard to the EAGGF, the Official Journal does not give details of the amount of the aid or the name of the recipient since these are confidential. In the case of the ERDF, the Official Journals contain only lists of projects pursuant to Article 10 of the existing regulation¹.

The Commission considers that it would be in the interests of the Community if more rapid and more detailed information could be provided than is currently the case with notices in the Official Journal. For this reason, as soon as decisions on the granting of aid have been adopted, it will provide detailed information on the aid granted through the various financial instruments via the Spokesman's Office of the Commission to journalists accredited in Brussels; this information will simultaneously be issued to the Information Offices and other offices under their control in the Community. These bodies can then be responsible for disseminating the information as appropriate.

It should also be pointed out that reports on activities relating to the financial instruments are periodically submitted to the Council and Parliament.

Finally, it should be noted that the Commission intends to implement an action plan designed to compile regional data for the various Community financial instruments. In this context, it is planned that in the longer term data relating to Community aid should be stored in a data base thus providing easier access to the desired information.

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Question No 26, by Mr Calvez (H-57/82)

Subject: Italian steel production

Can the Commission explain how, at a time when quotas are being set for European steel production pursuant to Article 58 of the ECSC Treaty, Italian steel production in the first

¹ Revised version of the text of Council Regulation (EEC) 724/75 of 18 March 1975, OJ No C 36, 9 February 1979.

months of 1982 has been 9% higher than during the same period in 1981, and how the figures for the independent Italian steel-makers have been even higher?

Answer

The increase in the production of crude steel in the Community during the first three months of 1982 compared with the same period in 1981 was approximately 3%. The increase varied from one country of the Community to another and was 9.45% in Italy.

The Commission would draw the honourable Member's attention to the fact that the arrangement in force pursuant to Article 58 of the ECSC Treaty does not refer to crude steel production, but to approximately 70% of finished rolled products.

In the case of these products, the restrictions imposed by the quota system were laid down on the basis of references based on the quantities produced during the 12 best months over the period July 1977 to June 1980.

The application of different abatement rates during the two periods in question in itself to some extent justifies the increase in production to which the honourable Member has referred.

It should be stressed, for the rest, that the market situation for long products has been less depressed during the first quarter of 1982 compared with the first quarter of 1981, which may also explain a certain increase in production, particularly on the part of independent Italian steel-makers.

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Question No 27, by Mr Delorozoy (H-67/82)

Subject: 1983, Year of the Craft Industry and Small and Medium-sized Undertakings.
Can the Commission give some idea of the activities it intends to undertake to make 1983 the Year of the Craft Industry and Small and Medium-sized Undertakings in accordance with the resolution adopted by the European Parliament?

Answer

The Commission has made the necessary preparations to make 1983 the Year of the Craft Industry and Small and Medium-sized Undertakings in the Community. It has various types of activities in mind as follows:

1. At the political level, a conference for the launching of the various activities could be held in Strasbourg or Brussels with the participation of Members of Parliament, Members of the Economic and Social Committee, Ministers and Members of the Commission, top national and Community officials and representatives of the professional associations.

A similar conference could be held at the end of the year to take stock of what had been achieved and outline future prospects for the small and medium-sized undertakings in the Community.

2. At a more technical level, the Commission intends to organize four seminars or conferences in four regions of the Community on various subjects, which have not yet been finally decided on but could include access by small and medium-sized undertakings to financing sources, the problems of technological innovation, small and medium-sized undertakings and exports, exchange of experience, problems in the functioning of the domestic market.

3. The Commission intends to lend its support to national activities organized on an annual basis or in connection with this year and to endeavour to ensure coordination of these activities and the subjects covered.

4. With a view to keeping people up to date on developments, a series of brochures of a completely practical nature could be issued by the Commission containing, for example, the most interesting results emerging from the seminars or conferences held during the year.

5. If these activities are to be a success, this will call for close cooperation between the institutions of the Community and of the Member States. In this connection, the Commission and the Members of Parliament with most interest in the problems of small and medium-sized undertakings have established contacts which they will maintain as frequently as required.

6. If these activities are to be carried out, adequate financial resources must also be available. The Commission will request a new line in the budget (7779). However, in view of the budgetary restrictions, it unfortunately seems likely that the amount which is ultimately made available will not be sufficient to finance some of the programme outlined. Additional contributions from the Member States and certain private bodies interested in the activities in connection with the Year of the Craft Industry and the Small and Medium-sized Undertakings in the Community will therefore also be required.

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Question No 28, by Mr Møller

Subject: Irish import duties on car-body parts

Does the Commission believe that the duty of 35.5% charged by the Irish Republic on imports from other Member States of body parts and mudflaps for cars is compatible with Articles 30-36 of the EEC Treaty, and if not will the Commission instruct the Irish Republic to remove this duty as soon as possible?

Answer

As has already been explained in the replies to Written Question No 81/1982 from Mr Petersen and No 133/1982 from Mr Nielsen, the Commission has contacted the Irish authorities with a view to obtaining further information on this problem.

As soon as it is in possession of this information, the Commission will be able to study the Irish fiscal measures in the light of the provision of the EEC Treaty and, if appropriate, open proceedings against Ireland should it appear that the legislation in question is incompatible with Community principles. The Commission will not fail to inform the honourable Member of the conclusions reached in the study which will be undertaken on the basis of the information provided by the Irish authorities.

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Question No 29, by Mr Megahy (H-69/82)

Subject: Butter ships and tax free shops

Despite the decision of the European Court of Justice the German Government has officially announced its decision not to implement the Commission ruling of January 1982 which required the government to abolish the so-called butter ships which operate out of the Baltic and other sea ports. The German government spokesman said that the 'butter ships' would not be forbidden until tax free shop facilities for intra-Community travellers had been abolished in all Member States. What action does the Commission propose to take in the light of this statement?

Answer

On the matter of the 'butter cruises', the Commission, on 7 April 1982, sent the German Government a letter of notification as provided for in Article 169 of the EEC Treaty; it allowed the Government a period of 3 weeks to submit its observations. Since it has not received a satisfactory reply, the Commission has decided to go on to the next stage of the procedure and to deliver a reasoned opinion.

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Question No 31, by Mr Kirk (H-71/82)

Subject: National aid for films

Can the Commission confirm that it is in accordance with Community rules for national aid to be granted for the production of films where the aim of the films is to promote and preserve the culture of that particular Member State?

Answer

1. In its assessment of national aid, the Commission must see to it that all the provisions of the Treaty are respected and that the aid is compatible with the Community market under the terms of Article 92 of the EEC Treaty.
2. As regards the film industry, the Commission has, in examining national aid, always taken account of the peculiarities of this sector as a form of commercial activity which can also have important artistic and cultural aspects. It has, therefore, never opposed national aids to the film industry provided that they do not affect the principles of the Treaty aimed at ensuring the smooth running and development of the common market.
3. Thus, the Commission is not opposed to national aids which are likely to promote the cultural expression of the various Member States. However, it must ensure that these measures do not, as in the case of certain national aids, involve discrimination, which may not only be necessary for the promotion of the cultural and artistic aspects of films, but may also jeopardize the equal treatment which the people of the Community must continue to enjoy over the entire territory.

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Question No 32, by Mr Prag (H-72/82)

Subject: Effect of durum wheat premium on British and German pasta production costs

In view of the unfair burden on British and German pasta manufacturers and consumers arising from the huge difference between the Community and world premiums on durum over common wheat, will the Commission now propose measures to the Council for more equitable management of the durum wheat market?

Answer

The Commission has recently made proposals to the Council for the 1982/83 price package, including proposals for durum wheat. The Commission sees no ground for now making further proposals for durum wheat, and notes that the price relationship between

imported common and durum wheat is of the same order as the relationship between the Community products.

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Question No 33, by Mr Clinton (H-73/82)

Subject: Failure to adopt a common fisheries policy

In the event of failure by the Council to adopt a common fisheries policy before the end of 1982, will existing arrangements in relation to coastal bands continue?

Answer

The Commission is following with a great attention any development in connection with the dossier of fisheries. In this context it is Article 103 of the Accession Act which provides *inter alia* that the Council, acting on a proposal of the Commission, will examine the provisions which could follow the derogations in force until 31 December 1982.

It is expected that the Council will, at an early date, examine in detail proposals of the Commission in the matter.

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Question No 34, by Mr McCartin (H-74/82)

Subject: Low cost housing for coal miners

When does the Commission intend to introduce the second part of the ninth programme for assistance to the provision of low cost housing for coal miners?

Has the Commission assessed the need for such housing for the Arigna area in Ireland; what is the estimated cost of the need assessed and what level of assistance will be proposed?

What provision does the Commission intend to make for longer term future need?

Answer

1. The Commission has decided on December 20, 1981, to start the second part of the ninth ECSC housing loan programme. The allocation of funds to Member States will be decided in July 1982. First individual applications are expected to arrive by the end of this year.

2. Ireland has participated in the ECSC housing loan programmes since 1973. The Commission has allocated loans under earlier programmes to a very substantial proportion of Irish miners, whose number is very small in comparison with figures in other coal producing Member States. Applications from Arigna area will also be taken into consideration in the process of allocation of funds during the current programme. This allocation will be decided by the date indicated above. At this moment, no exact figures can be given about the share of the 30 million ECU of the second part that might be allocated to the Irish coal and steel industries.

The secretary of the Sligo Leitrim Roscommon ECSC Housing Committees has been asked to submit proposals for the second part of the ninth programme.

3. In the view of the Commission, the ECSC housing loan schemes have worked successfully. Under the seventh and eighth programmes, 239 houses for coal and steelworkers in Ireland have been co-financed by the Commission. Under the current programme, first tranche, IRL 206 867 have been provided for this purpose. The distribution between coal and steel sectors will be handled in detail by the Irish regional committees. At a coordinating meeting in Dublin in autumn 1981, the Commission's representative expressed his opinion that an allocation of IRL 70 000 should be given to the coal sector.

At the present stage no prediction can be made as to future programmes. The Commission will have to decide on this matter by the end of 1983.

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Question No 35, by Mr Schwartzberg (H-78/82)

Subject: Combating hunger in the world

Does the Commission not think that its President should propose that the fundamental issue of combating hunger in the world be placed on the agenda for the next European Council?

Answer

As the honourable Member suggests, the problems of combating hunger in the world are of a scale which would justify discussing them at the next European Council.

In the context of the preparation of Community positions with an eye to the Versailles Summit, the Commission has ensured that the question of guaranteed food supplies and the fight against hunger in the world should be in the forefront.

This subject has been chosen from the two main questions which it feels should be dealt with on this occasion in the context of the debate on North/South questions.

It goes without saying that the European Council, which is to be held at the end of June, will also consider this question, particularly in the light of the results of the Versailles talks.

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Question No 36, by Sir David Nicolson (H-86/82)

Subject: Purchase of right hand drive cars in Germany

Is the Commission aware that Daimler Benz A.G. have 'a strict and irrevocable settlement' which says 'that right hand drive cars can only be bought in England and not in Germany', and, in view of the fact that this is in direct contravention of the Treaty of Rome, could the Commission state what action it proposes to ensure that cars available in one Member State may be purchased in any other Member State?

Answer

The Commission is carrying out an investigation at the moment to determine to what extent the importation of Daimler Benz vehicles through distribution channels other than those prescribed by the manufacturer is being impeded.

It will not fail to inform the Honourable Member should it institute proceedings in connection with the case to which he refers under Article 9(3) of Council Regulation 17/62.

As regards the general problem of the obstruction of the free importation of motor vehicles, the Commission would refer to its answers to the Parliamentary questions by Mr C. Jackson (H-49/82), by Mr Prag (H-18/82), by Mr Welsh (101/82), by Mr Collins (1527/81), by Mr Michel (1515/81), by Mr Griffith (H-722/81), by Mr Dalziel (H-550/81) and by Mr von Hassel and Mr Müller-Hermann (393/81).

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Question No 37, by Mr Seal (H-87/82)

Subject: French tax on Scotch whisky

I understand from a debate in the House of Commons on 31 March that the French Government is refusing to comply with a judgment of the European Court on illegality of French tax on Scotch whisky.

Could the Commission indicate all other cases of non-compliance with Court judgment by Member States and state what action it is taking to ensure compliance?

Answer

As far as the French tax on Scotch whisky is concerned, the Commission decided in March of this year to institute Article 169 proceedings against France because of the failure of that Member State to comply fully with the judgment of the Court of Justice of 27 February 1980 in Case 168/78 in which the Court had ruled that the differential taxation applied by France to various alcoholic beverages was in violation of Article 95 of the Treaty. To this end the Commission wrote to France on 7 April 1982 requesting the observations of the French Government.

As far as other cases of non-compliance by Member States with Court judgments are concerned, the Commission would refer the honourable Member to the answer to Written Question 388/82.

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Question No 38, by Mr Bonde (H-88/82)

Subject: Unemployment and income levels in North and South Schleswig

Will the Commission provide comparative figures for unemployment and income levels in North and South Schleswig for each year from 1972 to date, regional development and other public aid measures implemented during the same period and the differences in interest rates on loans obtained for the purposes of investment in machinery and buildings? Will the Commission also explain its objections to Danish regional development subsidies in the communes of Bredebro, Højer, Skaerbaek, Tønder, Bov, Tinglev and Løgumkloster?

Answer

1. This question asks for a lot of details and the honourable Member will understand that the Commission can not today give all these details. However, what it can say and what may clear the issue somewhat is the following:

2. When the Commission determines whether or not the classification of a region as an assisted area is compatible with the common market having regard to the common interest as mentioned in EEC Treaty Art. 92(3)(c) the Commission has to place the regions proposed by the Member States in a European context. Furthermore, national disparities are also considered.

3. The aids given in the form of investment allowances and soft loans in Schleswig-Holstein can attain a maximum aid intensity of 16·6% net grant equivalent of the investment; in the areas of the Zonenrandgebiet a maximum aid intensity of 20·5%, whereas the actual maximum aid intensity in the municipalities in Sønderjyllands amt mentioned by the honourable Member is 20% net.

4. The Commission has found that in a national context these municipalities as a region have an overall good socio-economic position compared to other regions in Denmark. At the same time this region also has a lower level of unemployment and a higher level of income in a national context than is the case for Schleswig-Holstein.

In view of this the Commission has therefore found it justified that the intensity of aid should be lowered in the seven municipalities in Sønderjyllands amt.

5. Should the honourable Member wish to have any more detailed information than given today, the services of the Commission will be at his disposal.

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Question No 39, by Mr Alavanos (H-93/82)

Subject: Discrimination by the West German Government against Greek immigrants

The level of tax-deductible exceptional remittances which immigrants in West Germany are allowed to make to members of their family in their country of origin is fixed at DM 3 600 for immigrants from Spain, which is not a member of the Community, whereas for Greeks the limit is DM 2 400; in addition, family members who are serving in the Greek army are not classed as dependents.

What action does the Commission intend to take to put an end to this unacceptable discrimination which is inconsistent with the Commission's view (COM(78) 200 final) that workers from Member States of the Community should not receive less favourable treatment than workers from non-Member States?

Answer

In accordance with the Treaty of Accession of Greece to the Community, Greek nationals working legally in Germany, should be treated in a non-discriminatory way with German workers and nationals of other EEC Member States. Article 7, paragraph 2 of Regulation 1612/68 on freedom of movement provides that EEC workers enjoy the same social and tax advantages as the national worker of the country of employment and should apply to Greek workers in Germany.

If the examination of their case leads to the conclusion that Community law has not been respected, the Commission will act according to the rules and procedures provided by the EEC Treaty (infringement procedures — Article 169).

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Question No 40, by Mr Albers (H-95/82)

Subject: Financial aid for UNRWA

Is the Commission prepared to increase financial aid to UNRWA in order to avoid the closure of schools in Palestinian refugee camps?

Answer

The Commission is aware of the problem raised by the honourable Member. At the request of the UNRWA, it is currently considering the possibility of a partial redirection of Community aid towards the education programme for the years 1982 and 1983 and in the context of the recently concluded convention.

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Question No 45, by Mr Harris (H-108/82)

Subject: Minimum landing size for mackerel

In its 1981 report, the Advisory Committee on Fisheries Management of ICES, the international scientific organization, recommended the introduction of a 30 centimetre minimum landing size for mackerel caught in the western area fishery off the United Kingdom.

If the Commission is considering the recommendation, will it give a derogation to the traditional fishermen of the south-west of England by excluding the use of hand-lines from the scope of any regulation as this type of fishing provides no threat to fish stocks and as many small fishing communities, particularly in Cornwall, will be threatened if such an exemption is not made?

Answer

1. In its 3rd report of November 1981, the Scientific and Technical Committee for Fisheries which was asked by the Commission to review the ACFM recommendation, endorses those concerning the mackerel fishery management and recommends that 'a 30 cm total length minimum size limit is introduced for (the Western) stock of mackerel with the derogation that any landing or part thereof may contain up to 10% maximum by weight of mackerel smaller than 30 cm'.

2. The STCF do not mention the need for any other derogation. This may suggest that all fisheries are concerned.

3. However, when the Commission will amend its present proposal on technical measures to take up the last scientific recommendations available, it will consider all derogations which might be appropriate for the conservation of the stocks.

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Question No 46, by Mr Cluskey (H-119/82)

Subject: Community integrated operation for Dublin

What progress has been made to date towards adopting concrete decisions in favour of Community integrated operations, and will the Commission consider as soon as possible such an operation for the city of Dublin?

Answer

1. As far as the specific decisions in favour of integrated operations are concerned, the Commission has set in motion by way of experiment, two integrated operations in Naples and Belfast.

Within the framework of this integrated operation and given Belfast's special situation, the Commission has proposed the financing of a specific action on housing.¹

In addition, the Parliament has secured the inclusion in the Community budget of a special line to finance integrated operation and related preparatory studies.

Finally, in its proposals to amend the European Regional Development Fund², the Commission proposed, in Article 29, higher rates of participation by the Fund in investments and projects undertaken within the framework of integrated operations.

2. Before taking any decision on the initiation of further integrated operations, the Commission considers it appropriate to analyse in detail the results of the two integrated operations in Naples and Belfast.

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Question No 47, by Mr Treacy (H-120/82)

Subject: Extension of disadvantaged area schemes

Does the Commission intend to re-examine the criteria relating to eligibility for classification as a disadvantaged area under the disadvantaged areas scheme, in order to allow for the inclusion of the Nore Valley, Slievebloom, and Kilcoman/Hollyford areas in Tipperary, and other disadvantaged areas of Munster not already included in this scheme; and has any request been made to date for the inclusion of the areas mentioned above, in this scheme?

Answer

The criteria which govern the definition of less favoured areas in Ireland are laid down in Directive 75/272/EEC concerning the Community list of less favoured areas within the meaning of Directive 75/268/EEC. The Commission does not intend to propose to the Council that these criteria be amended.

The Commission has already had informal discussions with the Irish authorities about possible extensions to the less favoured areas in Ireland within the framework of the existing criteria. Further discussions are necessary, however, before a final decision on the selection of new areas can be taken, it being understood that the areas ultimately selected in this context shall be those which fulfil the criteria laid down in Directive 75/272/EEC.

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¹ Proposal for a Council Regulation (EEC), instituting a specific action on behalf of housing in Northern Ireland within the framework of an integrated operation in Belfast (COM(81) 707 f).

² Proposal for a Council Regulation (EEC), amending Regulation (EEC) No 724/75 establishing a European Regional Development Fund (COM(81) 589 f).

Question No 48, by Mr Pattison (H-121/82)

Subject: Setting up of Community-wide network of local projects in favour of the handicapped

Will the Commission state what concrete initiatives have been undertaken to date to set up the network of locally based development actions in favour of the handicapped it has proposed and how soon does it expect these projects actually to get underway?

Answer

Concrete action to launch the network of locally based projects, as well as the other actions which make up the Commission's new programme of work in this field has depended on the action on behalf of Disabled People. The head of this Bureau has now been appointed, with effect from 1 May 1982.

The Commission has accordingly now formally invited the Member States to nominate representatives to a liaison group to work with the Commission on implementation of the programme. At a first meeting of this group to be convened by the Commission this summer it will be possible to establish, among other things, common criteria and procedures for the choice of districts to participate in the network of projects.

It is the Commission's intention to adhere to the original timetable, so that the locally-based projects will all be under way before the end of 1983. Since, however, adequate time must be allowed for consultation and preparation at the local level, it is unlikely that this will be achieved before September of that year.

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Question No 49, by Mr Rieger (H-122/82)

Subject: EC-Switzerland relations

How does the Commission assess relations between Switzerland and the European Community, what aspects does it consider to be most important and what problems is it likely to raise within the framework of cooperation with EFTA, of which Switzerland is a member?

Answer

The Commission regards the relations between the Community and Switzerland as exemplary since at both political and economic level, these relations are marked by a similarity of views which reflects the closeness of the links which have been established between the two parties.

The official visit to Switzerland made by President Thorn on 29 and 30 April at the invitation of the Swiss authorities, provided an opportunity to mutually acknowledge and affirm the unusually healthy nature of these relations.

EEC-Switzerland free trade agreements, which will be ten years old this year, and other agreements are functioning to the complete satisfaction of the two parties involved.

The more than positive balance which the Community enjoys every year in its trade with Switzerland, which is its second most important customer and third most important supplier, is one of the essential elements which may be regarded as forming part of the driving force for the ever-developing cooperation between Switzerland and the Community.

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Question No 50, by Mrs Gaiotti De Biase (H-125/82)

Subject: Community aid to Poland

Is there any truth in the reports that the Polish primate, Archbishop Glemp, has asked the Community authorities to send tonnes of maize and soya to Poland for use by private poultry breeders, instead of finished food products? What is the Commission's attitude to this reasonable and legitimate request, which would help some private poultry farms to survive and would multiply the biological value of Community aid by five?

Answer

During talks with a Polish representative, a request was in fact made that 1.2 million t maize and 0.2 million t soya for use in poultry breeding should be provided instead of urgent humanitarian aid.

After carefully examining the request, the Commission has come to the conclusion that it cannot agree to such a request which lies completely outside the scope of the objectives of supplying direct humanitarian aid to the Polish people. It would rather be a question of economic aid to Poland.

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II. Questions to the Council

Question No 60, by Mr Davern (H-106/82)

Subject: Irish boat-building crisis

Since the Council is obliged by the Treaties to ensure coordination of the general economic policies of the Member States and since a common fisheries policy should be regarded as a part of this coordination does the Council agree that its failure to take appropriate action has led to a situation in Ireland where seven boatyards have been forced out of business within recent years, that job losses stand at 25% and that two more boatyards are in receivership?

Answer

I would like to point out to the honourable Member that in most of the Member States a reduction in fishery capacities has proved inevitable owing to the shortage of fish stocks compared with existing fisheries capacities. The definition of new measures for the common fisheries policy should make it possible to overcome this situation more effectively.

However, in the case of the Irish fishing industry, it should be noted that Ireland has received financial aid from the Guidance Section of the EAGGF amounting to

- 10 050 047 Irish pounds for the construction of 119 fishing vessels,
- 41 451 Irish pounds for the modernization of 2 fishing vessels.

This aid corresponds to the undertaking given in the Council resolution of 3 November 1976 (Hague Agreement) as regards the development of fishing in Ireland.

Moreover, the Council decided on 25 July 1978 to grant Ireland 46 m. u.a. in financial aid for surveillance and inspection facilities in Irish waters. So far the Community has contributed 17 971 141 Irish pounds to the financing of several coastguard vessels.

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Question No 61, by Mr Horgan (H-109/82)

Subject: Forthcoming Council of Education Ministers

What are the priority subjects which will be discussed by the Council of Education Ministers at its meeting on 24 May?

Answer

The two main items on the agenda for the meeting of the Council and the Ministers of Education scheduled for 24 May 1982 are:

- Education and training in the context of the employment situation in the European Community;
- Academic recognition of diplomas and study periods.

In addition, the Council and the Ministers of Education meeting within the Council will have a preliminary exchange of views on the impact of new information technologies on education and training systems.

The Committee on Education has drawn up reports on the first two topics in accordance with the terms of reference laid down for it by the Council and the Ministers of Education meeting within the Council at their session of 22 June 1981. The third point will be considered on the basis of a paper by Mr Richard, Member of the Commission.

In addition, the Presidency intends to present to the Ministers of Education meeting within the Council a progress report on the work of the Committee on Education on the impact of demographic changes on education systems in the European Community, a subject which also came up for discussion at the session of 22 June 1981.

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*III. Questions to the Foreign Ministers**Question No 62, by Mr Kyrkos (H-13/82)*

Subject: Decision of the Political Affairs Committee of the Council of Europe to hold its forthcoming meeting in Jerusalem

The decision of the Political Affairs Committee of the Council of Europe to hold its forthcoming meeting in Jerusalem has provoked the sharp reaction from the Arab states, the PLO and many of the Member States of the Council of Europe. Given that this action is further complicating the problem of the Middle East, how do the Foreign Ministers meeting in political cooperation view this measure?

Answer

The Ministers of the Ten as such have not issued any opinion on the question of the decision of the Political Affairs Committee of the Council of Europe to hold its forthcoming meeting in Jerusalem. However, it should be pointed out that the Committee of Ministers of the Council of Europe, on which the Member States of the European Community are represented, stated on 12 February that, under the terms of the Statute of the Council of Europe, only the Committee of Ministers can act on behalf of the organization. The other organ of the Council of Europe, i.e. the Assembly, can, *inter alia*, itself determine the meeting places for the committees. The opinions of the Assembly do not necessarily correspond to those of the Committee of Ministers and for this reason a meeting of a Committee of the Assembly in Jerusalem can in no way be interpreted as evidence of recogni-

tion by the governments of the Member States of the Israeli law of 31 July concerning Jerusalem, which the Security Council of the United Nations in its Resolution No 478 of August 1980 rejected and 'decided not to recognize' in the strongest possible terms.

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Question No 66, by Mr Schwartzberg (H-79/82)

Subject: Anglo-Argentinian conflict over the Falkland islands

Can the Foreign Ministers explain why neither the United Kingdom nor Argentina appears to have considered taking the dispute to the International Court of Justice in The Hague for arbitration and why the Ministers themselves have not proposed such a course of action as provided for in international law instead of relying solely on the good offices of the United States?

Answer

From the outset, the Ten have condemned the armed Argentinian intervention as a flagrant violation of international law. They have appealed to the Argentinian Government to immediately withdraw their troops and continue searching for a diplomatic solution. The Ten have repeatedly pressed for the integral implementation of Resolution No 502 of the Security Council. This Resolution supports any proposal which is acceptable to the two parties and that can lead to a just and peaceful solution of the conflict. It is in this spirit that the Ten have welcomed the efforts made by the American Secretary of State to arrive at a peaceful solution of this kind.

This in no way excludes the possibility of taking the dispute to the International Court of Justice in The Hague for arbitration, provided both parties are agreed. It is interesting to note in this connection, that in 1947 and subsequently, the United Kingdom offered to put the dispute on the Falkland dependency before the International Court of Justice, and in fact did so on a unilateral basis in 1955. However, Argentina refused to recognize the jurisdiction of Court in this matter.

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Question No 69, by Mrs Dury (H-100/82)

Subject: Condemnation of the military regime in Turkey

Following the invitation from the Parliamentary Assembly of the Council of Europe to the Member States to lodge a complaint against Turkey for violation of the Human Convention on Human Rights, do the Ministers not think that this complaint should be lodged jointly by the Ten rather than by Norway alone?

Answer

Resolution No 765 (1982) by the Parliamentary Assembly of the Council of Europe, adopted on 28 January 1982, is addressed to the 21 Member States of the Council of Europe, represented in the Committee of Ministers. Thus, no initiative whatsoever is expected from the Ten as such. On the other hand, the allegation that the Ten have shuffled off the problem onto another Member State is totally unfounded.

The attitude of the Ten regarding the situation in Turkey is well-known and has been described on several occasions. The Ten have continually expressed their concern at the

human rights situation in Turkey, as demonstrated by the recent mission of the President to that country.

In addition, certain Member States of the Ten, as Member States of the Council of Europe, are studying the possibility of lodging a complaint on the basis of Article 24 of the European Convention on Human Rights.

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MARCH PART-SESSION

Question No 20, by Mr Calvez (H-505/81)¹

Subject: Incompatibility of French nationalization measures with the Treaty of Rome

Article 3(c) of the Treaty of Rome states that the activities of the Community shall include 'abolition, as between Member States, of obstacles to freedom of movement for persons, services and capital'. This fundamental rule on the free movement of capital is being contravened by the nationalization of three French companies, CII Honeywell Bull, ITT France and Roussel Uclaf, 'which are noticeable for a high level of foreign shareholding' (from the Nationalization Bill of 23 September 1981, introduced by Mr Pierre Mauroy). If, in these circumstances, a Member State intended to bring this matter before the Court of Justice, what action would the Commission take under Article 170 of the Treaty of Rome?

Supplementary answer

The Commission has in fact set up a group of this kind to study the compatibility of the French Bill on nationalization with the Treaties.

As the Commission has informed the European Parliament, the French Law is, in its opinion, compatible with the Treaties.

Nevertheless, the Commission will continue to keep a close eye on developments in France in this field as a result of the adoption of this Law.

So far, there had been no indications to suggest that the Law in question has resulted in behaviour contrary to the Treaties. The Inter-services Group is, therefore, not currently examining any individual dossier.

¹ An initial reply was given orally during Question Time on 9 March 1982.

SITTING OF THURSDAY, 13 MAY 1982

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IN THE CHAIR : MR DANKERT

President

(The sitting was opened at 10 a.m.)

1. *Approval of minutes*

President. — The minutes of proceedings of yesterday's sitting have been distributed.

Are there any comments?

I call Mr Arndt.

Mr Arndt. — *(DE)* Mr President, on page 7 of the German version of the minutes there is a footnote which says that this paragraph was missing in the original German text. As I understand it, this footnote is missing in all the other versions although it ought to be included. The wording should be: This paragraph was missing in the German version put to the vote. There was in fact no original and consequently no subsequent text, but this paragraph was missing in the German version which was put to the vote.

I also have something to say about page 13. The minutes say that I asked for the vote to be *annulliert*. That was not the actual German word I used. What should be there is the word *nichtig*. That was how I described our view of the vote. I should like the minutes to be changed accordingly.

President. — Your statement has been noted, Mr Arndt, and it will appear in the minutes.

I call Mr von der Vring.

Mr von der Vring. — *(DE)* In view of the statement by the Socialist Group, Mr President, I move that pages 6 and 7 of the minutes be deleted.

President. — I call Mr D'Angelosante.

Mr D'Angelosante. — *(IT)* With regard to Mr Arndt's request, Mr President, let me point out that there can be no question of voting on an amendment to the minutes. There simply has to be a statement that the vote was void. In other words, in view of the fact that when the vote was taken some Members had a text which was different from the one being put to the vote — I mean they had an invalid text — you are obliged as a result, Mr President, to declare the vote void. There can be no question of those who carried the vote deciding whether to change the minutes or not. This is a fundamental point, if you ask me.

President. — Mr D'Angelosante, Parliament decided last night that the vote could not be called into question. The discussion concerns only Mr Arndt's statement as to whether his words were correctly reported in the minutes. He claims that they were not and we therefore have to change them.

Mr von der Vring has requested the deletion of pages 6 and 7 of the minutes and has called for a vote.

I call Mr Forth.

Mr Forth. — Mr President, I should like to ask on what basis you are prepared to accept that proposal.

Forth

These pages of the Minutes, in the English text anyway, state that a resolution was adopted by the House. Now, you cannot change that fact. A resolution was passed by the House; it was duly voted on. Could you explain what you believe the effect of deleting that from the Minutes would be. I think it would leave the House in the absurd position where the Minutes of Proceedings no longer recorded what undoubtedly took place. I am not quite clear what effect this would have. So, perhaps before you put it to the vote, you could explain your understanding of what we are now about to do.

President. — Yes, Mr Forth, I fully agree with you. I did not propose to the House to vote on it, I only said Mr von der Vring asked that it be voted on. The remark you made was one I should have made but you got there before me, namely that it is impossible to vote on the resolutions which were adopted. In fact the consequence of a vote now would be to suppress the decision of yesterday, so we cannot vote on it.

I call Mr Fergusson.

Mr Fergusson. — Mr President, before this kind of devious exercise in procedure goes any further, I hope it will be made clear to the House that whatever else might be decided about the Minutes or anything else, the resolution that was adopted here yesterday was the one discussed at a meeting, at which all parties were represented, the previous day. Presumably the spokesmen who discussed and understood the Liberal Group motion explained in full to their own groups precisely what was involved. Nobody in this Parliament should have been in any doubt about the resolution that was in fact passed. Therefore, I really regret that people over there should now be casting doubt on the resolution that was passed by a very substantial majority at a time when everybody knew that that resolution was in fact before the House. I do hope this particular fact will be made clear to everybody in the gallery, in the press and on the floor of the Chamber.

President. — Yes, Mr Fergusson, it is quite clear since we voted on the resolution yesterday.

I call Mrs Castle.

Mrs Castle. — But surely, Mr President, minutes and decisions of the Parliament cannot be matters of subjective interpretation. They must be a reflection of the objective reality. The objective reality, Mr President, is that in the German text of the minutes is a different resolution from the one that was voted on yesterday.

(Applause)

Now that is an actual objective fact and you cannot surely, Mr President, retrospectively amend the

motion that was voted on and put a different one in the minutes that you would have liked to have Parliament to have voted on. I must beg you, Mr President, to make sure that the proceedings of this Parliament are correctly reported and correctly dealt with, however embarrassing it may be to certain political groups in this House.

President. — Mrs Castle, on the proposal of Mr Arndt we have modified the footnote to the resolution on page 7 so that the text of the German version is now correct as far as the proceedings of yesterday are concerned. Therefore I think your objection is without point at the moment.

I call Mr Schinzel.

Mr Schinzel. — *(DE)* Mr President, you should see to it that this footnote appears not only in the German version but in all the minutes, in all the languages.

President. — That is precisely what Mr Arndt said. The other languages should have the same note as in the German version.

I call Mr von der Vring.

Mr von der Vring. — *(DE)* I therefore request that as an alternative there should be another footnote on page 6, to the effect that the Socialist Group disputed the validity of the vote.

President. — That can be incorporated in today's minutes.

I call Mr Patterson.

Mr Patterson. — Mr President, this whole discussion on the minutes must take place in the context of page 13 of the English version of the minutes where this matter was ruled upon. I am surprised that we are still having a debate on the validity of the vote. It says in Rule 81 'the President, shall decide whether the result announced is valid. His decision shall be final'. A final decision was made yesterday on the validity of this vote. That is the matter — it comes later in the minutes — which should be taken as paramount, I find it extraordinary that we are discussing the validity of the vote yet again.

President. — For quite some time now we have not been discussing the validity of the vote. That was decided yesterday and the decision has been upheld without any problem. The only question now is how to include in the minutes the surrounding circum-

President

stances of the vote and that is a matter which we have also now decided.

(Parliament approved the minutes)

I call Mr Glinne.

Mr Glinne. — *(NL)* Mr President, I should like to point out that the amendments to the report drawn up by Mrs Viehoff on behalf of the Committee on Youth, Culture, Education, Information and Sport on measures to combat illiteracy are not yet available in Dutch that is in the language of the rapporteur herself. Can steps be taken to make sure that we have the texts in Dutch before this afternoon's debate?

President. — Your request is perfectly justified and we shall do our best to ensure that these texts are indeed available before the debate begins.

I call Mr Marshall.

Mr Marshall. — Mr President, regarding the first emergency motion this morning, I asked at 9.55 a.m. at the desk for the amendments in English and was told that the amendments were only available in French. Beautiful as the French language is, there are some Members of this House who find it difficult to understand the nuances of amendments which are available solely in one language.

Can I suggest that the staff of this Parliament be better informed as to which amendments are available in which languages?

President. — Mr Marshall, I hear that the stock of amendments in English ran out some time ago. Some of the Members of your group have the amendments in English and a new set will arrive very shortly.¹

2. Farm prices

President. — The next item is the joint debate on two motions for resolutions:

- motion for a resolution (Doc. 1-221/82) by Mr Davern and others on the emergency measures to be taken to compensate farmers suffering severe hardship due to the lack of 1982 farm prices on 1 April this year;
- motion for a resolution (Doc. 1-236/82), tabled by Mr Dalsass on behalf of the Group of the European People's Party (CD Group),

on the failure of the Council of Ministers of Agriculture to take agricultural price decisions for the financial year 1982-83.

The Commission have informed me that they would like to make a statement on agricultural prices. This can only be done with the agreement of the authors of the motions for resolutions to be debated in the next item on the agenda.

I call the Commission.

Mr Dalsager, Member of the Commission. — *(DA)* Mr President, I should like to inform the House of the latest developments in the Council's discussions on farm prices. Since the last part session of Parliament the Council has met twice, on 28 to 30 April in Luxembourg and on 10 and 11 May in Brussels. Unfortunately, it has still not reached agreement in spite of the Commission's unremitting efforts to find solutions and compromises which could lead to agreement.

It is now fifteen weeks since the Commission made its original proposals and nearly seven weeks since Parliament expressed its opinion. Under these circumstances there is no excuse for the Council's failure to reach a decision, since it has discussed farm prices at six meetings. As I said, the Commission has created all the conditions necessary for a Council decision. On 1 April we amended our original proposal. On 10 May we again revised the proposals in order to incorporate the presidency's compromise proposal which was acceptable to seven member countries. Finally, on 11 May we made further amendments and gained the approval of nine member countries.

Mr President, I think it would be useful for me to describe the final version of the Commission proposals, so that Parliament will be familiar with the main lines of the proposals as they stand at present. Since time is short, however, rather than deal with the individual technical details, I will concentrate on the most important political points.

First of all the common prices: there will be rises of 10½% or 11% for the most important animal products, 10½% for milk, sheepmeat and pigmeat, 11% for beef in two stages and 11% for wine and olive oil. There will be price increases, but smaller ones, for certain arable products. 8½% for cereals, only 7½% for the lowest grade of wheat of bread-making quality, 8½% for rape and 9½% for sugar. There will, however, be larger increases for many Mediterranean products, including 13% for cotton, 12% for most fruit and vegetables, 8 to 16% for tobacco and 11 to 14% for proteinaceous products and oilseed.

Secondly, monetary compensatory amounts: the Council has already decided on a number of 'green' devaluations which will increase prices in national currency in Belgium, Luxembourg, Greece, Denmark,

¹ Documents received — Referral to committee: see Minutes.

Dalsager

Italy and France. Decisions still have to be made on the green revaluations where we have proposed a reduction of 2.9% for the Federal Republic of Germany and 2% for the Netherlands.

Thirdly guarantee thresholds for milk, cereals, rape and processed tomatoes have been set.

Fourthly, small milk producers are to receive 120 million ECU in aid which will be allocated in accordance with criteria to be drawn up by the Commission.

Fifthly, special arrangements for Greece are proposed; the price of a fair number of products from that country will be brought into line with the common prices, and possibilities for further arrangements, should there be problems with farmers' incomes, will be examined. Premiums on calves at present granted to Italy will be extended to Greece, Ireland and Northern Ireland.

Sixthly and finally, the Community legislation will be adjusted particularly for wine, to improve guarantees for producers by means of swifter and more effective market intervention.

Mr President, I have described the essential points of our revised proposal. The budgetary costs will in the Commission's view be within the existing limits for 1982 in view of the savings expected. In the long run the proposals will mean that agricultural expenditure will rise more slowly than income. It is now up to the Council to take its final decision. The Agriculture Ministers will meet again in Brussels on 17 May, and in the meantime the financial year has been extended until 19 May. When I have finished, Mr President, Vice-President Davignon will give an account of the Commission's political attitude to the present situation.

Finally, I wish to comment on the motion for a resolution tabled by Mr Davern and other members of the House which proposes that the savings in the EAGGF Guarantee Fund since 1 April should immediately be repaid to the farmers by means of a refund to national governments. The savings we expect from the 1982 budget, which can be attributed to continuing good economic conditions in the first months of this year rather than the delay in fixing prices for the new financial year, will largely be needed to cover the additional costs resulting from the decisions on prices for 1982-1983. The amount available as a result of the delay will therefore be very limited. I must therefore inform you that the Commission cannot support Mr Davern and the other Members in their motion for a resolution. It is vital for the Council to agree next week on prices with immediate effect. Together with the price increases resulting from the green devaluations which have already taken place in six Member States, they will form the basis for an improvement in farmers' incomes in the Community in the coming year.

Mr Davignon, Vice-President of the Commission. — (FR) As Mr Dalsager has just said, the final proposal which the Commission submitted to the Council on Tuesday morning takes as much account as possible of the debate in the Council, the suggestions put forward are compatible with the general guidelines for the Common Agricultural Policy as submitted to the Parliament by the Commission.

On Tuesday it became evident that the Commission's endeavours were achieving their object, since nine delegations made it clear that they approved these proposals. Only one delegation was against them.

The President of the Council then concluded, without their being any vote, that the conditions laid down in the Treaty for taking a decision were met. The Commission considered that the political debate on the terms of the compromise was now closed and that it was time to move on to the finalization of the implementing regulations and their formal approval by the Council because implementation did not involve the overall political compromise but the texts which could have effect *vis-à-vis* third parties. Consequently, Mr Thorn called on the Council to take a clear decision to go ahead with the final drafting and the approval of the implementing regulations, and he formerly asked for a Council to be called next week to take the formal decision.

When opinions were voiced following this proposal, it transpired that eight delegations considered that this procedure should be adopted but one of these delegations felt that the decision could only be taken unanimously, although it was in favour of moving on the next stage. Two delegations expressed explicit reservations about going ahead with the next stage as suggested by the Commission and voiced their desire for discussions to continue towards finding a text on which all could agree. The President of the Council concluded by saying that the Council would be called on 17 May, to come to a decision on the basis of the proposal which the Committee had submitted to it, and that the proposals were being finalized with the help of legal/linguistic experts.

I think the reasons why the Commission reached this dual standpoint should be established, which is I think quite simple. The failure to take a decision on the farm prices by 17 May at the latest will lead to a serious crisis because the current provisions expire on the morning of 19 May, and in those circumstances the whole mechanism of the agricultural policy and the credibility of the Community decision-making system itself will be in jeopardy.

With no decision on farm prices for the new season, the Commission cannot take the place of the Council and fix the new prices. Nor are the Member States ready to step into the breach and extend the past year's prices beyond 18 May, a solution which in any

Davignon

case is unacceptable in view of the interests and rights of farmers.

You are aware that the head of the British delegation opposed both the Commission proposal for farm prices and the way this proposal was dealt with, by appealing to what is called the Luxembourg Compromise. As you know, the Commission was not a party to the discussions held in January 1966 in Luxembourg, and as the guardian of the Treaty the Commission is bound only by the wording thereof. Moreover as you are fully aware, the Luxembourg agreement is really deep down only a way of agreeing to disagree . . .

Today we do not intend to launch into this major debate but simply decide how to respond to the farmers, who quite rightly expect an answer. Let us ask ourselves for a moment whether there is any risk that the decision suggested by the Commission may damage anyone's vital interests? Is such an attitude conceivable at a time when the partners of Britain and the Commission are demonstrating with regard to some delicate issues that there is no hostility felt towards Britain? The idea that there is any intention to isolate one delegation is thus not borne out by the facts.

Furthermore, what grounds are there for thinking that after taking into account all the requests put forward by all the delegations including the British delegation, as it is duty bound, the Commission would not have worked out a balanced final proposal bearing all in mind? It is the Commission's role to watch over the interests of the Community as a whole as well as protect the legitimate concerns of each member. Those are two sides to its task. All proposals from the Commission must comply with these two requirements and the European Parliament is always there to make sure of that. And rightly so too, because the Commission's proposals are such that they are the only basis for a majority decision by the Council. It is still the Commission's hope, and no doubt that of all Member States, that a unanimous agreement will be reached. The Commission is aware of the United Kingdom's concern for a final decision on the question of its contribution to the Community budget, but the President of the Council and President Thorn have really spared no effort since January — and the Parliament has sometimes held it against us — to find a positive solution to this question, and I would like to make it clear once more to this Parliament that the Commission is still doing its utmost in that spirit, even while I am speaking to you. But there comes a time when the vital interests of the Community demand that the Council be brought fairly and squarely face to face with its responsibility, which is just what the Commission did.

President. — I wish to inform you that all the amendments are now available in all languages.

I call Mr Radoux.

Mr Radoux. — (*FR*) Mr President, this House is most definitely aware of the significance of the statement Mr Davignon has just made because it comes from him, no doubt since Mr Thorn is absent, and was made in the name of the Commission as a whole. My first question is therefore as follows: was the Council acquainted with the statement which the Commission made this morning? My second question is: if I understood the Commission correctly, it considers that a vital interest for one State may also be a vital interest for the Community as a whole. The Luxembourg protocol does actually anticipate that there may be a vital interest for one State, but I will conclude by saying . . .

President. — Mr Radoux, I recognize that your questions are important, but I think that other speakers will certainly raise them in the course of this debate and the Commission will reply to them.

Mr Radoux. — (*FR*) . . . Mr President, I would like to conclude by saying that now the Falkland Islands are getting mixed up in the agricultural policy and the Community budget!

President. — I call Mr Davern.

Mr Davern. — Mr President, first of all, I would like to thank the Commission for coming out so straightforwardly here this morning and making the position clear to this House. After all, we made our decision some time ago, and it is up to the Council now to make theirs. I admire the courage of the Commission in having stood up and placed the reality of the political situation as we know it in front of this House, which accordingly has acted responsibly too.

I must condemn the attitude of the one Member State which is holding up the 25% price increase on the milk produced in April and May. What about the calves that have been born since? This is the only section of the Community that is being asked at this particular time to do without an increase, and particularly is being used year after year by the same Member State as an object to be bullied and threatened because of a different element altogether regarding their own contribution. There is a two-way split in Community solidarity, and if that much vaunted solidarity is to be used here as it was yesterday, then equally it should be used for the rest of the Community, for the future of this Community, but more so indeed for the future and solidarity behind the farming community, which is the basis and the backbone of the very existence of this Parliament and, I believe, of the Community itself.

Livestock cannot be produced in pushbutton fashion, as is thought by some people. What about the animals that now have to be sold at 1981 prices? Who is going to compensate there? Commissioner Dalsager said this morning he could not see the increases being made

Davern

retrospective. There must be some body of savings which is quite large — in the region of 300 million pounds: in the EAGGF alone you have saved 100 million units of account. In my own country, one of the worst hit by the present farming recession, we have accumulated from 1 April to 17 May a deficit of 20 million pounds, which to us, with our small economy, is a huge amount.

I call on this Parliament to vote solidly for Community solidarity, on the basis that if charity starts anywhere, it starts at home: in that way, we protect our own farmers and our own people. I would also ask especially that this Parliament show to the Council of Ministers that it will not let the farmers burn and starve if the Council want to fiddle. If they want real decision-making, let then give it to this body, which has the political guts, the political will, the political belief and interest in this Community to ensure it lasts beyond the present crisis.

(Applause)

President. — I call Mr Dalsass.

Mr Dalsass. — *(DE)* Mr President, I too should like to thank Commissioner Dalsager and Vice-President Davignon for their speeches on the state of the farm price negotiations. I would never have believed that we would still have to discuss farm prices in the European Parliament at this stage. One and a half months have now elapsed since April when prices should have been fixed. The Commission's price proposals, representing an increase of 10.7%, were announced here.

I have no intention of going into the details and level of the prices, but I must point out one thing: because of this 1½ month delay, when the 10.7% is redistributed over the whole year, it will work out at less than 10% and agriculture will suffer, in spite of the fact that we know — and have always admitted — that real farming incomes have fallen during recent years. It is now high time to reach a decision. At my suggestion, the Committee on Agriculture sent a telegram of protest on 27 April to the Presidents of the Council and Commission demanding that they finally do so. Nothing came of it. Another 2 weeks has gone by and they still have not reached agreement.

I should like to take this opportunity to acknowledge the Commission's efforts to reach a compromise. It is a considerable achievement that nine Member States in the Council have finally agreed on one possibility. Only the agreement of one Member State is still required. It is regrettable that this one Member State is attempting to use the farm price negotiations to gain other advantages which are totally alien to the spirit of the Community. There are two reasons why we must make the following demands:

First of all, to prevent farmers from suffering further hardship, a decision must be taken immediately, so that we do not end up in the legal vacuum described by Vice-President Davignon, where we have no prices at all. So a decision is required for economic reasons, to prevent greater hardship. But there are also political reasons. If we were to accept that we can carry on in this way, we would be admitting that the Community is no longer capable of making decision. So we cannot accept this sort of thing . . .

President. — I call Mr Arndt to ask a question.

Mr Arndt. — *(DE)* Mr Dalsass, I agree with you that the Council of Ministers must reach its decision as soon as possible. But Paragraph 2 of your resolution states that the Council must take due account of the European Parliament's resolution in reaching its decision. According to what the Commission has said, this would mean that the decision would not be taken until June or July instead of on 17 May.

If you now want the decision to be made on 17 May, this can only be done on a proposal from the Commission, and you should therefore remove the phrase 'taking due account of the European Parliament's resolution'.

Mr Dalsass. — *(DE)* Mr President, we can certainly include this phrase as it is only intended to mean that Parliament has done its duty in submitting proposals, but that it is now up to the Council to reach a decision. As I have already said, I do not intend to go into details. I am no longer talking of 10.7% or anything of that sort — I am only asking them finally to reach a decision. I also said that the decision must be taken for political reasons to give further emphasis to Parliament's decision-making ability.

The Luxembourg compromise was mentioned. However, Parliament has not considered that, having repeatedly declared that it does not agree with it. That is why, when the Council meets this week, every effort must be made to reach a decision, and if there is no other way, a majority decision must be taken, so that we can show once and for all that the Community is still alive.

(Applause)

President. — I call Mr Woltjer.

Mr Woltjer. — *(NL)* Mr President, I should first of all like to put a question to Mr Dalsass.

President. — You may not use a point of order to ask Mr Dalsass a question.

Mr Woltjer. — (NL) This concerns a translation, so I shall put my question to you instead, Mr President. I have here before me Mr Dalsass's resolution along with the German, English, French and Dutch translations. Paragraph 3 of the Dutch translation is completely different from the French, German and English versions. Can you tell me what is to be the next subject of our discussions?

President. — The translation is taken from the text of the original. I shall find out what the original text is and let you know how the Dutch text ought to read.

Mr Woltjer. — (NL) Mr President, on behalf of my Group I should like to make it quite clear that we too believe that a decision should have been reached on 1 April, and I am not exaggerating when I say that we are extremely sad that the Council finds it impossible to come to an agreement on farm prices. We appreciate the account which the Commission has just delivered. We, as Parliament, must also debate this matter.

What I really regret is that, as Mr Arndt has already mentioned in his question, the level of farm prices must now be rediscussed. On behalf of my Group, I would appeal to the rapporteur to agree that neither this question, nor the compromise, nor Parliament's past statements should be dealt with in this debate. We want to have a clearcut Parliament debate on the subject. I would therefore ask Mr Dalsass to leave out this clause since it serves no useful purpose in the context and only confuses the issue. We could have a separate vote on this, but I should prefer for you, as rapporteur, to remove clause without further ado, which would certainly help to clarify the matter.

President. — Will you allow Mr Dalsass to interrupt? I believe that he has found a solution.

I call Mr Dalsass.

Mr Dalsass. — (DE) In reply to my colleague Mr Woltjer's question: I prepared the original text in German. All the others are translations, so it is to the German text that we must refer.

Paragraph 3, like all the others, must be kept in the text to maintain the intended balance of the motion.

President. — I call Mr Woltjer.

Mr Woltjer. — (NL) I am sorry that Mr Dalsass will not consider my question, since it was the wording of Paragraph 2 which I, like Mr Arndt, wanted to discuss, particularly the phrase 'taking due account of the European Parliament's Resolution'. I would have liked

to have reached a compromise with the rapporteur on this clause to the effect that we should not debate the matter. But now we no longer need to refer back to the Commission's proposed compromise, nor to Parliament's debates at that time. We must call on the Council to produce a decision, and I welcome the fact that the Commission is now prepared to take further steps.

Finally, it has been clearly shown that the Luxembourg compromise, according to which a unanimous decision may be required, is a useless system capable of obstructing and frustrating the decision making powers of the whole Community. I should welcome a statement from us as Parliament that farm prices need to be adjusted, that the Commission and the Council must reach a decision on them as soon as possible, and that we, the Parliament, are prepared to exercise enormous pressure on the Council and the Commission in order to achieve this.

President. — I call the Group of the European People's Party (Christian-Democratic Group).

Mr Clinton. — Mr President, the Members of this House will be aware that for a number of unavoidable reasons the Commission proposals on prices of agricultural products were issued exceptionally late this year. Nevertheless, the Committee on Agriculture and the other committees of Parliament did everything possible to produce their opinions in time to have prices fixed at the start of the marketing year, as is required by the Treaty. This was done also because of the very serious situation of farmers throughout the Community and because in some regions incomes have fallen by more than 50%.

Having done this, Parliament approved a price increase of 14%, but what has happened since? What is the present situation?

The Commission produced a new set of proposals going some way but not nearly far enough to reflect the opinion on prices expressed by this directly-elected Parliament. A number of agricultural Council meetings have been held, as we have been told by the Commission this morning, but no final decisions have been reached. And this is because one Member State is refusing to cooperate on farm prices and at the same time openly admitting that the reason for refusing to accept an already agreed package is something that has nothing whatever to do with agriculture. This is absolutely without precedent in the Community, and if this sort of practice is accepted and recognized we shall soon have no Community. I must say that I very much appreciate the expression of concern that we have had here from the Commission this morning at the very serious stalemate we have now arrived at. This, of course, is the same Member State, unfortunately, that has refused to join the EMS, that has con-

Clinton

tinued to insist on having its own special beef and cattle arrangements.

I would like to ask the United Kingdom when they intend to become wholehearted Members of this Community. That is what all of us want. The UK has an immense contribution to make to the work of this Community, and they have immense advantages to gain by becoming a wholehearted member of the Community. That is what has been asked here today. That is what has been asked at recent Council meetings.

As I understand the present position, all the ingredients have been assembled for the Commission to go ahead and prepare the necessary directives to implement prices. In fact, I think they now have a legal obligation to do this, because there is agreement on a package, but there is disagreement by one Member State because of something that is absolutely unconnected with agriculture.

Now I think, as I say, that the Commission have an obligation to prepare the directives and put them before the Council. They can be passed by the Council as points at the meeting that is taking place I think next Monday. I have seen this happen on many occasions in the case of many other things. But I have to say with great regret that the only Minister — and I was present at 5 price-fixing sessions — that I have ever seen isolated in that time was a British Minister. And there is one British Minister who I have seen isolated on a number of occasions.

I hear somebody here on my left saying good, this is a great thing. That is the same as saying that one Member State's vital interests are far more important than the vital interests of the whole Community. I hope that this attitude will be dropped. I hope we can arrive at a reasonable situation because Member States have suffered a very serious loss at the present time — 25 million in the case of Ireland.

As somebody said, all this year's calves have been born. If we were to get a calf subsidy it would be useless to us in the present year. I do not want to fight the Irish case particularly, I want . . .

President. — Mr Clinton, I have to stop you there. You have exceeded your speaking time.

I call the European Democratic Group.

Mr Curry. — Mr President, my group believes that the new farm prices package should be implemented as soon as possible in full respect of the Community's political traditions and procedures and her moral obligations. It is a poor and unheroic package: it fails to meet the wishes of this Parliament in respect of a price level, co-responsibility taxes, limitation of output and

removal of monetary compensatory amounts. But it exists, Mr President. It is an orphan of a package which has lost track of its philosophical or intellectual parents; but since it exists it must be applied.

The Community has obligations it must honour. It has obligations to organizations and countries beyond its own borders in the form of its adherence to international agreements like GATT and the Lomé Convention. It has obligations in the undertakings it has given to its own Member States. And I must be quite clear to this House, Mr President, that the vast majority of my group believes that the Community has accepted a quite clear obligation to work towards a restructuring of the budget which will contain the present flow of resources from the poorer to the richer Member States.

May I say also, Mr President, that you have an obligation to make sure that this Parliament behaves like a parliament and less like a marketplace when people are talking!

But it also has obligations towards its own citizens, and of those citizens the group to which the most specific undertakings apply, because of the specific requirements of the Treaty of Rome, is the farming community. That obligation towards the farming community is that prices shall be fixed by the beginning of April.

Mr President, there is only one institution in the Community which has discharged its constitutional and moral obligation and that is this House. The Commission failed to produce a package, despite the Commissioner's self-satisfaction, before the end of January and, therefore, imposed an enormous burden on this House in examining its proposals by the end of March. And I say with some pride, since I was rapporteur, that we accomplished it.

The Commission was late because it was waiting for the emergence of some consensus in the Council which was batting the mandate proposals backwards and forwards from Agriculture Ministers to Foreign Ministers. The Council waited for the Heads of Government and the Heads of Government waited for elections. It was the Heads of Government, Mr President, who insisted that the three chapters of the mandate proposal should be linked — the budget, possible changes in the CAP and new policies. This link was made, Mr President, against the wishes of the United Kingdom and not at the insistence of the United Kingdom. We condemn this political failure to clear the way for a farm prices package, not merely because it is in quite clear breach of the Community's obligations, but because it places a disproportionate burden on certain sections of the agricultural community and, therefore, compounds the injustice. Although the prices package should be cleared by the beginning of April, only a certain number of products are actually affected by that date. Those products are milk and beef, sheep-

Curry

meat in smaller sectors. Producers of these commodities are suffering a daily theft of their incomes which it is difficult to imagine any industrial trade union ever accepting.

In other sectors the beginning of the marketing year is some time away for the bulk of the arable and Mediterranean commodities and those producers do not suffer an equivalent loss.

We believe, Mr President, that the Council should give the Commission clear authority to use mechanisms at its disposal by the management committees to find a way of making good the losses which producers have suffered.

This war, Mr President, is not to Europe's honour. It is not the only war that has been fought or indeed will be fought within the CAP. No one deserves campaign medals for heroism in the lamb war, the turkey war, the wine war, the gas war and now the prices war. In these matters, Mr President, the farmers are sometimes the infantry but much more frequently the hostages and the prisoners of the war. They are one of the very few groups of people whose livelihood depends directly on decisions taken at a European level and there must be times when they see themselves not as the beneficiaries but as the victims of Europe.

My group, Mr President, will do all in its power to ensure that we get these proposals implemented in full conformity with the political rules and moral obligations of the Community.

President. — I call Mr Brøndlund Nielsen.

Mr Brøndlund Nielsen. — (DA) Mr President, it is the discussion about the original language of the motion, which leads me to speak. I recommend most strongly — I have done so earlier and I would now like to insist that it should actually be done — that Parliament documents should always indicate the original language on the front page next to the number.

I have had problems of this kind myself, and it should always be possible to establish the original language rapidly. I urge that this should now actually be introduced.

President. — We will look at that in the Bureau, Mr Nielsen. I hope that this type of request can be made in writing in future, since we are very short of time.

I call the Communist and Allies Group.

Mr Vitale. — (IT) Mr President, ladies and gentlemen, our Group shares the concerns voiced by the two requests for topical and urgent debate, which have

been endorsed by the statements from the two Members of the Commission. I must applaud Mr Davignon for having addressed the Council in such strong terms for the first time since I have been a member of this House. It would be a good thing if that was always the case.

It really is unacceptable that producers should have to pay for the inability of governments to reach an agreement on what Parliament debated I think about 50 days — over a month and a half ago —, and that the farmers should have to pay for this delay, even though the Dalsass motion for a resolution is incorrect in my opinion in saying that the farming community is bearing the brunt of these problems alone. The workers are paying for them, and so are the consumers and all citizens in the Community. We are much more in agreement with the terms of the Dalsass motion than with those of the one from Mr Davern.

In actual fact, I would like to point out that it is not only the British attitude, reprehensible in itself, but the general way agricultural problems are viewed in terms of what you put in and what you get out, whereby those who consider they have paid too much want to be reimbursed, and those who are actually making refuse to make any concessions, which stands accused. Remember that the profits are spread amongst various countries, and I call on you to read today's 'Le Monde', which mentions receipts totalling 15 000 million in 1981 just to cover surpluses, so it is the general method which is involved. As for the compromise, we consider there is no point taking the subject up again except to say we are totally dissatisfied, and therefore endorse the relevant comments in the Davern motion, with the revisions which do nothing to alter the imbalances which we Communists have denounced more than once.

We are therefore in favour of there being a vote, not so much to obtain compensation for the producers as to call firstly for a speedy decision by the date finally laid down and which I hope will be decisive. Secondly, a vote will enable us to express criticism and emphasize the urgent need to revise the method whereby such decisions are arrived at, speed up things and emphasize the need finally and in good time for once, to revise the mechanisms which bring about imbalances, and consequently the delays and the divisions whereby the weakest section of agricultural producers inevitably ends up paying.

President. — I call the Liberal and Democratic Group.

Mr Delatte. — (FR) Mr President, ladies and gentlemen, there was a comfortable majority in this Parliament for the vote on the Curry report concerning farm prices, and that was, I stress achieved within the time limit. Among other things the report made it clear that the fixing of farm prices should not be lumped

Delatte

together with the Mandate of 30 May. And here we have the Council of Ministers incapable of taking a decision after several meetings simply because discussions are turning into deadlocked bargaining sessions.

Furthermore, may I point out that last year the Council followed Parliament proposals to do away with the monetary compensatory amounts over two years, and a decrease in the current compensatory amounts was decided in line with this objective. And now, whereas the Parliament voted with the same view in mind, this year the Council is proposing a ridiculous decrease in the monetary compensatory amounts thereby setting farmers in countries with strong currencies at an advantage. More especially, by turning back the wheel, the Council is maintaining the permanent disparities which keep providing ammunition for these interminable discussions on farm prices. So please, is it not time to put an end to this situation in which agriculture is always the central issue as if the CAP was the source of all European troubles.

Ladies and gentlemen, the time has come to expose once and for all the use of the agricultural pretext to cover up the Council's lack of political will to take the necessary decisions. That is why my Group has tabled an amendment to the Davern motion for a resolution to the effect that decisions are taken by a majority in accordance with the treaties.

Mr Davignon said a short while ago that the Commission had assumed its responsibilities. It is now up to the Council to do the same. Mr Davignon drew attention to the serious crisis which would develop if there were no decision at the forthcoming meetings on 24 and 25 May. I am not overlooking our British partners' difficulties, but Community solidarity has to work both ways. The CAP is one of the pillars on which Europe rests and as such deserves Community support, which I hope will materialize on 24 and 25 May.

President. — I call the Group of European Progressive Democrats.

Mr Mouchel. — (FR) Mr President, once more we are witnessing the appearance of obstacles to the fixing of farm prices. The second proposal from the Commission still falls short of the European Parliament's wishes, and nevertheless one Member State of the Community continues to obstruct the fixing of the farm prices. A situation of this sort, and the attitude it indicates, are unacceptable on more than one count. The agricultural sector has been in worsening conditions for several years and now this country is deliberately penalizing it again. The delay in fixing prices is bringing about a loss of about 200 million ECUs to the French agricultural industry alone, not to mention all the others. The farmers are feeling robbed. If this situation were to drag on or repeat itself each year, Mem-

ber States, who are concerned about agriculture collapsing, might have to take national measures contravening the CAP, even just to stop the unemployment situation worsening. Such a move back to national responsibility for the only real existing policy would quickly jeopardize the very existence of the Common Agricultural Policy. People who are really concerned about European integration cannot resign themselves to that. Furthermore, in the same way it is unacceptable to let the basic principles of the CAP be continually flouted. There is an urgent need for a return to uniform prices and markets, Community preference and financial solidarity. If some States want to hinder Europe's onward progress, those States which have remained faithful to the principles which presided over its creation should take the necessary steps to set it moving again.

In conclusion, Mr President, as co-author of a motion for a resolution, I would like to express the earnest hope that it is approved.

President. — I call the non-attached Members.

Mr De Goede. — (NL) Mr President, for the nth time the ten Agriculture Ministers parted this week without reaching a final conclusion. Everyone knows that the real reason is the stubborn attitude of the United Kingdom mainly because of the British contribution. Yesterday the House again manifested great solidarity with the United Kingdom in the Falklands crisis. The British government was right to ask for this. But we are none the less right to ask now, again, and as a matter of the utmost urgency, that our British friends approve the agreement on farm prices even if the United Kingdom cannot yet accept the Nine's perfectly reasonable offer as regards the British contribution.

In particular I would ask the British Conservative Members of our Parliament to exert all possible pressure on their government in order to obtain its acceptance next week since our Community has already spent too long drifting along in a state of crisis. Stagnation and disintegration must not be allowed to go any further. After ten years of what has in effect been renegotiation, of the conditions of British accession it is now in my opinion really the time to draw extreme consequences from the British attitude if we have to. If next Monday British cooperation cannot be obtained then a majority decision must be taken. We would be pleased to see the Luxembourg agreement abandoned in this way, and it could mean that there would at last be new prospects for the Community. British obstruction for example by refusing to pay its contributions to the Community would then if necessary mean that we should have a Community of Nine. With heavy hearts indeed, but we cannot sacrifice the Community to the supposed interests of one Member State. We have been as reasonable as we possibly could be.

De Goede

At the next elections in 1984 we the European Parliament will have to face fundamental questions of whether we have achieved any progress in our task of realizing our Community ideal: the building of a European Community of nations to serve the interests of all. This task cannot be treated lightly. Friends from the United Kingdom, show your solidarity with us, the Nine, now. Today there is even more at stake than in yesterday's debate.

President. — I call M^r Kirk.

Mr Kirk. — *(DA)* Mr President, first of all I should like to thank Mr Davignon for his statement here today. I think it shows how important it is for us to get decision-making processes in the Community on the move again. We simply have to realize that as time goes on the Council is becoming more and more irresponsible when it has to make important decisions involving Community interests. We have again seen that a single member country can plead its vital interests in a situation where the vital interests of 8 million European farmers are at stake. The question is, will we continue to put up with the Council's irresponsibility, will we accept the trend which has become apparent in the last two to three years in the Council.

This is why I wish to thank Mr Davignon for his statement: I really think that the Commission has now shown that it will no longer tolerate the Council's impotence.

Mr President, I have tabled an amendment both to Mr Davern's and to Mr Dalsass's motions for resolution in which I call on you and the Bureau to take the Council to the Court of Justice for failure to act as specified in Article 175 of the EEC Treaty. I think the time has come for us to take action with the Commission to ensure that the Council no longer misuses the 'Luxembourg compromise' and that it returns to the use of qualified majority voting, so that we can take the necessary action for the people of the Community. I hope that I can obtain some support for my amendment.

President. — I call Mr Martin.

Mr Martin. — *(FR)* Mr President, French farmers are now coming to the end of their patience. After eight years in succession during which their income has been falling constantly, they refuse to be held hostages in this shameful bargaining carried out by Mrs Thatcher, who now wants to sink the Common Agricultural Policy too. It is high time that the British were made to understand that if they want to stay in the Common Market, they must follow its rules. The British obstacles must therefore be overcome first if we want the farm prices for 1982-1983 to be fixed at long last.

But contrary to what Mr Arndt said a short while ago, we also think that it is still possible to improve on the present nine-country compromise, which is still inadequate. Mr Tugendhat informed us yesterday of new savings on agricultural expenditure during 1982 amounting to 500 million ECUs. It is not right for these funds to be taken out of the EAGGF. They should be used to improve the compromise on farm prices by taking better account of the European Parliament resolution, with priority being given to the 14% increase in farm prices.

It is also vital for there to be immediate compensation for farmers' losses since 1 April due to the delay in the fixing of prices. We were interested to hear the Commission's statements, but in our opinion the latter must submit proposals very shortly for the appropriations provided as usual by the EAGGF as from 1 April to be refunded to Member States for distribution to farmers with small and medium-sized holdings who are suffering most from this holdup. We expect this House to endorse its resolution on farm prices and show the same firmness towards the Council.

President. — I call Mr Adamou.

Mr Adamou. — *(GR)* Mr President, despite our reservations with regard to the Dalsass motion for a resolution on agricultural prices — reservations based on the general position of our party on the EEC — we should like to express our agreement with paragraph 4 in particular, which refers to the unacceptability of linking the problem of prices, which means in fact the linking of the incomes of hundreds of thousands of farmers with small and medium-sized holdings, to the blackmail demands of the Thatcher Government.

However, I should like to take this opportunity of conveying to you the deep dismay of Greek farmers on the agreement being reached among the Nine on the basis of the Commission's proposals and which is damaging to their interests. The average overall rise in prices of 10.7% — or, if you like, 14.2% for Greek farm produce expressed in equalized prices — is unacceptable to Greek farmers. Their demand that the high production costs and the high inflation rate be taken into account has been fobbed off. The 5% devaluation of the green Drachma actually means that financial support will to a large extent have to come from Greece itself, thus burdening the Greek budget, while agricultural policy will be dictated by the Community, with all the serious consequences that will entail for Greek farmers and workers. The agreement of the Nine, which may soon become an agreement between the Ten, is another arrangement between the large countries by which the workers of the small countries, such as Greece, are called on to pay. This year again Greek farmers will be footing the bill for entry into the EEC. The agreement on a 10.7% increase is final proof that the extremely negative consequences of

Adamou

Greece's entry into the Community cannot be avoided, whatever party is in power and whatever its original intentions, as long as Greece remains a member of the EEC.

President. — I call Mr Bonde.

Mr Bonde. — (DA) Mr President, Mr Kirk has today criticised the Council for its impotence, but just because Mr Kirk himself is potent he does not have to rape the Danish people with a proposal to abolish the right of veto.

I would like to ask Mr Kirk whether he is also so potent that he will dare to submit his proposal for restricting or abolishing the right to veto to the Danish people by means of a referendum? Then I would like to ask the Danish Member of the Commission, Poul Dalsager, if he supports the statement made by the Commission today or whether he still agrees, as I do, with the brilliant speech he made as spokesman of the Danish Social-Democrats in 1972 before Denmark joined the European Community.

President. — I call the Commission.

Mr Davignon, Vice-President of the Commission. — (FR) The President of the Commission wishes to thank the various groups in Parliament for the positions they have taken. I would like to confine my remarks to replying to three rather curious questions from Mr Radoux, if he will excuse me.

The first question is: Does the statement made by Mr Dalsager and myself represent the opinion of the Commission? I do not really know whom we could represent apart from the Commission, and I would like you to know that we decided yesterday morning on the content of the statement to be made. Mr Thorn did not make the declaration himself because we are simply reporting to Parliament about the way in which, calmly and collectedly, we are to discharge our responsibilities. So there is no need to attach any particular significance to the statement, and it would be strange and remarkable if the Commission carried out its duties with all thirteen members present.

The second question was: Did we inform the Council that we were going to make a statement of this type? I must say I am staggered. The Commission does not have to ask the Council anything. What the Commission cannot do is say things in this House which it would not have said to the Council. That is obvious. It would be politically dishonest, but since we reported faithfully what we said to the Council there can be no shadow of a doubt. In this respect I would like to say, just as I attempted to say on behalf of the Commission, that what we are doing is settling the farm prices issue. The Commission's statement at this stage does

not involve any institutional questions. It concerns the way we are discharging our responsibilities in settling the farm prices problem that is its purpose. We are not seizing on the farm prices question to start another debate. We are doing what we should do with regard to this issue and the preparation of implementing regulations and their submission to the Council.

The third question was: According to some reports in the British press for example, the Commission is allegedly aiming to isolate some delegation or other. I replied by saying that this was not true, that there was no hostility nor any heated discussion? Nor had the Commission had any argument with the British delegation in Brussels any more than I intend having a heated discussion here. We pointed out that when it comes to the political feelings of the Commission, it would be a bit absurd to say that, following President Thorn's declaration yesterday, there is any feeling of enmity towards Britain within the Commission. That being so, the Falklands are in the South Atlantic, the Common Agricultural Policy is before the Council and the Council must realize that if it does not take a decision on the 17th, it will be limiting by its own fault what the Commission can do for farmers. That is what I attempted to say, calmly but firmly today, on behalf of the Commission.

(Applause)

President. — The joint debate is closed.

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Votes¹

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3. Use of plastic bullets

President. — The next item is the joint debate on four motions for resolutions:

- motion for a resolution (Doc. 1-229/82), tabled by Mr Lalor on behalf of the Group of European Progressive Democrats, on the use of plastic bullets in Ireland;
- motion for a resolution (Doc. 1-233/82), tabled by Mr Hume and others on behalf of the Socialist Group, on a ban on the use of plastic bullets;

¹ See Annex.

President

- motion for a resolution (Doc. 1-243/82), tabled by Mr McCartin and Mr Clinton on behalf of the Group of the European People's Party (CD Group), on the use of plastic bullets within the Community;
- motion for a resolution (Doc. 1-245/82), tabled by Mr Blaney and others, Mr Chambeiron and others on behalf of the Communist and Allies Group, Mr Maher and Mr Clinton and others, on a ban on the use of plastic bullets.

I call Miss de Valera

Miss De Valera. — Mr President, I wish formally to move the resolution on plastics bullets on behalf of the European Progressive Democrats.

Since 1981, 11 people have died and 60 have been wounded as a result of the use of plastic bullets. It is nonsense to suggest that the so-called security forces in the northern part of my country need to use plastic bullets for their protection in riot situations. Plastic bullets are being used exclusively by forces firing from their protected position inside armoured vehicles, which are often on the move. Many of those killed by the so-called security forces using plastic bullets have been defenceless children, including a girl aged 12 and a girl aged 14.

An 11-year old boy, Steven McConomy, was shot in the head at a distance of 11 feet. When two men went to help the injured child, they were threatened by troops. Steven died on the eve of the last plenary session of the European Parliament. It is not enough for Mr Prior to call Steven's death a tragedy. It is not enough for Mr Prior to call for yet another enquiry. Lord Gifford QC, who conducted an enquiry into the death of 15-year old Paul Withers, killed last April 1981, found that the police officer's action was neither in self-defence nor a reasonable use of force and described the policeman's action as an act of murder for which there was no defence. No action has been taken as a result of such enquiries, but I want to see the soldiers who have been responsible for these murders prosecuted and the ending of a situation where there is one law for the citizen and another for the so-called security forces. I call for the immediate banning of plastic bullets before more innocent and young lives are lost, and I look, therefore for the help and the support of all Members of this Parliament to ban the use of plastic bullets. I ask them to support our resolution — Mr Lalor's resolution — and the other resolutions put forward by the other groups of this Parliament.

(Applause)

IN THE CHAIR: MR ESTGEN

Vice-President

President. — I call Mr Hume.

Mr Hume. — Mr President, might I begin by saying what this debate is not about. It is not about the political situation in the north of Ireland. I wish we could have a discussion in this House on that subject. It is not about the campaign of murder and violence being conducted by paramilitary organizations in Northern Ireland, which I am sure would have the unanimous condemnation of this House anyway. Neither does it seek to minimize the seriousness of riot situations in the streets of Northern Ireland: as probably the only Member in this House who actually lives in what would be termed a riot area and who represents that area, I am totally and fully aware of the very serious damage done to the community by rioting.

No, this debate is about one simple, straightforward issue. It is about the use of one particular method of riot control — the use of plastic bullets or baton rounds. One thing we can be certain of when these implements are fired at people on the streets is that if they are struck by them one of two things will happen: they will either die or be seriously maimed, and that is what has happened already in the streets of Northern Ireland.

Twelve people have died in recent times, more than half of them children. Hundreds of people have been seriously maimed, suffered from brain damage, loss of eyes, blindness. And what I ask this House to decide is this: do they believe that that is proper punishment for riotous behaviour? Are we supporting serious maiming and injury?

In my experience, and I have considerable experience of riot situations, the use of these weapons does nothing to control a riot, but does a lot to create riotous situations. The most recent incident, referred to by Miss De Valera, the death of an 11-year old hit on the head with one of these instruments in a non-riot situation, led to a weeklong riot situation in the city where it happened. In other words, rather than controlling riots, it created them because of the angry backlash.

But of course the most remarkable thing of all is that coming to our support is no less a person than the British Home Secretary, Mr William Whitelaw, who has confessed that he does not like these instruments being used in Britain — in England, Scotland and Wales — because, he says, they are potentially lethal. And in spite of the fact that there was major rioting in 14 British cities last year, with petrol bombs, stoning, as widespread as anything we have seen in Ireland, not once was a plastic bullet used because the Chief

Hume

Constables there do not believe in using them; the Home Secretary has said they are potentially lethal. Yet, in another so-called part of the United Kingdom it is quite all right to use these weapons against people in Ireland. I feel that in such a situation it is very hard to avoid the conclusion that the attitude to their use is somewhat racist.

I ask the House to help the situation in Northern Ireland by calling for the banning of these instruments in all parts of the Community.

(Applause)

President. — I call Mr McCartin.

Mr McCartin. — Mr President on behalf of my group I wish to support the resolution that we have put forward. The first thing I would say about this subject is that I am glad Mr Hume has spoken, as a person who is involved, in such temperate language. I think he spoke exactly as I would want to speak. I do not want anybody to get excited about this resolution; I do not want anybody to read into this resolution by my group, anything it does not say.

We are not trying to get at anybody. We are simply talking about a weapon which we regard as dangerous and excessive in the circumstances in which it is being used. We do not want to hear from anybody a recital of all the sad statistics relating to the situation in Northern Ireland over the years. When my group wants to discuss this, I will raise it with them, or somebody else in my group will raise it. We will put it down in this Parliament and we will decide democratically whether it should be discussed or not.

Here we want to discuss the resolution as it is written down. We recommend to all Member States within this Community that they ban use of this weapon because we believe that in the past innocent people caught up in a situation that was not of their making have been killed and have been maimed by the use of this very dangerous weapon.

Furthermore we have seen that a death arising out of the use of this weapon can become a propaganda weapon in the hands of subversive organizations — far more lethal and far more dangerous than any bomb, or bullet, or petrol bomb — and we have seen subversive organizations at various times sink to their lowest ebb, only to be uplifted again by some unfortunate happening that led to the death of an innocent civilian — a young person, a young boy or a young girl.

As Mr Hume has stated, we are not against riot control. We have not said that we are against the use of necessary force to control riots in situations where we know the security forces have an obligation to do this. What we are saying is that one year ago this Parlia-

ment by a majority vote declared itself against capital punishment. We said it was our opinion that the execution of a criminal condemned in court was an act beyond what the democratically elected government of a civilized state should do.

We are just asking this Parliament to be consistent and to please say that they condemn something which has led to the execution of innocent people; of children; of mothers of children; of those who are caught in situations beyond their control. We are not lining up with the terrorists who create the tension which lead to the use of these things and then lament with everybody the unfortunate accidents that have happened. We do not want to support those people; we do not want to be part of their propaganda or part of their methods. We just want to say that, rather than strengthening the forces of democracy, the use of this weapon has in fact weakened their moral authority and will do so in any state of this Community in which they are used or have been used.

President. — I call Mr Vandemeulebroucke.

Mr Vandemeulebroucke. — *(NL)* Mr President, ladies and gentlemen, the use of plastic bullets was raised months ago by means of a motion for a resolution by Mr Blaney, Mrs Castellina, myself and other Members. This tragic matter has finally registered with the other groups and today we find, in addition to our motion for a resolution, motions from the Socialist Group, the European People's Party and the European Democrats.

Plastic bullets are specially designed for riot control. They are made of rigid plastic, are 9 cm long, have a diameter of 3.8 cm and weigh 135 g. They are fired from a special weapon with a short grooved barrel which gives them spin and a speed of up to 47 m per second, i.e. 240 km per hour at a distance of 45 m. Instructions to the British security forces in Ireland say they must be aimed direct at the target from a distance of not less than 20 m, i.e. when the accuracy of fire is 100%. Plastic bullets have been used by the British security forces in Northern Ireland since August 1976. They were not used regularly or in great quantities until 1981. During 1981 ten people were killed and a great number maimed. Between April and August 1981 seven people were killed including two girls of 12 and 14, a boy of 15 and a mother going shopping who was hit from a distance of 6 m. In this same period of five months sixty people were seriously injured. Plastic bullets are almost always fired from moving armoured vehicles; in 1981 this became a very important part of the tactics of the security forces. According to official sources 24 000 plastic bullets were fired in the first seven months of 1981. The use of ordinary ammunition during riots is nonetheless subject to very strict regulations.

Vandemeulebroucke

Plastic bullets are available to the police in the United Kingdom but there has never been an order to use them. The Home Secretary, William Whitelaw, said after the riots in Liverpool that the use of plastic bullets was not permitted in order to avoid the risk of anyone being killed. They have also been introduced in Belgium but have so far been used only once, on 21 September 1979. At that time the Belgian Minister of the Interior admitted in the Senate that the use of such bullets can have fatal consequences. In the Netherlands there have been long discussions as to whether the police could use plastic bullets instead of normal ammunition. In Switzerland two young demonstrators were blinded by plastic bullets and, as a result, the Zurich city council decided to ban their use.

Mr President, ladies and gentlemen, I must state most emphatically that the use of plastic bullets and the ban that we wish to have introduced must be considered quite separately from the problem of Northern Ireland. I therefore urge you to adopt this motion for a resolution so that a general ban on the use of plastic bullets can be introduced.

President. — I call the Socialist Group.

Mr Treacy. — Mr President, I rise to support the motion in the name of John Hume and others, especially my compatriots in this Assembly.

There is no doubt that the tempo of violence in Northern Ireland has been accelerated by the use of plastic bullets. They are lethal weapons and are described as such by the British Home Secretary. Their use has already resulted in the deaths of many persons in Northern Ireland — several of them children under the age of 15. Too many people have already been killed and maimed by the indiscriminate use of plastic bullets. In the first seven months of 1981 — in seven months alone — 25 000 plastic bullets were fired by the British authorities in Northern Ireland, and that mainly, mark you, in non-riot situations.

The use of such lethal weapons must stop. The selective use of plastic bullets must stop, used as they are on the nationalist people of Northern Ireland and Northern Ireland alone. This is an intolerable situation. Double standards by Britain in the use of plastic bullets must end. The preservation of human life, Mr President, is as precious to us in Ireland as it is in Britain or anywhere else in this Community. That which is lethal and banned in Britain is equally lethal and must be banned in Ireland. Violence of this kind breeds violence.

All the Member States of the EEC — including Britain, insofar as it affects the British mainland — are opposed to the use of plastic bullets against the civilian population. You cannot therefore in equity and justice make an exception in the case of Northern Ireland.

Your support for this motion must be consistent and solid. There is no room, Mr President, for equivocation or compromise. It may be an emotive issue — indeed it is certainly so in Ireland — but for this Assembly it is also a motion of high principle.

President. — I call the European Democratic Group.

Mr Prag. — Mr President, may I just say, in answer to Miss De Valera, that the security forces in Northern Ireland consist overwhelmingly of decent young men with a vastly unpleasant, ungrateful and dangerous task, which they and we would be glad to see become superfluous. We cannot and do not accept the smear on their reputation implied in her speech.

Mr President, no one likes the use of any dangerous weapon in any situation. Certainly my group deeply regrets all violence. Our overriding wish in Northern Ireland is to see a return to peace, harmony and civilised behaviour between the Protestant majority and the Catholic minority, followed as quickly as possible by the withdrawal of the troops.

However, we all know that unhappily situations do occur, and not only in Northern Ireland, where crowd disorders threaten to develop into violent riots. All governments in the Community accept that such situations must be controlled before substantial loss of life and injuries occur. Like all other civilized governments, the British Government adopts the principle that this should be done with the minimum possible force. The question is: What is the most effective means of providing the minimum force needed when a crowd threatens to become a violent mob? Water cannon and CS gas have been suggested. They are both used but are ineffective at any distance. Rubber bullets have also been tried and proved unsatisfactory, because their muzzle velocity is high and the security forces were ordered to bounce them off the ground. This made their effect haphazard and extremely dangerous to innocent bystanders.

That is why the British Government, in common with some other governments, authorizes the use of plastic bullets in cases where crowd disorders threaten to deteriorate into serious mob violence. Their use throughout the United Kingdom is governed by clearly defined instructions, and any soldier or policeman who uses them in an unlawful manner is liable to prosecution.

Some curious figures have been quoted. I can say that 201 plastic bullets were fired in Northern Ireland in the last eight months.

What we in the European Democratic Group have tried to do through our very moderate amendment, Mr President, is to balance up the facts in the first place and to produce reasonable texts with a chance of

Prag

being accepted by the Member States. If they are not accepted, this Group could not endorse any of the resolutions which, deliberately or by implication, pillory our security forces.

Mr President, we are open on the question of plastic bullets themselves. Let me remind colleagues on the opposite benches that their use was authorised by a Socialist Government in August 1976. If we could find anything less dangerous and equally effective, then we in my group should be glad to advocate its use. We detest violence and regret all deaths from whatever cause. In particular — I hope you will allow me to say this — the circumstances surrounding Steven McCoomy's unfortunate death are currently the subject of urgent investigation, and the resulting report will be forwarded to the Director of Public Prosecutions. The only real answer in Northern Ireland, Mr President, is an end to violence. If we once have peace, we know that there will be no bullets — plastic or lead — and that is really what we want.

President. — I call the Communists and Allies Group.

Mr Chambeiron. — *(FR)* Mr President, it is encouraging to see that perseverance pays. Little manoeuvres which did nothing to enhance the reputation of those behind them have prevented there being until now a public debate on the issue of the use of plastic bullets against civilians, in particular in Northern Ireland. But truth will out.

We are pleased to see the variety of motions for resolutions being debated, a variety ranging beyond the political viewpoints they express, but with the same aim, which is to outlaw the use of these weapons, which are lethal weapons as the facts show.

In the last six years the British security forces in Northern Ireland have been authorized to use plastic bullets, which were responsible in 1981 for the deaths of ten civilians, including women and young children. Plastic bullets are a hypocritical weapon in that they tend to salve the consciences of the people who order them to be used. But just like real bullets, we repeat, they kill! And this is what they look like, ladies and gentlemen.

(The speaker holds up a plastic bullet)

If you can imagine the speed and force they attain on ejection, you will realize that they are deadly weapons when fired at a certain distance.

We cannot accept the proposals of some members who suggest rather perversely that the use of these bullets be limited. The problem is not to kill less, but not to kill at all! The use of such weapons must be totally prohibited.

I share the confidence of the rest of the Communist and Allies Group, in believing that a majority of the members of this House, where respect for human life is so often mentioned, will demand that the Member States of the Community condemn the use of these lethal devices.

President. — I call the Liberal and Democratic Group.

Mr Maher. — Mr President, this, of course, is not a simple question or a simple problem with a very ready solution. One has got to appreciate that the task of police forces and security forces is to try to ensure that the general population has adequate protection in a riot situation. And I think one must sympathize with the police-force anywhere in any country that have to do this extremely difficult job. In a way they are faced with a dilemma. If they over use force they can make the situation worse; if they under use it then they are inadequate as a controlling influence or a controlling force. That is a problem and a dilemma for police-forces in this situation everywhere in the world where there are riots. So I think it is very important that we recognize the problem that police-forces are faced with.

But having said that — and I think this is where this question stands or falls — the question remains whether the use of the plastic bullet in fact helps to resolve the problem or not? That is the basic question. There is growing evidence to suggest that in fact it is only making the situation worse and more difficult to control. Now if that is true — and as I say, there is growing evidence to suggest that it is — then the argument in favour of using this method frankly falls on its face.

Now the other point which has been mentioned before and has not yet been adequately answered is how can a democratic government suggest that plastic bullets can be used in one part of the territory that it controls and not in another when in fact similar violent situations exist in both? I certainly have not found an adequate answer to that. The question has not been answered and I think this Parliament should be given an adequate answer to it.

My further point is this, Mr President, that — and I think John Hume was right in suggesting that we are speaking about the question of control of violence in a given situation — it would be idle for this Parliament to satisfy itself that it can, as a European Parliament continue much longer to avoid the basic problem which is finding solutions to the political difficulties that give rise to the violence and make peace impossible. Too many people — governments, politicians, churchmen — continually condemn violence. But that does not make it go away. The way to make it go away is to home in on the political roots of the violence and find ways and means of eradicating them. If

Maher

we can solve that problem we shall have no further problem concerning plastic bullets or anything else.

(Applause)

President. — I call the Group of European Progressive Democrats.

Mr Lalor. — Mr President, other speakers have dealt with the horrors of the use of the plastic bullet. I would like to deal with the general background to its use as a corrective measure and I shall follow on to what Mr Maher has said a second ago.

Yesterday in this House, we heard a lot about defending ourselves against aggression. Every one who spoke called for the peaceful, non violent approach to the resolution of differences. There was one notable exception, however, and that was Sir Henry Plumb, the leader of the European Democratic Group. When speaking on the Glinne Falklands resolution he said that in certain circumstances it was necessary to protect national rights. Now this legitimate argument, however, was in this instance made for the wrong reason. It was put forward to endeavour to justify his and Mr Fergusson's Amendment No 7 to the very rational and reasonable Glinne Socialist Group resolution. This amendment was aimed at deleting the call for immediate cessation of hostilities from the United Nations resolution 502. I was shocked. Apparently 502, which this House so solidly backed on 22 April, now only applies to Argentina. In Northern Ireland the Provisional IRA says, and I quote: 'Brits out and then we will sit down and talk, but meanwhile our aggression is justified'. That is the IRA. I disagree with them. On the Falklands yesterday, Sir Henry Plumb, on behalf of Mrs Thatcher said, 'Argentinians out and then we will sit down and talk but meanwhile our act of hostility is justified'. I do not agree with that either, but I note the similarity.

I call on the governments of the Ten to outlaw rubber and plastic bullets. I ask that weapons which are banned in the glasshouses of Liverpool and Manchester for use against English youth, should not be used either on Irish children in the streets of Derry, Belfast or Crossmaglen.

(Interruption)

They are not used, that is the point.

I want to say finally, Mr President, in deference to the tremendous efforts which Mr Fergusson so delicately makes here as the diplomatic spokesman for the European Democratic Group, that I have no problem accepting his Amendments Nos 2 and 4 to my resolution, but I cannot accept Amendments Nos 1 and 3. Amendment No 1 asks me to approve of the use of rubber bullets. That is something I cannot accept.

Amendment No 3 supports the principle of an eye for an eye and a tooth for a tooth. I do not accept that either. If he accepts that, I shall be happy to accept this support for my resolution and accept his other two amendments.

I ask the House to approve all the other resolutions.

President. — I call the Group for the Technical Coordination and Defence of Independent Groups and Members.

Mrs Castellina. — *(IT)* Mr President, in response to what someone said about these 'toys' sometimes being necessary in view of the frightening danger that demonstrators represent, I will confine myself to remarking that of the eleven people killed by such toys in Northern Ireland, seven were children, highly dangerous children. I am sure.

Fortunately, I think there is now enough agreement in this House to reach a decision to outlaw these devices, and frankly I take as an indication of this consensus too the fact that, after six months during which the Conservative Group did everything it could to prevent a debate on these motions for resolutions, there is hardly anyone who is not convinced of the need to approve them.

President. — I call Mr Paisley.

Mr Paisley. — Mr Lalor, Sir, said that the IRA said, 'Brits out and then we will talk'. He did not expound the fact that when the IRA says 'Brits out', they mean that every Protestant who holds to British allegiance should get out of Northern Ireland. And as those million Protestants have no intention of getting out of Northern Ireland, the cry of 'Brits out' is absolutely ridiculous and non-sensical.

Violent death, Sir, is never pleasant. Before I came to this House, I stood in a home in Desertmartin, where a young police officer had been gunned down by the IRA in the city of Londonderry and was killed. Beside him stood an unarmed young police woman. She too was savagely raked with IRA bullets. It is all very well for Mr McCartin to say, let us not deal with these matters; but those of us who live in Northern Ireland know the sad stark reality of the situation.

Let me put it on record that I, as a Member of this House, do not only go to the homes where Protestants have been murdered; I have been in the homes where my constituents who are Roman Catholics have been murdered. I was in a home in Dunloy, when there was a sad tragedy there involving the army and a young constituent of mine who happened to be killed in a graveyard. I want to put that clearly on record in this House today.

As it is never pleasant to contemplate violent death and it is never pleasant to contemplate the death of

Paisley

children, we in this House must grasp hold of the reality of the situation in Northern Ireland and avoid being swept along on a tide of contrived emotionalism into adopting a motion that will be exploited and abused by the primary agents of terror and death in Ulster — namely, the Provisional IRA. The Provisional IRA and their associates, with staggering cant and hypocrisy, seek to divert world attention from the murder of hundreds upon hundreds of innocent people by highlighting the deaths of children, who unfortunately died after being struck by plastic bullets fired by the security forces while those forces were under savage attack from missiles ranging from stones to petrol bombs and lead bullets. Though the IRA and their supporters would seek to deny it, the deaths which have occurred have resulted from riotous attacks upon the security forces. The simple and logical way to stop the use of plastic bullets is to stop the rioting.

I want to answer the Member who spoke over to my right, who said plastic bullets were only fired at nationalist crowds. They have been fired at loyalist and Protestant crowds as well. Let us put that clearly on the record. Recently in Kilkeel they were fired at a loyalist crowd. Take, for example, the most recent incident in Londonderry. There the circumstances which gave rise to the most recent tragedy were that, army bomb-disposal officers, while engaged in defusing an IRA suspect bomb, were subjected to a savage stoning attack by rioting youths. The soldiers needed to defend themselves and fired plastic bullets. The injury now complained of would never have happened if there had been no such riot. If there had been adequate parental control, then we should not be discussing the tragic death of this 12-year old boy.

I must say, Mr President, that it is noticeable and significant that some of those behind this motion today have been tellingly silent in condemning attacks upon the security forces and the civilian Protestant population. In the past month alone, we have had a markedly sectarian murder by the IRA of a Protestant farmer in the border area, as part of the IRA's ongoing genocide campaign against Protestants along the border. We have had a province-wide bomb-blitz in which two young men were callously done to death in Magherafelt. We have had police officers murdered in cold blood, especially in Londonderry. In one such attack a young 19-year-old-woman constable, who, like all women constables, was unarmed, was gunned down by a ruthless IRA killer gang. During the past few hours, a Roman Catholic was murdered on the Antrim road and a Protestant murdered in the Strabane area. It is conveniently glossed over by some Members that hundreds of policemen and soldiers have been killed and injured and that they have been assaulted by thousands of petrol bombs, nail, blast and acid bombs, boobytraps, rockets, heavy gun-fire, hand grenades and many other lethal weapons.

Those behind this motion say, ban the plastic bullet. But I have yet to see their names on a motion support-

ing the security forces in their attempt to bring law and order to a very dangerous and terrible situation. Let me make it clear to this House that no Ulster Unionist has any say whatsoever in the control of the security forces; they are under the control of the Westminster Parliament. But it is easy to criticize the security forces in Northern Ireland, who are doing a very difficult job in the most difficult of circumstances. Before we do that, let us view all the facts and avoid becoming a tool in the hands of the forces of terror in Northern Ireland. In order to avoid that trap, I believe we should reject this partisan and politically motivated motion.

(Applause)

President. — I call Mr Van Minnen.

Mr Van Minnen. — *(NL)* Mr President, at least this discussion has one gratifying aspect. Since we are finally having a debate on these plastic bullets after all sorts of groupings have continually denied how terrible these missiles are and have managed to keep the subject off the agenda for months and months by their manoeuvrings.

We are concerned with plastic bullets, and anyone who still thinks they are harmless toys should take a good look at one of these bullets, I don't think you can ever have done so, Mr Paisley. They aren't candles for burning in your church. They are murderous weapons fired deliberately at people, at children, at a speed of 240 km per hour and you are their high priest. This is a used one, incidentally.

(Applause from various quarters.)

One of the 'only 200' as Mr Fergusson has the affrontery to say in his amendment. 'Only 200' were fired in Northern Ireland in the past year. One of these bullets was responsible for the cold-blooded killing of an 11 year old boy a few weeks ago.

There is of course no such thing as a humane bullet, but anyone who pretends that the use of plastic bullets makes a contribution to the humanization of law and order — and I mean you Mr Paisley — is guilty of dreadful blasphemy and unequalled contempt for his fellow men. Indeed Mr Fergusson's amendment which proposes that the use of, and I quote: 'lethal weapons in crowd control should be restricted to the absolute minimum' in fact plainly reveals that at present the use of lethal weapons in Northern Ireland is actually maximized.

Nor, indeed, is the use of plastic bullets likely to remain restricted to Northern Ireland, since the police in Belgium, France and my own Netherlands already seem to be looking with some longing at this new possibility of 'maintaining order'.

Van Minnen

We are discussing something that should simply not be possible, plastic bullets which are totally reprehensible from the moral point of view. The motions for resolutions before us today and which aim to ban this new means of mutilation should be adopted by this House with no further excuses and no further delay.

(Applause).

President. — I call Mr Fergusson.

Mr Fergusson. — May I just put the record straight about what Mr Van Minnen said? My amendment does talk about potentially lethal weapons. After all, a bottle is a potentially lethal weapon and I hope that the House at least will appreciate that distinction.

President. — I call Mr Blaney.

Mr Blaney. — Mr President, as one of the original signatories to the motion which finally has come before this House after many, many months I am very glad to say that the support which is evident from the various groups, not only in signing the original motion but in submitting three further motions on the same matter, would give the lie to Mr Paisley's remark made, I believe, on 'Good Morning', an Ulster radio programme, this morning when he said, as I understand it, that I was leading a bunch of supporters of the IRA here in this Parliament today. That is what he thinks of those of you have signed these motions and I want him to take it back. He should apologise to you but . . .

(Interruptions from Mr Paisley)

. . . May I just say that these motions do not, as you understand, pertain only to Ireland; they pertain to the entire Community of ten nations. And what has been happening these months and years past may well, if its motion is not carried, happen in your countries, maybe next week, next month or next year, and I know you do not want that. It is a total ban we want — not for Ireland, but for all of the Community because these plastic bullets are lethal and they are being used indiscriminately.

Listen to these figures. When rioting was much worse than it is today in the years right up to 1976, rubber bullets were used with very particular emphasis on control of their use, and during those 7 years only 3 people, regrettable though it was, were killed by rubber bullets, whereas in the five months from April to August of 1981, 7 people were killed in Northern Ireland by these plastic bullets. And in case you might have not seen one, there is the case, and the bullet within, and the charge is still in it, but it is made defective because the cap has been removed.

We do not do that, it is the peacekeeping forces in the six counties who do it — fire on children; fire from passing vehicles and are totally indiscriminate as to what they do. During the past year, 11 have died, 7 of them under 15 years of age.

Will anybody, even the most rabid supporter of the use of this deadly weapon, say to this House honestly that children of that age are in fact endangering the security forces armed with the latest weapons, with bullets, and not just plastic bullets? It is totally wrong and is unnecessary and should not be used any longer in any civilized country.

We want, then, this House to look at the motions and, indeed, to carry all four motions that are before you and to ignore the watering-down by the well meant amendments of the Conservative Party, the very intention of these four resolutions. But I will say to you this; they have only applied their amendments to the first three. So if they water down the first three, you may still vote for the last one. It has not been watered down — for what reason I do not know. No amendments have been put to it. The ban is in it and that is what we want. That is what we ask you for. That is what we have been working for since last October and I thank the Parliament, I thank the Bureau and I thank the Members for making it possible to bring it before you here today.

(Applause)

Mr Paisley. — Mr President, the Member who has just spoken slandered the security forces of Northern Ireland, he made a statement that I was on Radio Ulster today . . .

President. — Mr Paisley, under which rule are you raising this point of order?

Mr Paisley. — Rule 67.

President. — It does not apply in this case.

I call Mr Balfe.

Mr Balfe. — I hope the British Conservatives have noted that the Commission is putting up Mr Dalsager to reply. They might bear that in mind when they are intransigent on agricultural prices.

100 000 plastic bullets have been fired; 14 people are dead, yet plastic bullets are put forward as though they are some sort of romantic thing. Let me read you a description of one. They are harder than car tyres, cylinders 5¾ inches long, 1½ inches in diameter, weighing ⅓ of a pound. They leave a gun at 160 mph. Translated into reality, that means they hit people at

Balfe

1½ times the speed of the fastest English test-cricket bowlers, if that means something to British Conservatives.

We are told they are used for defensive purposes. Why then was hephen McConomy, the latest victim, hit in the back of the head? Why? We are told that no in the riot situations in which someone has been killed with a plastic bullet no one else has been killed or injured. That sounds very strange. No one at all from the security forces has been either killed or injured in any of these 14 instances.

And now what do we have? We have the British Conservatives moving amendments, and let me draw attention to one very sinister amendment. The Christian-Democrat resolution says that we welcome the statement made on behalf of the British Government that 'plastic bullets will not be used to quell public protest on mainland Britain'. The British Conservatives have moved an amendment to remove that. Is this because they see them being used in Brixton, in Notting Hill, in Liverpool, in Glasgow, Manchester, Bristol, Birmingham? Where do you want them used? And if you do not want them used in Britain, let us know why you want that statement removed. Let us know what your policy is. Is it to have plastic bullets fired in the black communities in Britain? Is it to use this police-state method on the mainland of Britain because, if it is, it would not be the first time that things have been practised in Northern Ireland and then exported to Britain to curtail civil liberties and the rights of individuals.

I ask this House to reject every amendment that is tabled. They are all disruptive or wrecking. To pass every resolution here because we are not only speaking about Ireland, we are speaking about the use of plastic bullets in Britain; we are speaking about the use of plastic bullets in Europe; we are speaking about curtailing the use of plastic bullets all round Europe because they are fundamentally dangerous and that is why so many children — innocent children — have been slaughtered.

President. — I call the Commission.

Mr Dalsager, Member of the Commission. — (DA) Mr President, the motions for resolutions on the banning of plastic bullets are addressed to the Member States, and quite rightly so. For the purposes of the present debate the Commission can only say that it, too, is naturally appalled by the number of victims of the use of plastic bullets during riots this year alone. We sincerely wish that there could be an end to their use, just as we are opposed to all violence. What we are talking about is the exercise of national police authority, which is the sole province of the Member State concerned and on which the Commission has no influence; it therefore does not wish to express a direct opinion on these motions for resolutions.

President. — The joint debate is closed.

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Votes¹

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4. *Establishment of a Centre for Friendship in Crete*

President. — The next item is the motion for a resolution (Doc. 1-237/82) by Mr Plaskovitis and others on the establishment of a Centre for Friendship amongst Peoples and the Promotion of Studies on the Resistance against Nazism at Anogia, Crete.

I call Mr Plaskovitis.

Mr Plaskovitis. — (GR) Mr President, the motion for a resolution signed by Members of all the Greek political parties and by colleagues from other Community countries has symbolic significance. Just a few days ago it was the thirty-seventh anniversary of the end of the Second World War, an end which set the seal on the solidarity in the supreme sacrifice of the democratic peoples for the preservation of the principles of civilization and for respect for the life, liberty and dignity of man. The thousands of people who made this sacrifice did so not only on the great battlefields but also behind the lines of Nazism and fascism, inside the countries which the armies of the Axis powers succeeded in occupying during the war. And everyone knows what a high price was paid for the resistance struggle.

So with the thirty-seventh anniversary of the end of the War the Mayor of Anogia took the initiative of addressing to the Members of the European Parliament a letter which Mr Kyrkos forwarded to the President, Mr Dankert, and in which it was proposed to set up a Centre for Resistance Studies and Communication between free peoples. Mr Dankert has already replied to the Mayor of Anogia encouraging him in his initiative.

But what is Anogia, Mr President, and why has today's motion for a resolution been tabled?

On this point I shall confine myself to reading you the order issued on 13 August 1944 by the Nazi general commanding Crete, Heinrich Müller. It reads as follows:

¹ See Annex.

Plaskovitis

Since the town of Anogia is the centre of British espionage in Crete, since the population of Anogia carried out the murder of the guards at the Yeni Cave fortress, since the inhabitants of Anogia carried out the act of sabotage at Damasta, since Anogia provides refuge and protection for the partisans of the various resistance groups and since the abductors of General von Krabbe passed through Anogia with their victim, we order the razing of the village and the execution of every male inhabitant of Anogia who is found in the village and within a radius of one kilometre of it. Khania, 13 August 1944.

Thus the village of Anogia was wiped off the face of the earth, to be rebuilt on the high mountains of Crete some years after the War.

Mr President, if the proposal of the Mayor of the village and the motion before us are adopted, it would be paying homage to all the towns and villages of then occupied Europe which stood guard over human pride and which fought for a peaceful world free of violence and oppression. With today's proliferation of conflicts and armaments, it would be a worthwhile step if the wish of our peoples to coordinate their attempts to ensure that the threat of war is banished forever were to take the form, with your kind agreement, of a symbolic monument in Anogia.

President. — I call the Group of the European People's Party (Christian-Democratic Group).

Mr Gerokostopoulos. — (GR) Mr President, I should like on behalf of all the Greek Members of Parliament to thank these Members from the other political groups in Parliament who have joined us in signing the motion for a resolution. Thanks are also due, I feel, to all those Members who thwarted the curious attempts to prevent the debate on the present motion under Rule 48 of our Rules of Procedure.

As Mr Plaskovitis has just told you, the initiative behind this proposal was that of the Mayor of Anogia in Crete. I should like to supplement my colleague's remarks by giving you a few details about Anogia. It is one of the major winter sports centres in Crete, is situated in the Psiloritis Mountains in the centre of the — if I may say so — heroic island and its foundation goes back to the time of the long Venetian and Ottoman domination. Apart from its natural and geographical position, the great fighting spirit of its inhabitants made Anogia one of the most important centres of the struggles by the people of Crete for their freedom, independence and national rehabilitation. But Anogia and its inhabitants paid dearly for these struggles for freedom and on three occasions suffered total destruction. On each occasion it suffered a heavy toll of victims. 1822 was a milestone of destruction, and in 1866 and lastly in 1944 the destruction was carried out on

the orders of the military commanders of Crete then stationed in Khania. Then, as my colleague just told you, the whole village was razed to the ground and the entire male population of the village and within a radius of one kilometre executed. During the last World War, which was a senseless conflict between European nations, blood and tears flowed on the soil not only of Anogia but also of many other Greek cities and towns. I would mention Kalavrita and Distomos, which made very heavy sacrifices, and I would also mention the many other cities and towns in Europe which suffered the same fate. I think, Mr President, that all the Members will vote for the motion before us, which is an expression of the desire of the peoples of Europe and of Parliament to see a monument erected in memory of those who fought against totalitarianism and absolutism.

President. — I call Mr Pesmazoglou.

Mr Pesmazoglou. — (GR) Mr President, I wish to support this motion. I think that if Parliament adopts it, it will be a recognition of the importance of friendship between nations and also of the importance we all attach to the protection of democracy and human rights.

President. — The debate is closed.

I call Mr Forth on a point of order.

Mr Forth. — Mr President, I am very surprised since the motion requests the Commission to set something up which presumably involves the expenditure of monies. I should have thought you would have invited the Commission to comment on how much this is going to cost and which budget line it would come from. How can we possibly pass a motion for a resolution which says this without first receiving the Commission's comments?

President. — That is not a point of order because the Commission can speak when it wants to. If the Commission asks to speak, I give it the floor.

Vote¹

I call Mr Glinne.

Mr Glinne. — (FR) I should like your opinion, Mr President. The next item is supposed to be the joint debate on the motions for resolutions on the forthcoming Versailles summit and the Community's

¹ See Annex.

Glinne

industrial strategy. The debate on the urgent motions should in theory close in seven minutes. I think it would be ridiculous if we started discussing such important matters only to adjourn the debate after six minutes and perhaps never resume it, except by some other means. I think it would be better if the proceedings were suspended at this point.

President. — Thank you, Mr Glinne. You make my job much easier because that is precisely what I was going to propose. We shall suspend the sitting.

I call Mr Nyborg.

Mr Nyborg. — (DA) Mr President, as one of the authors of the first item under No 5, I should like to ask for it to be put on the agenda for the next part-session as a normal item, since we shall be discussing employment policy on that occasion in any case.

President. — Mr Nyborg, you were the chairman of the committee which drew up our Rules of Procedure. You know that this is impossible. It has to be tabled again; there is no other alternative.

(The sitting was suspended at 12.55 p.m. and resumed at 3 p.m.)

IN THE CHAIR: MR JAQUET

Vice-President

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Votes¹

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5. *Illiteracy*

President. — The next item is the report (Doc. 1-88/82), drawn up by Mrs Viehoff on behalf of the Committee on Youth, Culture, Education, Information and Sport, on measures to combat illiteracy.

I call the rapporteur.

Mrs Viehoff, rapporteur. — (NL) Mr President, I have brought to your attention a number of mistakes in the German text, and I hope that they will soon be rectified.

There is something odd about illiteracy. Not only the illiterate themselves but also many of the governments of the Member States have until recently tended to conceal the problem, dismissing it as something which did not exist in their countries or, if at all, only among foreign workers. As you know, attending school is compulsory for everyone. In response to a Commission questionnaire sent to the Member States at the end of 1979, the governments of France, the Netherlands and Luxembourg, for example, said that there was no illiteracy in their countries. Since then, the Federal Ministry for Education and Science has published a report confirming that there is illiteracy in West Germany, and a report by the ATD — Fourth World organization in Paris has shown that illiteracy really does exist in urban areas of Belgium and Luxembourg. This information leads us to assume that France too is not free from illiteracy.

Judging by the replies to its questionnaire which the Commission has received, at a conservative estimate 4-6% of the population of the Community, in other words 10-15 million people, are illiterate an unacceptably high number in itself, but especially once it is only a conservative estimate. When literacy projects are introduced, this being the only way to trace illiterate people since surveys are *ipso facto* pointless, the rush of interest is so great that it is often impossible to help all those who join.

Mr President, if we assume that illiteracy is linked to a great extent to poverty and partly to inadequate education, then we must also assume that illiteracy will increase in a time of rising unemployment and a deteriorating economic situation which has, unfortunately, already resulted in cutbacks in the education budgets of various Member States. And in addition the accession of Spain and Portugal will increase the percentage in the Community.

How can we define illiteracy? There is still no generally accepted definition. Illiteracy may refer to adults who have never been to school, people who have only had a very short school education, educated people who have lapsed into illiteracy and migrant workers who are literate in their own language but not in that of the host country. Illiteracy is often defined according to very rigid standards. I would prefer to use a broad definition of illiteracy as the condition of people who cannot or can hardly read or write and who find this a handicap to full activity and participation in the community. They are people who come to grief in most social situations, since the consequences of being unable or scarcely able to read and write are not

¹ See Annex.

Viehoff

inconsiderable in a literate society. It hampers self-development and results in a general loss of opportunities, particularly in employment.

These days even a decent education does not guarantee a job, but illiterate people are hit twice as hard. A striking example of this was to be found in *The Times* of 10 May. It concerns a man who, at the age of 25, was refused a job as a dust cart driver because he was illiterate. After going to the unemployment exchange every day for eleven months in search of a job, he was told, on his last application for a job as a refuse collector, that he could not be considered for the job because he was illiterate. Surely the most ironic of examples.

But society too has to be made aware that illiteracy is bad. The fact that people taking part in the decision-making process are not well informed on every level represents a social problem for a democratic society and a threat to its healthy development. The ironic thing is that the possibility of using political means to change the circumstances which cause illiteracy is, to a large extent, denied the very people who suffer from it most. Mr President, in our report we call on the governments of the Member States to recognize the social and educational problem of illiteracy and to commit themselves to its eradication. We also call on them to give this priority, in spite of the difficult financial and economic situation, and we hope that any existing literacy project will be integrated with programmes designed to eliminate the many forms of disadvantage with which illiteracy is generally associated. The forthcoming meeting of Education Ministers on 24 May is an ideal opportunity to make a Community statement. We urge the Commission to make more money available from the Social and Regional Funds to develop a number of further activities in addition to these already pursued by the Commission, including supporting inquiries to trace the nature, extent and causes of illiteracy; drawing up a comparative report on the actions taken in this field by the various Member States; gathering and disseminating information, and helping in the possible introduction of a European non-governmental literacy organization. We recommend cooperation with the Youth Forum which works in this field as well as with agencies such as UNESCO and the Council of Europe.

Mr President, the public must be made aware of the problem — it must be brought out of the closet and the stigma attached to it removed, since it is not the illiterate themselves who ought to be ashamed of their handicap, but the literate society which conceals the problem and fails to make every effort to eliminate it. We often discuss the subject of human rights in this Parliament, but in most cases we are concerned with the rights of people far removed from our Community. One of the rights which our citizens possess is the fundamental right to education. But if no facilities are offered to support this right, it becomes meaningless. Mr President, a number of amendments have

been tabled strongly emphasizing dyslexia and word-blindness in particular. Although I certainly appreciate this problem, it is nevertheless a medical one and may well only serve to distract attention from the social problem, particularly the poverty aspect. I hope that the emphasis will remain on this our more serious problem, and that you will approve my proposals on the amendments on word-blindness, which Mr Beumer will describe this evening. Because, as I have said, the greatest problem lies elsewhere.

Finally, Mr President, I should like to draw attention to the fact that there are still some discrepancies in the text, particularly, as far as I can gather, in the German version. So I would ask you to use the Dutch as the original for the purposes of translation since it was on the basis of the Dutch text that the Committee on Youth and Culture reached its decisions.

President. — I call the Socialist Group.

Mr Lezzi. — (*IT*) Mr President, ladies and gentlemen, although the figures on the persistence of illiteracy, which unfortunately must be put along-side unemployment and the problem of poverty in the Europe of the Ten, are not official data, they lead us on the one hand to ask ourselves why literacy campaigns have failed in Community countries, and on the other, to conclude that emancipation from illiteracy must be sought within a far-reaching project for social transformation and emancipation, explicitly including the combating of illiteracy.

We fully approve the report by Mrs Viehoff, on account of the replies she gives to these questions which we shall not come back to. We appreciate the serious character of her study and the worthiness of her proposals. On the other hand, it is a very good thing that the Commission acknowledges the existence of this problem, which as Mrs Viehoff said just before can be expected to increase with the entry of Spain and Portugal into the Community, and that the Commission itself has for some time been directed towards facing up to it in the framework of continuing education and the fight against poverty. Nevertheless, we must be vigilant and stop any governments trying to cut back budgets, even with the anticipated fall in numbers in primary schools over the next few years. The seriousness of the illiteracy problem is also a consequence of political choices made by public authorities in the field of education and social development. While historical circumstances have meant that instrumental illiteracy and semi-literacy are a southern European problem, it must be borne in mind that reversionary illiteracy and social, cultural and political illiteracy lead to problems which affect all Community countries.

The need is therefore felt everywhere for specific approaches able to meet the most obvious and most

Lezzi

strongly felt needs of the individual by means of literacy campaigns. That means there is a need to look for real, concrete motivations whereby learning to read comes to represent the direct and most immediate possible channel towards new conditions and prospects of life.

Hence the need to link literacy campaigns to a commitment towards new human conditions.

Lastly, Mr President, greater efforts than those undertaken up to the present must be made to eliminate cases of immigrants who do not know the language of their host country. Measures are needed to create an atmosphere which accepts their problems and develop public attitudes which are increasingly better disposed towards them.

(Applause from Socialist Group)

President. — I call the Group of the European People's Party (Christian-Democratic Group).

Mr Hahn. — *(DE)* Mr President, ladies and gentlemen, we are very grateful to Mrs Viehoff for having tackled a problem which, for a long time, has not received sufficient attention within the education policies of Member States. Although members of the Group of the European People's Party have tabled some amendments, we will be voting for the report.

Some people will no doubt be surprised that we are concerning ourselves with illiteracy in Europe. Shouldn't this be a problem for UNESCO, whose task it is to deal with conditions in the Third World and in developing countries? We have, after all, had compulsory schooling for over 100 years now in nearly all the Member States, which makes it almost impossible to believe that illiteracy in Europe is actually on the increase.

What are the reasons for this? Mrs Viehoff laid particular stress on the fact that economic conditions are to blame, and I second what she says. This fact holds particularly true for areas which are economically underdeveloped and in which — consequently — it has become extremely difficult to implement compulsory education properly. This is of course also true in the slums of our large urban areas. What is more, it applies particularly to the children of migrant workers arriving in an area where a different language is spoken and encountering difficulties when they try to catch up at school. This is a major social problem which is also connected to the fact that these children do not get the necessary support for their schoolwork at home.

We cannot fail to be struck by the fact that, whereas overall living standards have risen in the European Community, illiteracy is not only not receding but is

actually on the increase. That should really make us think about whether there are any other reasons for this. I should like to focus on a topic which to our mind is very important, namely dyslexia, which has only really begun to come to people's notice in the last few years.

Let us consider, for example, the case of an extremely well-off family with five children. Four of the children are developing quite normally but one threatens to remain illiterate. What can be the reason? Dyslexia: the inability to read and write. In fact this is a medical problem that has to be recognized as such and combated with the aid of medicine and psychology.

I should like to mention a third reason for illiteracy: the highly intentioned educational reforms which have been pursued in many of our Member States over the last 15 or 20 years and which have led, in particular, to comprehensive changes in the basic structure of our primary schools. Whereas primary schools were originally places in which children were only slowly and gradually introduced to actual learning and led from concrete realities to abstractions, nowadays people have gone over to the idea of introducing abstractions quite early on. These theories reached us mainly from the United States and are particularly in evidence where modern mathematics is concerned. Syllabuses for the third year of primary school contain not only the decimal system, but also the septimal, octal, and novenary systems, which require children to have a considerable ability to cope with abstractions. A highly intelligent child has no difficulty in grasping these concepts, but for many — particularly for late developers — they are far too hard to understand.

We can observe similar situations all around us. I wanted to draw attention to those three causes in particular, and I ask the governments of Member States to take note of the problems and to provide the necessary means — of solving them above all, by supporting research projects.

(Applause)

President. — I call the European Democratic Group.

Mr Patterson. — May I first of all welcome this report in the name of my group. It comes as a shock to a lot of people, and indeed it is not generally believed, that in the United Kingdom at the moment there is something like 2 million who are classified as illiterate, and Mrs Viehoff mentions a figure of 10 to 15 million for the European Community as a whole.

Now why should this be a Community matter? I have received a brief from my own government which says that the degree of literacy influences the ability to obtain or retain employment and employment mobility. Therefore, it follows that it is a matter for the

Patterson

Community, and it is for that reason that we shall support Amendment No 9 by Mr Giotti. It is a problem which has been recognized for at least 10 years in the United Kingdom and we have had, during that period, a very ambitious adult literacy scheme in which valuable experience has been built up. We are anxious that that experience should be shared as widely as possible in the Community. Could I make two main points?

First of all, literacy or illiteracy is relative. The classification 'normal', that is functionally literate, is a reading age of 9. Now Mrs Viehoff has already mentioned the Sheffield dustman who was refused a job because he was not literate. It is interesting to look at the estimated reading ages necessary for certain absolutely normal functions in life. To read a popular newspaper like the *Sun* or *Mirror* requires a reading age of 14. The Highway Code needs 13; income tax needs 15; a trade union application form needs a reading age of 17; a supplementary benefit form 17; the instructions if you spill bleach on yourself with risk of blindness, 16 and the average hire purchase agreement is so high that it is not possible to calculate a reading age. This tells you that literacy is relative so that almost everybody in the Community in some sense is illiterate — it is an enormous problem.

My second point is about dyslexia. It is only recently that it has been recognized that there is such a thing as dyslexia. Previously, children in schools who were dyslexic were thought merely to be stupid or lazy, and it is a great advance that dyslexia has been recognized. That is why I shall support Mr Hahn's amendments and I hope he will support mine.

But, Mrs Viehoff, it is not a small problem. The estimates of the numbers of dyslexic people suffering from neurological problems which lead to reading difficulties and other difficulties is 5% of all children and it is estimated that 500 000, that is one-quarter of a million or a quarter of the total of those who are illiterate in the United Kingdom suffer from problems of dyslexia, so it is not a small problem; it is a major problem.

Major research has been done in this field in Denmark, in the United States in particular in which interesting facts emerge for example the Japanese alphabet has two forms of symbols — *kanji* which are ideograms in which dyslexics find no difficulty and *kana* which are syllabics in which they find great difficulty. That would have enormous implications for research into reading problems within the Community where we tend to use alphabets based on phonetics. Now all this valuable experience should be researched by the Commission and shared. That is why I think this is such an important report.

I call on Commissioner Richard, whom I see looking at me, when he comes to revise his proposals for the Social Fund to make sure that money is available so

that this kind of thing can be done in the Community over the next few years.

President. — I call the Liberal and Democratic Group.

Mrs Pruvot. — (*FR*) I would firstly like to express my personal support and that of my Group for the motion for a resolution tabled by Mrs Viehoff, a motion which has actually managed to raise the question in this House of illiteracy in the Community, the scope and scale of which many of us no doubt did not realize up till now.

The figure of ten million illiterate in the Community quoted during the session on illiteracy organized by the Youth Forum of the European Communities aroused violent reactions ranging from scepticism right through to astonishment or indignation. After decades of compulsory schooling how can there still be ten million people in our Community who do not know how to read or write? What a handicap illiteracy is for an adult, whatever his position and especially for a European adult! Imagine the humiliation and difficulties they must experience in their daily lives! Unfortunately, the phenomenon is still extensive, especially in the less privileged regions and social classes. We must come to realize that the inability to read and write normally is a serious handicap and a major obstacle to occupational training.

What action can thus be planned and carried out to combat and vanquish illiteracy? Firstly there should be stricter respect for the compulsory nature of primary and intermediate schooling, especially in the poorest and most isolated regions of our Community. Secondly, there must be support for efforts undertaken by public and private organizations engaged in literacy campaigns for adults. This is difficult work which has firstly to overcome the understandable defensive barriers of illiterate adults, who rarely admit to their handicap. This work is largely carried out by voluntary non-profit-making organizations like ATD-4th World, whose generous efforts deserve our support. Thirdly and lastly, a series of measures needs to be taken to detect and solve problems of children experiencing difficulty in learning to read and write, such as the dyslexic children Mr Patterson spoke of. To be effective such measures must obviously be applied from the very beginning of schooling. I echo Mrs Viehoff's words in saying that this problem extends beyond the framework of this report, but that very close attention should be given to it. I hope, Mr President, that this motion for a resolution will meet with unanimous approval in this House.

President. — I call the non-attached Members.

Mr Buttafuoco. — (*IT*) Mr President, I would like to indicate my full support and that of my colleagues for

Buttafuoco

the report submitted by Mrs Viehoff on behalf of the Committee on Youth, Culture, Education, Information and Sport. It could not be otherwise, in view of the fact that illiteracy is a very serious problem and a major curse of society, especially in the way it holds back the individual from participating fully and effectively in the life of the society to which he belongs, with all the implications that that holds.

The figures available are disturbing. The assessments according to which the illiterate population in the European Community varies between 4 and 6% of the total population, that is between 10 and 15 million people, are as the Commission confesses actually optimistic. This scourge affects all countries of the Community, in the north and south, be they generally more highly industrialized countries, and therefore better equipped socially, or countries more affected by unemployment and the economic recession. The Netherlands' figure is around 4%, the number of illiterate people in the United Kingdom amounts to two million, and France, Germany and Luxembourg, who had claimed that there was no illiteracy in their countries in their replies to a long questionnaire from the Commission in 1979, have been proved wrong by a study carried out by ATD-4th World to be published shortly, which shows that there is a considerable number of illiterate people even in those countries.

Alongside the problem of the indigenous population, there is that of the immigrant workers as Mr Lezzi remarked so cogently, who are completely devoid of any knowledge of the language of the country they live in, and consequently are penalized even more seriously, especially since they receive little aid, I am sorry to say, from the countries they immigrate to.

Nowadays the problem of illiteracy is becoming in a certain sense more acute when allied with the substantial unemployment affecting Community countries, because the occupational problems facing societies hit hardest the underprivileged categories, immigrant workers as we mentioned, ethnic minorities, inhabitants of depressed areas, the handicapped and the underemployed. The basis for a really effective campaign would be a new initiative to bring about real Community harmonization in the education field, which could eliminate the curse of illiteracy from our society with the aid of all Member States.

Steps must be taken to avoid the levelling off in population figures now anticipated leading to cuts in budget expenditure in the education sector, thus producing further unemployment. Teaching staff who might otherwise be unemployed must be mobilized in the fight against illiteracy, and pilot projects should be prepared with this aim in mind. Clear Community action is needed to set this going and overcome the hesitations and the resistance of some countries to an increasingly energetic interpretation of the Treaties.

President. — I call Mr Boyes.

Mr Boyes. — Mr President, first let me congratulate Phili Viehoff on her report and Parliament on allowing such an important report to be debated. I want to add just a few words to the excellent remarks made by Phili Viehoff and also by my good friend and colleague, Mr Lezzi.

I agree totally with Ben Patterson that dyslexia is a major problem and a problem that must be tackled in its own right. But it would not be right or fair to pretend that there are not problems of illiteracy caused by other reasons or, secondly, to try to hide the major problem of illiteracy behind what is another and, I agree, a real and important problem. I believe that there is a relationship between poverty and illiteracy, and they both seem to be growing at far too rapid a rate in this Community. We talk here about an advanced society and it is very sad that it is in this advanced society that we have the real problem of growing illiteracy.

Another cause of illiteracy is the lack of will of national governments to tackle the problem. It is interesting that money can always be found for more advanced armaments and for sending task forces to the Falklands, but there does not seem to be sufficient money available to tackle this major and serious problem.

Thirdly, some blame must be put on the education system. However, I certainly do not blame the teachers, because it is not the teachers, for example, in Britain who have decided that there must be cutbacks in the number of teachers in the education system. Nor is it the teachers who decide that they want over-crowded schools in which to teach children in the very critical period from 4 to 7 years of age.

Illiteracy has some very serious consequences. In the free West and in our democratic society people have to make judgments with regard to the parties for which they are asked to vote. If people are illiterate, then they are not going to have the same opportunity to study the statements and writings of the major political parties.

Secondly, there is the problem that illiterates find it more difficult to get jobs; and as more and more people find it difficult to get jobs, then there are more and more illiterates. So these people are, in a number of ways, vulnerable in our society, a society making rapid technological advances but leaving millions of people far behind without any job opportunities.

I see two major areas of solution. Firstly, the national governments must have crash programmes to tackle this problem. Secondly, I do not expect the Community to be able to solve a problem that is on such a vast scale, but I do ask the Commissioner to consider carrying out a series of pilot projects on the use of advanced technology, so that people can pop into centres and avail themselves of computer-based teach-

Boyes

ing programmes and other such facilities that are at hand. I know it is expensive, but I think that this is the way in which the Community and the Commission might cooperate with us in solving this particular problem.

President. — I call Mr Kallias.

Mr Kallias. — (GR) Mr President, being illiterate is like being in the dark. An illiterate person's sight is restricted because he cannot manage either to achieve professional advancement or to carry out consciously his civic duties and enjoy his civil rights, or to cultivate his intellect in the most elementary way. He has no horizon.

It is the duty of all of us to eradicate illiteracy throughout the world. The next stage after that is to progress to a longer period of schooling. Then education should be continued at intervals, since nowadays knowledge progresses by leaps and bounds, and anyone who undergoes training and then stops very soon becomes useless, then protests against everyone else and does not want to understand why he is being left behind.

It is easy to combat, or rather to prevent, illiteracy when people are young and it is difficult to tackle it when people are older. But in such cases the attempt, even if the results are arithmetically low, must not be neglected or considered vain.

Fortunately the overall level of illiteracy in the European Community is one of the lowest in the world. But what illiteracy there is must be tackled and eradicated.

Another of our duties is to launch a crusade to combat illiteracy throughout the world. Our slogan must be health throughout the world and education throughout the world, equal election opportunities for all, guaranteed employment and satisfactory earnings for men and women, for people of all political persuasions and all social systems without regard to race or colour.

In Greece there has been a major effort on the part of the State to combat illiteracy, especially adult illiteracy. As Minister of Education in 1953, I launched and pursued this effort, which has been completed by my successor and our present colleague, Mr Gerokostopoulos. 21% of the population was illiterate in 1951. By the time of the 1961 population census it had fallen to 17.7%. The 1971 census showed 13.6%. And according to the provisional assessment of the 1981 results, it is approximately 10%.

Before I finish I should like to stress the great contribution of the teachers and the difficulties encountered by infant school teachers and primary school staff. They have to work with system and to pull down the barrier of ignorance. They must go towards the child,

treat him with patience and tenderness. They must lead him by the hand and guide him through his first joyful skips and his first steps of progress. And this persevering effort is repeated each year with the arrival of new pupils.

The more we love our children the more we must recognize and appreciate the work of teachers at all levels.

President. — I call Miss Hooper.

Miss Hooper. — Mr President, if we take an interest in human rights throughout the world — and as the only democratically elected international Parliament in the world it is right that we should do so — then it is most important that we consider human rights within our own Community. It is for this reason that I and many of my colleagues choose to support the International ATD Fourth World Movement, and I note that Commissioner Richard and the President of the Commission are co-presidents of the Fourth World Festival of Solidarity to be held in Brussels next Saturday.

The Fourth World Movement has worked amongst the poor of the European Communities for over 25 years. It has found that over four million men, women and children throughout the European Community, representing 5% of the total population, remain in a state of extreme poverty. Ten million depend on social security to survive and one million have no lodgings.

One small step which we can take to help these people is to see what we can do to equip them to take a more active part in an increasingly sophisticated and technically developed society. In tabling the motion for a resolution on which Mrs Viehoff's report is in part based. I and my colleagues who signed it felt that we were taking an essential first step in the right direction, but only a first step.

Other statistics have been quoted this afternoon, Mr President, but the Fourth World Movement has found that in the four countries in which it has conducted the survey there are 4 million people living in a state of extreme poverty who can neither read nor write. Consequently, they inevitably join the ranks of the long term unemployed. It seems to me, Mr President, that we need a full report on illiteracy to get the facts right before we begin to take action. And we need the ability on the part of the Commission to produce a specific programme and to monitor it efficiently.

In taking this view, I appreciate that at the end of the day we are talking about money. I therefore beg my colleagues not only to support Mrs Viehoff's report but to put their money where their mouths are when considering budget priorities. I ask them to ensure that

Hooper

sufficient funds are available for pilot projects and special schemes designed specifically to help Fourth World families to help themselves, thus enabling us to take this first step in the fight against illiteracy.

President. — I call the Commission.

Mr Richard, Member of the Commission. — Mr President, may I say right at the outset that I am delighted that Mrs Viehoff and the Committee on Youth, Culture, Education, Information and Sport have taken this initiative to present a report on this subject. May I also say right at the outset that I have a great deal of sympathy personally with what has been said within the limits which I shall come to in a moment as to what we can do.

I personally will assure the Parliament that I certainly will do what I can, although it would be a very bold Commissioner who would ever say that he will do everything that Parliament might expect of him.

I think the report presents a constructive and a realistic analysis of this phenomenon of illiteracy in Europe. The debate, I am glad to say, has also shown that there are more and more people — and I think this is extraordinarily important given the nature of this subject — who are willing to speak up about the problem amongst the indigenous population of Europe as well as amongst immigrant workers. The trouble is that the existence of illiteracy has been seen for far too long as a shameful reflection on the efficiency of educational systems in the individual Member States and for that reason there has for far too long been a tendency to deny its existence or to call it something else. Mrs Viehoff and the speakers this afternoon have been willing to call a spade a spade; they have been forthright as to what it is they are talking about. For that reason alone, this debate would have served a useful purpose. It would have given hope to those who have been working at the grassroots in this field in the Member States, often without the support or the understanding of public authorities.

Illiteracy, Mr President, is a social problem and an economic problem. Without trying to refine the definition of illiteracy, it is clear that if there are more than 10 million adults in the Community without the reading or writing ability currently expected of a 13-year old, our Community can hardly pretend to be an advanced democratic society. Literacy is virtually a necessity in today's world, but society does not provide the means to make literacy the right of every individual. Illiteracy is both a symptom and a cause of both poverty and unemployment, and as the draft resolution points out, action to combat it should be integrated with broader policies designed to eliminate the many forms of disadvantage with which illiteracy is generally associated.

This, I would suggest, does not mean that Ministers of Education are necessarily the most able or willing or best equipped to take responsibility for the elimination of illiteracy. Of course, there are many improvements to be sought within the framework of basic school education in order to ensure that no young people leaving school today are ill-equipped in basic communication skills, but that is preventive action. In the sector of adult education, there have been some of the most remarkable innovations in the area of literacy teaching, reflecting, I think, a gradual change in priorities and methods in favour of the most disadvantaged on the part of those responsible for this sector of education. The whole sector of adult education is, however — and I think we should all recognize the fact — being severely squeezed at the moment financially as a result of the present economic difficulties, and the emphasis at Community level and increasingly within Member States has therefore been on considering illiteracy within broader policy frameworks.

Now, Mr President, in its forthcoming proposals for Community action in the field of vocational training in the 1980s, the Commission will be paying particular attention to the situation of people on the margins of society, living in disadvantaged areas such as inner cities and peripheral rural areas. These groups are first and foremost in need of very basic education and training, very often including literacy and numeracy provision. The Social Fund has already given support to basic training operations of this kind. For adults who lack the essential minimum entry requirements for regular training courses because they have never possessed, or they have never had the opportunity to maintain, basic knowledge and skills, significant operations, for example, have been carried out both in declining industrial areas with Canal emploi in Liège, with Funoc in Charleroi, in Belgium, in Merseyside in the United Kingdom, as well in the rural areas of Normandy, Brittany and the Loire in France, Applications for these basic preparatory courses amounted to 31.4 m units of account in 1980. The Commission will continue to promote such courses, which, as experience has shown, are increasingly necessary with rising unemployment and particularly unemployment of long duration.

The Commission, Mr President, is also keen to promote multilateral exchanges of information and experience between those working at the grassroots of basic adult education and training. Such activities constitute one of the priority areas for the allocation of financial support within the framework of the new budgetary line: continuing training, including cooperation between residential centres for adult education. The use of mass media and distance methods for adult basic education is a subject on which the Commission has already completed a major report based on case studies of experience throughout the Community, and this is now in the course of translation.

From what I have said so far I hope that it will be apparent to the House that in relation to some of the

Richard

specific demands on the Commission that have been made in the course of this debate, we are indeed already responding to some of them. Let me deal with Eurydice, the Community's education information network, which is mentioned in Mrs Viehoff's report. I have to inform the House that the Committee on Youth, Culture, Education, Information and Sport decided only very recently not to add for the time being any new themes to the present four priority themes of the Eurydice information network. Those themes are: transition from school to work, the education of migrant workers and their families, the teaching and learning of modern languages and higher education. However, I should also say to the House that the general Eurydice interest in 'major policy trends in education' would allow the problems of illiteracy to be included in the network if financial and staffing problems could in fact be resolved.

I would also like to mention a number of further specific issues. As mentioned by the rapporteur, the Commission has initiated a sample study in two Member States, Belgium and Luxembourg, in connection with which the nature, scale and sources of illiteracy are being assessed. The final version of this study will be available later this year. The final report from the Commission to the Council on the first programme of pilot schemes and studies to combat poverty was issued on 15 December 1981. This report contains a section on education in poverty which is based on national reports offering an overview of the illiteracy problems and measures undertaken by the various Member States to overcome them.

I was asked by a number of speakers whether the Commission would undertake a series of pilot projects. This is one of those debates, Mr President, where in some ways I would prefer to be one of the Members of Parliament making demands on the Commission rather than the Commissioner responsible for getting up and answering those demands. I can give no commitment to the House that we will in fact start a series of pilot projects. I can give a commitment to the House that I personally will do my best to ensure, with as much sympathy as I can, that this is an issue which the Commission will consider as a matter of urgency and see whether or not there is something that we might not be able to do, but it would be wrong of me, I think, to say to the House that I could give a commitment. I can't. I can give you sympathy and an expression of my intention to try to do something.

As far as a comparative report on government measures to combat illiteracy in Member States and the collation and dissemination of information on the best practices in the Member States are concerned, the Commission does intend to explore ways and means of taking advantage of the specific experience and competence of the European Centre for Vocational Training in Berlin in drawing up comparative studies at Community level. Such a task clearly exceeds the staff resources at present available to the Commission, but I

think it would respond to the desires which are clearly apparent in this debate for activity of that kind. Could I remind the House too that Cedetrop made an active contribution to the organization of a seminar held in Berlin in October 1980 on continuing education and training where special emphasis was put on basic adult education and training, including literacy and numeracy. The final report of that seminar will be available before the summer.

Finally, may I say that the Commission has established close relations and cooperation with Unesco, and the Youth Forum in particular, in the field of literacy. It is exploring at the moment ways and means of contributing to the hearing, organized by the Dutch Youth Council in cooperation with the Youth Forum and with the financial support of Unesco, to be held in Brussels from 22-24 June 1982, which will be aimed at mobilizing public awareness of the problems of illiteracy within the Community.

The Commission, Mr President, is therefore anxious to pursue its activity in this area, but it is as always inhibited by a lack of resources and also by a lack of real political commitment on the part of national authorities. The elimination of illiteracy should be a central element of social policy in my view, and this debate will, I hope and indeed believe, now provide the Commission with some vital political support and indeed some additional ammunition in the development of its actions in this field.

President. — The debate is closed. The motion for a resolution will be put to the vote at the next voting time.

6. *Economic sanctions — GATT*

President. — The next item is the oral question with debate (Doc. 1-155/82), tabled by Mr van Aerssen on behalf of the Committee on External Economic Relations, to the Commission:

Subject: GATT

Since the Community's preparations for the GATT conference are only at a preliminary stage, will the Commission state:

1. What basic position it intends to adopt on the main issues of the GATT conference (implementation of the Tokyo Round, organization of trade, developing countries, future development of trade)?
2. Its opinion on the inclusion in GATT of the services sector, protection of investment and agriculture and the introduction of crisis management.

President

3. What are its proposals for avoiding a further compartmentalization of GATT: which has already begun with the Multifibre Arrangement?
4. Whether coordination between the Community and the EFTA countries is planned for the GATT conference?
5. In what way the European Parliament is to be involved in the preparatory work?

I call Mr van Aerssen.

Mr van Aerssen. — *(DE)* Mr President, ladies and gentlemen, on behalf of the Committee on External Economic Relations I have submitted this motion for a resolution and oral question to the Commission so that we in the European Parliament — together with the Commission — can thoroughly and carefully prepare for the GATT conference to be held in November of this year. The last such meeting was held in 1973. We are asking the Commission to work with us in making preparations for this important meeting.

On behalf of my Group, I should like to make the following points: we must make sure that there is some kind of follow up to this conference so that the resolutions of the last Tokyo Round are really implemented. I believe that this is an essential premise for the success of the conference.

As parliamentarians, we are also concerned with the institutional aspect of these proceedings. Let us not forget that the European Community is now the greatest trading power in the world. Forty percent of the world's trade passes through our hands and through those of the European taxpayers and citizens, including those of the visitors sitting up there in the gallery. Not only is this economically important, it is also a moral obligation on us, as the largest trading power, to make an effort and do what we can to help the peoples of the Third and Fourth Worlds. In other words, we, the European Community, must not just react in conferences such as this one, but must also play an active and central role and develop a general strategy.

The Commission has shown its readiness to pursue this course with us by its response to the oral question which I put to it a short while ago.

I consider my next point quite crucial, Mr President. We members of the younger generation in Germany are aware that one of the factors contributing to the terrible events of the Second World War was that protectionist measures caused world trade to collapse before 1932 and led to frantic attempts by countries to seal off their own markets instead of realizing that a free economic order and an open world market were the best solution for everybody.

At this conference in November, we Europeans, must once again emphasize as strongly as we can that we

have laid the spectre of protectionism once and for all and have no intention of allowing it to rise from the dead. The General Agreement on Tariffs and Trade is one of the best treaty arrangements that has ever been devised to deal with these questions. Considering that we have the Treaties of Rome as well, Mr President, it would be tremendous if the greatest trading power in the world — the Commission and the Parliament side by side — were to breathe new life into GATT in November and once again highlight its powerful and central role.

Alongside the European Community, America, Canada, Japan and other important trading powers are to an increasing extent concluding agreements with regional groupings. The Community has agreements with both the Andean Pact countries and with the Asean States. One of the most important and basic issues seems to us to be how to make these bilateral agreements between individual regions compatible with the provisions of the General Agreement on Tariffs and Trade. It is by no means impossible that this can be achieved.

We will make relevant proposals in due course. Right now, I should like to take the opportunity of telling the Commission that we consider this to be a crucial element of discussion in the preparations for this conference.

Another important point, Mr President, is that GATT, for all its excellent provisions, has not yet managed to develop a crisis management policy. What GATT generally does is to react whenever disputes arise. Whenever this happens, conciliation committees are successfully convened. Conferences have been held in order to clear up disagreements with Japan or the USA, but I will not go into that now.

We have not yet succeeded in devising within GATT a forward-looking policy for the management of crises, capable of predicting where crisis points are likely to arise in international markets over the next few years, and how these problems can be tackled in advance. This is of vital concern to us. We should like to call upon the Commission to join us in thinking about how such a forward-looking crisis management policy could be incorporated into the GATT.

We must of course strengthen GATT in its role as a conciliatory body. Even the Japanese have to an increasing extent grasped the fact that they can no longer conclude simple bilateral agreements along the lines of Japan — France, Japan — Germany or Japan — Italy, but must deal with the European Community as such, now that we are united as a family, and that there is really only one instrument for coping with disputes, and that is GATT. We should also like to collaborate with the Commission in thinking about ways in which the conciliation mechanism of the GATT can be strengthened.

van Aerssen

Next, we are hoping that our friends in the ACP States who are signatories to the Lomé II Convention will back up the European Community in GATT as the greatest trading power in the world. We have concluded preferential agreements with these friendly countries and have offered them a number of possibilities for trading with us and this is all to the good.

So we would like to ask these ACP States to support our position in the GATT and to share our efforts to achieve internationalism and a free and open world trade order. I should like to ask the Commission to give us an opportunity — before we start the discussions in Geneva in November 1982 — of discussing once again, within the context of the Lomé II Convention and with the ACP States, what procedure we can adopt.

I should just like to briefly list, Mr President, the topics which we need to deliberate together.

Firstly, I should like to speak about the protection of investments in third countries. We have still not settled this question. It is an obvious omission. I think our American friends also believe that the question of the protection of investment should be included in the GATT. We would like this topic to be discussed in Geneva.

There is yet another old chestnut to be dealt with. I mean the so-called protection clause in accordance with Articles 23 and 19 of the GATT. This problem must be cleared up once and for all.

Thirdly, we must try to hammer out, fairly and squarely, any problems concerning agricultural exports with the USA, New Zealand, Australia and Brazil. My Group is quite ready to take part in this, and some proposals have already been drawn up.

The fourth aspect of the GATT negotiations which we wish to stress concerns the transfer and further development of modern technology in the Third World and everything related to this transfer of modern technology.

Fifthly, the services sector must be included in the GATT. My Group shares the opinion of the Americans, who believe that this topic has not been sufficiently broached up to now. In November, we ought to make the first attempt to incorporate service transactions — which are assuming ever greater significance for small and medium-sized firms — into the GATT. We should also seize the bull by the horns to ensure that non-tariff barriers to trade — instruments employed by a number of State bureaucracies to hinder world trade with subterfuges of this kind — are once again thoroughly aired in discussion.

Finally, I ask the Commission to think of ways in which agreement can be reached, within the framework of an extended and improved GATT, between

countries with a market economy and those with planned economies for there is simply no alternative to the GATT.

Time may be running out, Mr President, but it is still not too late. We appeal to the Commission to work side by side with members of the Committee on External Economic Relations to reinforce the point of view held by the world's greatest trading power and to present a united front in Geneva this November.

President. — I call the Commission.

Mr Richard, Member of the Commission. — May I say that the Commission regards this debate today not primarily as an opportunity for the Commission to give information to the Parliament, but as an opportunity to listen to Parliament's views on the way in which this ministerial meeting should be prepared.

I think it would be helpful if, therefore, on behalf of the Commission, I avoided going into too great detail on the specific items raised in the oral question, and gave instead some kind of overall picture as to how the Commission is approaching it and on the state of play on the various preparations that are under way.

With a great deal of what Mr van Aerssen had to say I found myself in very considerable agreement indeed. I am sure that Commissioner Haferkamp will read what he said with a great deal of attention and assiduity. I can only say I shall be surprised if Commissioner Haferkamp does not agree with just everything that I agreed with.

As we know the preparatory work which is being conducted by the preparatory committee in Geneva has not yet clearly identified all the issues for ministerial attention. We expect the situation to become clearer in the coming weeks, but it is already clear that such issues as trade in agriculture, safeguards, further trade liberalization to the benefit of developing countries are among the important themes which are going to be dealt with.

Whatever the particular interest of one or other participant in these questions, we should not lose sight of the fact that the whole rationale for this meeting at this moment is to reinforce the GATT system of open world trade as a means of helping us to resist protectionist pressures. However, we continue to believe that it would be premature to launch a major round of new trade negotiations in November 1982. This does not mean, however, that Ministers could not look forward to possible negotiations at a later stage.

The United States are anxious to bring new subjects into GATT, such as services and trade related investment issues. For our part, we are willing to see what can be generally agreed, although it is already clear

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that there is major opposition from countries such as Brazil and India to services and from Canada as well on the investment issues. We are also very conscious that there are some delicate questions of competence in issues of this kind for the Community itself.

Given these points, it is unlikely, in our view, that the Ministers can do more than adopt some formula for further study, but falling well short of any decision actually to negotiate.

Apart from these new subjects launched by the United States, there is much interest in what the Ministers might decide as regards a further work programme for agriculture.

Ideas have been circulating in Geneva to the effect that a complete new assessment of international trade rules in the agricultural sector is now required. The Community's view is that it has long been recognized that there are special rules in the agricultural sector, and most major trading nations understand why. Before we can talk of any improvements to the existing rules, I think we should be concerned that the present rules are equally applied by all concerned. In this context we think it may be time to reconsider some of the derogations enjoyed by certain countries in this sector.

It is our starting point that there are many distortions in the present pattern of world agricultural trade and that these have to be analysed together if one is to get a balanced picture rather than isolating merely one part of a much more general problem.

So far in the Tokyo Round the main attention was on one element — subsidies. Rather than continuing to focus only on this, we believe it would be more sensible to take a wider look at all of the factors involved.

I hope, Mr President, that I said enough at least to give a general picture of the attitudes that the Commission takes in approaching these negotiations and the sort of stance that it will take when the ministerial meeting actually takes place.

It will be of great interest to the Commission, as I said in my opening, to hear the views of Parliament on what I have said.

President. — I call the Socialist Group.

Mrs Wiczorek-Zeul. — (DE) Mr President, ladies and gentlemen, I am somewhat amazed at how the notion of an oral question with debate has been redefined. We were the ones who had asked the Commission a question and expected a reply, whereas now the oral question is obviously aimed at Parliament instead. This hardly counts as giving us the information we require.

On behalf of my group, I should therefore like to propose, on the subject of procedure, that we hold an intensive policy debate on all the problems associated with the preparations for the GATT ministerial conference in November this year. We expect the Commission to support Parliament's immediate involvement in any decisions taken.

I should now like to turn from the question of our main trade relations with other countries and criticisms of Japan or the USA, and instead look at an area which we will soon have to deal with ourselves, since it concerns our trade and external economic policies.

I believe that neither we nor the Commission can make things as easy in the future as they have been in the past. Before we decide upon a basic policy to pursue in the GATT question, we must first deal with a problem to which numerous approaches are already available — namely that we can only uphold the abstract principle of a free external world market economy, i.e. with third countries, at the cost of the destruction of the domestic Community market.

We must instead consider whether the exact opposite is not the case: is it not more necessary for us to maintain free trade within the Community by developing, as EEC Member States, a structured and forward-looking external trade and economic policy, which would of course be varied according to the trading partner concerned, i.e. differentiating between developing countries and newly industrialized countries on the one hand and industrial nations on the other? This is what we should be asking ourselves instead of repeatedly emphasizing our trite rejection of protectionism. Otherwise we will reach the situation where we are formally upholding the principles of world trade externally, while our Member States meanwhile resort to protectionist measures to guarantee job security.

Secondly, we would ask what the Commission infers from the memorandum submitted by the French government, proposing that the European Community should create new instruments for its external trade and economic policy. This too affects the question of the line we are to take in the GATT ministerial conference.

President. — I call the European Democratic Group.

Mr Welsh. — Mr President, I shall use my two minutes to make two points: the first is that of course Parliament must be involved closely in these important negotiations. If the Commission has the goodness to examine an amendment that I have moved, together with many other honourable Members, it will be apparent that we have set out some very clear suggestions as to what the guidelines of the Commission's negotiating mandate would be. Now normally I would

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ask for permission to respond to those suggestions now, but I do not think that would actually be fair to Commissioner Richard who, after all, is not the Commissioner responsible and although I hold Commissioner Richard in very high regard. I must say that I rather regret that Vice-President Haferkamp was unable to be with us on this occasion. But having said that, I am not altogether surprised because it is all very well for Parliament to pretend to influence and guide the Commission in these negotiations, but we also have to consider a little bit what we do here.

I listened to my friend Mr van Aerssen's speech and as usual his analysis was impeccable and I think one would agree with every one of his conclusions. What I ask myself is, however, can he not persuade his own group of that impeccable logic? After all, dear colleagues, this very House in March voted to abrogate all the Community's international obligations under the GATT. We said we would throw it out of the window because we wanted to protect a particular important sector and, indeed, it was that very group over there, I have to say, that did it. And so I do hope that Mr van Aerssen's eloquence will be exercised on his own group and that we can look forward to their voting with us throughout on the resolutions that we present on this important matter.

Because, dear colleagues, there is one very important fact that we have to take on board. And that is that it is not enough to say that we believe in free trade for everybody else but ourselves. Free trade is indivisible. You are either for it or you are against it. It is perfectly proper to be a protectionist if that is the way you wish to be but do not let us pretend that we can expect everybody else to open their borders to our goods and yet, somehow, be able to close our borders to their goods. I believe that it is very important that this Parliament comes down foursquare without equivocation for the open-trading system. If Commissioner Richard tells his colleague nothing else, I hope he will tell him that.

President. — I call the Communist and Allies Group.

Mr Bucchini. — (*FR*) I just want to say a brief word, Mr President, on this oral question, and that is that I believe GATT is a subject which ought to merit a far more substantial debate. The renegotiation of the GATT agreement concerns trade between the EEC and the United States, Japan and developing countries as well. We are all aware of the importance of international exchanges for our economies, for growth and employment. Yet we are only devoting a very short period of time to it, even though the European Economic Community has very obvious powers of responsibility and action in this field. Given the lack of time, I shall not go into details now, but would just like to point out as strongly as I can the urgent need

for a well organized debate that has been prepared in committee.

President. — I call the Liberal and Democratic Group.

Mr Pininfarina. — (*IT*) Mr President, ladies and gentlemen, the immediate, and most serious, effect of economic recession has been a considerable increase in unemployment. In the past, this has often led governments to introduce protectionist measures. That is what happened in the 1930s and in the last few years we have witnessed attempts to reduce imports by applying customs tariffs and barriers.

As a general principle, we, liberals and democrats, are convinced that protectionism to keep out imports ends up by disrupting the employment situation as a whole. It is worthwhile recalling that attempts to use protectionist measures to create new jobs considerably increased the risk that a great number of workers will get their basic training in uncompetitive firms which can only survive thanks to restrictions on imports and government subsidies. This policy only perpetuates existing problems as it does not inspire people to plan effectively for the restructuration and conversion of their firms.

I feel I must stress that the European Community has a crucial role to play in the negotiations to renew and extend the GATT. The European Community must be allowed to intervene, to help one or more member countries with their financial and economic policy problems, but this will mean that the Community must act as a body and not as a group of 10 signatories to the GATT.

We in the Liberal Group believe that it is essential for the GATT negotiations to comprise the first attempt at tackling, on a general level, the problem of technical barriers. For the greatest obstacles to trade these days are no longer the conventional tariff barriers, but — as our group has pointed out in several reports to the Committee on External Economic Relations — technical barriers, which are at the root of a great number of our problems.

It would be a good idea for the GATT to also cover the problem of public orders and those connected with export subsidies which thwart competition considerably in various important markets such as that of ship building. In this context, I should like to mention the work begun by Mr Delorozoy who is preparing a report for the Committee on External Economic Relations on a general policy regarding export subsidies. The liberals feel that it is vital to campaign for the development of a policy for investments in Third countries. International investment is not governed by generally recognized principles and the European liberals and democrats would like discussion of this issue with developing countries to take place as part of the

Pininfarina

GATT negotiations, since this is the most appropriate organization for dealing with trade and investment problems based on a market economy.

We in the European Liberal and Democratic Group would like to underscore the considerable importance of the most-favoured-nation clause. We have registered with concern attempts by some countries to introduce bilateral arrangements which, if carried out, could limit significantly the efficiency of the entire GATT system.

To sum up, the liberals and democrats, consider Amendment No 1, tabled by Mr Pruvot and other members of various political groups to be of vital importance. If this amendment is not adopted, we will be unable to vote in favour of the motion for a resolution submitted by Mr de la Malène.

President. — I have received two motions for resolutions with request for an early vote, pursuant to Rule 42(5) of the Rules of Procedure, to wind up the debate on this oral question:

- motion for a resolution (Doc. 1-248/82) by Mr de la Malène and others on behalf of the Group of European Progressive Democrats;
- motion for a resolution (Doc. 1-249/82) by Mr van Aerssen and others.

The vote on these requests for an early vote will take place at the next voting time.

7. Fisheries

President. — The next item is the joint debate on four reports on fisheries:

- report (Doc. 1-187/82/), drawn up by Mr Helms on behalf of the Committee on Agriculture, on the proposal from the Commission to the Council (Doc. 1-1078/81 — COM(82) 30 final) for a regulation laying down technical measures for the conservation of fishery resources;
- report (Doc. 1-188/82), drawn up by Mr Clinton on behalf of the Committee on Agriculture, on the proposals from the Commission to the Council (Doc. 1-125/82 — COM(82) 147 final) for
 - I — a regulation on the conclusion of the agreement in the form of an exchange of letters establishing fishing arrangements between the European Economic Community and Sweden for 1982
 - II — a regulation laying down certain measures for the conservation and manage-

ment of fishery resources applicable to vessels flying the flag of Sweden;

- report (Doc. 1-186/82), drawn up by Miss Quin on behalf of the Committee on Agriculture, on the proposal from the Commission to the Council (Doc. 1-124/82) on the conclusion of the agreement on the regulation of fisheries in the Skagerrak and the Kattegat in 1982 between the European Economic Community, Norway and Sweden;
- Report (Doc. 1-183/82), drawn up by Mrs Pery on behalf of the Committee on Agriculture, on the coordination of maritime inspection and surveillance operations.

I call the rapporteurs.

Mr Helms, rapporteur. — (DE) Mr President, ladies and gentlemen, the proposal from the Commission of the European Communities to the Council for a regulation laying down technical measures for the conservation of fishery resources has been discussed and debated in detail and voted upon at two meetings by the Working Party on Fisheries and the Committee on Agriculture. The resolution which I, as rapporteur, drew up was approved and adopted unanimously. I call on the House today to approve this resolution with a large majority.

We feel this resolution necessary because of the present situation in the fisheries' sector, where no agreements have been reached and technical measures have not been extended since their expiry last October, resulting in a confused and intolerable situation for the fishermen.

The Commission's proposal offers the possibility of improving coordination and is urgently necessary if we are to be successful in sensibly controlling and maintaining fish stocks by using a serious approach.

The regulation proposal is an opportunity for a compromise between the opposing interests of the Member States, and can only be regarded as such. I believe that it will have to be further supplemented and improved in the light of experience in the future.

Articles 19 and 20 provide for the possibility of special national regulations by the Member States. The Committee on Agriculture seriously believes that these measures and regulations would inevitably affect not only the fishermen of that particular Member State, but also those of every Member State, but that they should under no circumstances be discriminatory. The regulation can, in our opinion, only apply to coastal areas and should only be intended to do so.

In these cases, however, particular protective measures for fish stocks may be of some use. According to the

Helms

Commission, the Member States should be able to apply these measures to fishermen from every Member State of the Community. This, in the opinion of the Committee on Agriculture, represents a possible loophole.

Mr President, the speaking time allowance is so short that I can only pick out a few very important points. We approve the Commission's proposal and wish the Commissioner, who, we are glad to see, is present with us, every success in finally getting this regulation through over the next few weeks. We discussed the state of the fisheries policy during our last plenary, repeating a parliamentary resolution from 1980, and we would now like to urge the Commission and, of course, the Council finally to come to an agreement and put an end to this intolerable state of affairs.

On behalf of the Committee on Agriculture, I particularly welcome the introduction of larger mesh sizes aimed at conserving stocks more effectively in certain catch areas, and I believe that although the timetable proposed by the Commission to the Member States has not yet been approved, it should nevertheless be retained. This, we should now like to emphasize to the Commission, is the particular wish of the committee. It is all a question of ensuring the maintenance and increase of stocks in the Community waters and giving consumers priority over industry market. This too has been an essential element in our discussions up to now, and in all the decisions and resolutions taken by the Working Party on Fisheries and by Parliament.

However, we believe that these technical measures would need to be feasible for the fishermen too. For example, the same mesh sizes and technical conditions should operate in catch areas 4 and 5 in the North Sea, so that fishermen moving from one area to the other do not need to be constantly changing their equipment. We feel it to be desirable that the same conditions should apply to the United Kingdom. The committee agreed that a certain period of adaptation might be necessary, but here too similar reasonable conditions and regulations should be decided upon.

I would ask you to support the amendments submitted by the committee responsible. We believe that horsepower can no longer be altered in coastal areas, as demanded in the amendment, but only in a dockyard. We must prevent fishermen with high horsepower and capacity from being given an unfair advantage over other fishermen, who are prepared to observe the standards set.

Mr President, I should like to thank my colleagues immensely for their kind attention. The House is not exactly crowded, but the fisheries' policy is an important topic which we have often debated. We wish the Commissioner every success now that he has Parliament's backing.

Mr Clinton, rapporteur. — I can be very brief in presenting my report. It simply describes an agreement in the form of an exchange of letters establishing fishing arrangements between the European Economic Community and Sweden for 1982. It also makes provision for a regulation laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden.

The Committee on Agriculture discussed this report and agreed to adopt the Commission's proposals without amendment. This was done for a number of reasons.

First of all, we always seem to be a little bit unhappy that these reports are so rushed. We get the Commission's proposals, and we are almost expected to deal with them on the day we get them. I appreciate fully that the Commission has its own problems and it is not, indeed, that we have no confidence in the Commission and in the work it does in relation to the negotiation of these agreements because, of course, they must be expert, they have a lot of information available to them that is not available in the normal way to the members of the Committee on Agriculture. None the less we too would like to be able to carry out our own checks. Unfortunately, very often we are not in a position to carry out these checks when we get the reports at such short notice.

There is an urgency about the matter, particularly since the interim arrangements under which Swedish vessels are authorized at present to fish in the Community's fishery zone expires on 31 May and it is necessary that a new regime is adopted before that date if an interruption of the reciprocal fishing activities between the Community and Sweden is to be avoided.

Now we do not want an interruption since the existing arrangements are working quite satisfactorily already. Indeed, we hope that they will continue to work in a satisfactory manner, and I think that these arrangements should be strictly adhered to and respected by both sides to the agreement. This is the only way that we can have confidence in each other and that the whole fishery organization between Sweden and ourselves will work out to the satisfaction of the Community as well as that of Sweden.

We are recommending that the Commission's proposals be adopted by Parliament. There are a couple of amendments tabled in the name of Mr Kirk but we can deal with those amendments when we come to vote.

Miss Quin, rapporteur. — The report which I have been asked to present to Parliament today was also passed unanimously in the Committee on Agriculture. I hope that the Council of Ministers can take this into account and that this time the Council can resolve its own difficulties on this particular question and that an agreement can be reached.

Quin

However — and this really supplements the point that Mr Clinton made — we are not very happy at the way that this matter had to be rushed through the Committee on Agriculture in response to a request to deal with it speedily. We do not feel that sufficient time for discussion was allowed. Because of that, we do ask in point 4 of our motion for a resolution, that we should be regularly informed of the state of negotiations on the conclusion of a similar agreement next year, in 1983, prior to the conclusion of such an agreement.

Another matter which we consider important is mentioned in point 3 of the report where we ask the Commission to investigate the relationship between the herring stock in the areas referred to in my report — the Skagerrak and Kattegat — and the herring stock in other parts of Community waters, in particular in the North Sea off the north-east English coast. We understand that some information is available on this, but the Committee on Agriculture has not received it. We would like this information to be available and perhaps the Commission can give some commitment today on when it expects to be able to make the information available to us.

We realize that in many of the matters we are dealing with, which are aspects of a common policy and where we are talking about stocks that move around from one part of Community waters to another, that the fishing activities in one area may affect very much the amount of fish available to fishermen in other areas of the EEC.

In Parliament this week reference was made in this context to the problems connected with the salmon fishermen. The problems connected to the sprat fishery have also been raised in connection with the links between sprat fishing in one part of the Community waters and the amount of fish available to traditional sprat fishery in another part of the Community. In my report, we ask for the link between herring in the Skagerrak and Kattegat and the herring available in other parts of Community waters, where herring unfortunately are not in plentiful supply at the present time, to be fully investigated and request the Commission to draw up a report for the Committee on Agriculture.

Perhaps, finally, could I say, Mr President, that in general, — and again this follows on the point that Mr Clinton made — we would welcome more information, particularly about scientific advice where this exists, and would like to be informed when Commission recommendations differ from what scientific advice already exists. This I believe would help the Committee on Agriculture to make informed and sensible judgments on matters which are of vital importance and which affect the livelihood of people within our Community.

Mrs Pery, rapporteur. — (FR) Mr President, the document I am responsible for as rapporteur concerns the

coordination of maritime inspection and surveillance operations in Community waters. This is a necessary aspect of the common fisheries policy desired by this House. In order for the authorized catch rates, quotas, mesh sizes, catch areas and so on, to be respected and accepted by all, fishermen must be convinced that the rules of the game are the same for all, and that the restrictions imposed on them are intended to defend their livelihood. Surveillance must be efficiently and impartially administered in each Member State, as concerns both fishing and any other human activity affecting fishery resources, such as pollution of the marine environment. Once this principle was accepted, discussions concerned the nature of this surveillance service. Previous reports had recommended the setting up of a Community service.

Ladies and gentlemen, at first I was less ambitious in my aims in the hope of achieving greater effectiveness, in view of the hesitations of some Member States. I would like to draw your attention to the title of the report I am submitting, which mentions the coordination of maritime inspection and surveillance operations. This coordination will be based on national inspection systems. To establish coordination between the various Member States and between fishing sectors such as the Atlantic, the North Sea, the Baltic and the Mediterranean, several centres and a centralized data bank should be set up. Community fishermen and fishermen from third countries have a right to demand that inspection carried out by Member States be impartial. It is therefore necessary to establish a corps of Community inspectors who will receive special training and be responsible for aiding Member States in their surveillance operations, facilitating the coordination of these operations, playing a monitoring role and harmonization, without benefiting from any discretionary powers for all that.

Ladies and gentlemen, some of these provisions must be implemented very soon, care being taken to cut down on red tape. That is why the report I am submitting calls on the Community institutions in item 11 to make provision in the 1983 budget for the staff and financial resources needed. In the medium term, the members of the Committee on Agriculture take the view that the penalties and fines imposed for infringements of the common policy on fisheries and the sea should be comparable, that these fines should become Community own resources and that the European Community should progressively set up a real Community surveillance service.

These proposals may seem unrealistic today, but to conclude this presentation of my report, I would like to remind you of a historical fact which occurred in my region on 2 December 1856, when a Franco-Spanish Treaty was signed in the Basque country laying down rules for shipping and fishing in a river called the Bidassoa and its mouth in the Bay of Biscay, and setting down common regulations and a joint system of penalties and fines. That was more than a century

Pery

ago. Nevertheless at that time nationalism was a stronger force than it is today and the two countries were not linked by any political or economic integration process. So I want to remain optimistic and hope that an agreement will be reached in the next few weeks on the establishment of a real common fisheries policy and that one of the sections to this policy will be the establishment of a Community waters surveillance service as suggested in my report.

President. — I call the Socialist Group.

Mr Adam. — Can I say that I regard myself as a very privileged Member of this Parliament because although in the main I represent an urban area, I do have a number of very small fishing villages in my constituency. I would like to take this opportunity of paying tribute to the fortitude that these people have shown in recent years in facing the difficulties that the industry has undergone, and also, despite the difficulties that the industry has faced, to the understanding that they have shown of the problems faced by the Community. I am grateful also to my group.

Although I am not a member of the Committee on Agriculture, I should like for a few moments to speak in this debate. On Mr Helms' report we have some reservations about the mesh sizes, but the majority support what is proposed here. It emphasizes the difficulties that the Community has in looking after the interests of very small fishing villages and inshore fishermen and I hope that the Commission will always be very mindful of their problems.

I particularly welcome the suggestion that Mr Helms has in his report about the control of the horsepower of the boat. I think this is the sort of thing that is needed to give added confidence to the industry.

I also particularly want to mention the question of the link between the herring stocks in the Skagerrak and Kattegat and the herring stock in zone 4B to which Miss Quin has already referred. This is something that is of immense importance off the North Sea coast. We have a very well-established or previously well-established local herring tradition based on the kipper industry. We want to get our local kippers back again. At the moment, because of the ban on herring fishing which has lasted for 5 years, we have had to import those kippers. The stocks have not recovered despite the conservation measures.

Now something has gone wrong and although the Commission has acknowledged that there is a connection between the two areas, we do not have sufficient information to come to a definite opinion. Now, we have got to sort this problem out. In voting for Miss Quin's report, can I say that I hope the investigation will not only look at the connection between these two areas, but if it is found that the connection is

not a definite one, that the Commission will undertake to look elsewhere and broaden its investigation. We want to have a situation where the herring stock in the 4B zone is restored, and we look to the Commission in its investigations to give every possible help that it can with that particular problem.

Finally, in the few seconds that are left, I should like to say how very welcome Mrs Pery's report is. I hope it will be adopted speedily. It is the sort of recommendations which will give confidence to an industry which badly needs additional confidence and will give a message from this Parliament to these people that we are a Parliament that cares about people and that though they are small in number, we are willing to debate and spend some time, if only a few minutes, discussing their problems.

President. — I call the European Democratic Group.

Mr Battersby. — First of all, I would like to thank the Bureau for introducing fisheries at last at a sensible point in the agenda and not leaving it until 12 o'clock on Friday morning. I would also like to congratulate the rapporteurs on presenting these complex matters with such clarity and preciseness.

In recommending all four reports to the House I would like to draw your attention to the importance of concluding agreements with Sweden and Norway because a free-for-all in the Skagerrak and the Kattegat is in no one's interests and the sooner we achieve fair and balanced agreements aimed at conserving the local stocks and the related stocks in the North Sea, the better it will be for all of us.

With specific regard to Mr Clinton's excellent report, Mr Kirk in his amendments has underlined the situation which we have referred to in the Faroese Agreement. The Commission must negotiate treaties which enable us to catch the quotas allocated to us and the total number of licences for Community vessels, and the number per month, must be increased. Otherwise we will not catch the fish tonnage that we have agreed with Sweden.

On the technical measures, I too welcome the introduction of restrictions on beam trawling and I would like the Commission to discuss with the Council the possible introduction of these measures as quickly as possible, however long it takes to move the four proposals through. Mr Helms' report went through committee twice and was passed by 32 votes with 2 abstentions. I think he deserves our thanks for moving this vital basic document through so efficiently in the short period of 3 months. Mrs Pery has carried on the work of Mr Josselin most efficiently and I hope we can all vote for her report unanimously, if that is possible.

But I would like to use this opportunity to ask the Commission when it expects to have its control com-

Battersby

puter in operation. I have recently visited the Fisheries Control Centre in Bergen and was very impressed with the efficiency there of information retrieval and the reporting system as well as the small number of people they had operating this system. I understand that the Commission is purchasing the software for our own system from Bergen. I would like to know when we expect to have it in operation because I think this will change the complexion of our fisheries business completely.

Finally, I would like to emphasize the points raised by my colleagues. To meet the Council deadline on these agreements, my colleagues have worked with commendable speed and put a lot of time into it, but we must have more time if we are to deal with these highly complex technical matters to our own satisfaction. We must have more time to consult, in depth, with the Commission and the scientific experts if we are to do our job.

President. — I call the Liberal and Democratic Group.

Mr Maher. — Mr President, I too would like to congratulate the various rapporteurs on their work and to echo the regret expressed by another Member that there is not a greater interest in the whole question of fisheries. Not only does fishing have considerable potential in terms of a very valuable food but it also provides employment for people living in regions where unemployment is often endemic. Also, of course, it is very difficult to see this Community becoming more Community spirited if we still have not agreed on the fisheries question. Unless we agree on it and unless we have common measures, it will always be a reason for disagreement and create problems in other areas. I want to add my voice therefore to those that emphasize so frequently in this Parliament that a decision must be reached with no more delay. I think the excuses that have been given here from time to time by the Commission and the Council, particularly by the Council, are ones we cannot accept any more.

I did want to mention specifically Mrs Pery's report, because it is the one that I took some notice of. Not that I did not notice the others, but I wanted to congratulate her. I believe that she is the daughter of a fisherman, and it is easily seen that she has the basic knowledge. This document was not written by somebody with a mere superficial knowledge of the problems she is confronted with.

Mr President, the whole question of conservation is, of course, a vital part of any fisheries policy. If there is to be conservation we must ensure that the fishermen have confidence in the surveillance methods and the surveillance organization. That is absolutely paramount. These men are hunters and they are individualistic. They are also — and I don't mean this as an

insult to them — suspicious. They always suspect that other fishermen, even from their own country but particularly from other countries, are getting away with something that they themselves cannot get away with. So they try to outstep the law, as it were, and keep on fishing when they should not be, and this is, in my view, because they do not so far fully trust the methods being used.

I feel therefore that this proposal to have a European or a Community surveillance force is absolutely paramount. I think it is something that should come sooner rather than later and I would advocate that very strongly. If we don't have that then it is very hard to put adequate conservation measures into effect.

President. — I call the Group of European Progressive Democrats.

Mrs Ewing. — Mr President, I have no disagreement with any of the previous speakers, and I can therefore save a little time by saying that I endorse everything the last speaker has said in regard to trust. The Pery report, I think, takes us a long way towards a practical solution. It is true that fishermen distrust each other, perhaps sometimes with reason, because they don't always have haloes. Even Scottish fishermen don't always have haloes on their heads! I think that there is a considerable feeling that while inspectors are very efficient at their own quayside, they are not maybe so efficient in other Member States. I have always argued for cross-fertilization in the area of fishery inspection and an EEC inspectorate with very broad rights of inspection. I am very much in favour of the report and I won't go into all the details.

As far as the Helms report is concerned, I would just say that I support it. As far as the agreements with Norway and Sweden are concerned, I am rather in sympathy with Mr Kirk's train of thought. He seems to take my view that the Commission has not negotiated a favourable enough balance for the Community. I think one of the arguments for a common fisheries policy was that we were going to have good agreements on our behalf made with a tougher voice. Well, I don't think that the voice has been tough enough. Mr Battersby, I think, mentioned that too. I would just like to support what he said.

Now I come to asking the House to support my Amendments Nos 15 and 16 to the Pery report. One sometimes sees headlines in newspapers reporting that someone made a blistering attack. I am feeling in quite a good humour, but I really feel like making a blistering attack on the Council of Ministers, because I have been informed that they have cancelled their meeting of 18 May. Now at the last part-session this House supported very overwhelmingly, I think almost unanimously, my resolution condemning the Council for not having met since December. It really is absolutely

Ewing

disgraceful. We adopted that resolution, and the Council, far from reacting favourably and taking account of the views of this Parliament, has cancelled the next meeting, treating this Parliament with the utmost contempt. I don't know how to put it any stronger, except to say that at least I have called attention to the matter in Amendment No 15, which was drafted before I dreamt that the Council were going to compound their felony.

I am sad that not one of them comes along to this debate on fishing, because it is obvious that they don't take the whole industry very seriously. Fishermen usually live in areas with no alternative employment. So in the areas where we have fishing, it is of vital importance because it is a matter not just of jobs but of a way of life and of the whole social structure of those regions. The uncertainty we talked about at the last part-session seems to be something the Council has not even the desire to talk about. If you would support my amendments I think that it would at least be a way of reiterating our protest in the strongest terms. Again I deplore the fact that we have not got a common fisheries policy.

I congratulate all the rapporteurs, and I am not going to go into the details of Mrs Pery's report, save to say that I have no fault to find with any of her proposals.

(Applause)

IN THE CHAIR : MR VANDEWIELE

Vice-President

President. — I call Mrs Pery.

Mrs Pery, rapporteur. — *(FR)* Mr President, this time my remarks are aimed at the Parliament but even more so at the Commission and the Council, whose absence I regret too.

The Council of fisheries ministers set for next Tuesday, 18 May, was postponed yesterday like the April Council. Mrs Ewing and myself can only once more express our regret at this postponement which is putting off the fixing of authorized catches and quotas for 1982. We can hardly take a decision in December and otherwise it just means having the courage to say no common fisheries policy is feasible. That is really deplorable from the point of view of rational management of resources and the future of fishing and fishermen.

I am counting on the attention and understanding of Mr Contogeorgis whom I am pleased to see present,

to see that the Commission's proposals may lead to some progress in the June negotiations. I would have liked him to be accompanied by an official from DG XIV. I know that the Commission is not the only one to blame. It does not have an easy job. Some Member States' interests are at variance or seem to be, since solutions only exist in fact at Community level. An absence of legislation at the end of the year would inevitably bring about sorry conflicts, perhaps involving unpleasant explanations. Access, especially to the six-to-twelve mile zone, could be decided by a Council regulation taking account of the legitimate interests of the Member States concerned, as well as the problems posed by the state of resources. We all stand to benefit from a regulation worked out before the Community is enlarged.

A common fisheries policy cannot be confined to considerations of access, taxes, quotas, technical measures for the conservation of resources and surveillance. The problem of structures, the social aspects and market organization must be tackled. The Community should consider extending aid for investment granted to date only in favour of coastal fishing. Such aid should be extended to boats over 24 metres; so as to diversify the forms of fishing and avoid concentrating fishing operations in the same stocks of resources. Where resources require, the Community should grant aid to allow a temporary or definitive cessation of a certain type of fishing.

This House also wants concerted efforts to be made to try and harmonize the social legislation of the various Member States and to level out operating conditions. On 1 January 1982 the new regulation concerning market organization will become applicable. I hope that the procedure for implementation will permit swifter and more effective action to enforce the reference prices. I also hope that the producers organizations' role will be strengthened.

I had wished to broach various aspects of the common fisheries policy in my speech and I would like to thank Dr Bombard for having given me his speaking time to do so. I would like to ask you, Mr Contogeorgis, to see that the June Council is actually held and that there is some progress on the various problems I have raised.

President. — I call Mr Kirk.

Mr Kirk. — *(DA)* Mr President, I must join the other speakers in deploring the very short time we have had to deal with these Commission proposals. I was not even able to take part in the meeting of the Committee on Agriculture on the day these proposals were discussed, and it was not until this week that I managed to get hold of the relevant reports drawn up by the respective rapporteurs.

Kirk

In some cases, as I see it, the reports do not go into the problems contained in the Commission's proposals in sufficient depth, particularly the proposal regarding technical conservation measures which the Commission has put forward. It would have been useful, as I see it, if we in the Committee on Agriculture had had more time to deal with this proposal in view of its very technical nature.

I should therefore like to urge the members of this Parliament to support the amendments I have tabled since I have gone through the Commission proposal on this particular question and endeavoured, point by point, to correct some of the misunderstandings which the proposals clearly contain.

The proposal the Commission has submitted is the same as that which was before this Parliament a year ago and which was put before the Council and subsequently rejected in the autumn of 1981. Who is going to believe that anything different will happen now if people have not been prepared to change the proposal?

I devoted particular attention to the provisions concerning mesh size and the smallest acceptable size of fish which can be caught, as laid down in the Commission's proposals. It does not seem to me that the proposal as it stands is practicable, I join all the other Members of this Parliament in advocating doing all we can to conduct a responsible conservation policy, i.e. that we should protect our fish stocks in such a way as to leave something for the fishermen of the future. However, at the same time the rules we lay down should, I think, be practicable and it would be impossible for the whiting and haddock fishers of Scotland and other Member States to comply with the proposed increase in mesh size to 90 mm in the autumn. On the other hand, however, the minimum mesh size in other areas of fishing is too small and for this reason I have proposed a number of concrete amendments.

Furthermore, I have tabled an amendment concerning the so-called 'pout box'. Unfortunately, a political compromise has been reached concerning pout fishing off north-east Scotland. This pout box is a political compromise — I realize that — however, it is not a practical solution and for this reason I have drawn up a proposal, on the basis of my practical knowledge of fishing in this area, which takes account of the purely factual arguments for a pout box and not the political arguments. The fact is that pout, haddock and whiting live in separate habitats within this area — i.e. some in deep water and some in shallow water — and it would, for this reason, be more useful to adopt the amendment I have tabled, since this would permit us to keep these three species separate.

I sincerely hope that the honourable Members will support my proposals as I think they will make it easier for the fishermen of Europe to comply with the regulations and, in addition, they may lead to longer-term

conservation of the fish resources, which is something we all want.

Finally, as regards the Commission's proposal for an agreement with Sweden and Norway concerning fishing in the Skagerrak and Kattegat, this is unfortunately a proposal in which no account has been taken of the interests of one Member State, which is in fact the only Member State with fishing interests in that area. This, I think, reflects a very patronizing view on the part of the Commission *vis-à-vis* the Member State in question and I hope that the Commission will take heed of my proposals and resume the negotiations with Sweden and Norway on the basis of them.

President. — I call Mr Bucchini.

Mr Bucchini. — (FR) Mr President, the many French workers who make their livelihood catching, processing and selling fishery products are especially mindful of Community decisions concerning fishing. The conflicts in which they have been engaged, and which we have always lent our support and voices to in this House, have helped to bring about some significant progress, particularly relating to the organization of the fish market and protection against imports.

Nevertheless some serious problems, such as the distribution of quotas and access to catch areas, have not yet been solved. To date discussions have got bogged down under the weight of British selfishness and the interests of importing groups. The only way out of the impasse is to look closer to the interests of seagoing fishermen and extricate ourselves from the jaws of all the sharks swimming in the shady depths of Blue Europe.

With this aim in mind, we call for a change in the unjust, arbitrary quota distribution system to halt the sell-out of our country's production potential. We also call for the recognition of the fundamental principle of equal access to Community resources and the respect for historical rights in accordance with the treaties. I was recently given assurances from the Commission with regard to Corsica. These are to be endorsed by the Council in June.

In another field, relating to maritime inspection and surveillance, we must express our concern at the Pery report. As the French government stated, we cannot allow Community inspection facilities to be given excessive powers which jeopardize national sovereignty.

The coordination of inspection services must be strengthened, provided it remains based on national monitoring systems. That is the aim of the amendments we have tabled and which I call on you to approve.

President. — I call Miss Quin.

Miss Quin, rapporteur. — Mr President, although I have introduced my own report to the House, I did also want, as one of the Socialist Group speakers, to make one or two comments about the other reports, and I pay tribute, as others have done, to the work of their authors.

First of all, I would like to pay particular tribute to Mrs Pery for the work she has done, I think her report, which is the latest of several versions relating to the coordination of surveillance measures, is by far the best and it is one that I hope will receive the support of the House. I think it provides for an impartial and fair system of inspection within the Community and one that would help to build confidence among fishermen, who have been very worried about this problem for a long time.

I wish very briefly to refer to the Helms report, with which we are in a very large measure of agreement. In particular, I would like the Commission to comment on one of the aspects of Mr Helms' report contained in paragraph 8 and 9, where he expresses concern that Member States might use Article 19 to adopt discriminatory fishing measures. My reading of Article 19 is that this is not possible, that it of itself makes these discriminatory measures impossible, and I would like to hear the Commission's comments on this point.

Finally, let me refer to Mrs Ewing's amendments. I support these very strongly. I think she is quite right to incorporate in these reports an allusion to the disgraceful lack of meetings of the Council of Ministers on the common fishing policy. It must have added to the cruel uncertainty that Community fishermen have had to face, and we hope that action will be very speedy on this matter.

President. — I call the Commission.

Mr Contogeorgis, Member of the Commission. — (GR) Mr President, I shall try to be as brief as possible, but the fact that we are debating four reports on such an important topic obliges me to reply to specific points raised by the various speakers. May I start by thanking Mrs Quin, Mrs Pery, Mr Helms and Mr Clinton for their excellent and lively reports on fisheries. Special thanks are also due to them for the fact that, despite certain remarks, their reports generally support the Commission proposals. I shall take each report separately.

As regards the report by Mr Helms, I agree that the regulation concerning technical measures does constitute one of the cornerstones of the Community policy aimed at conserving fishery resources, and both the Commission and the Council would like this regulation to be approved at the next Council meeting of

fisheries ministers. As regards certain points in the report, the Commission agrees with point 3 of the motion for a resolution by Mr Helms that the timetable must be respected. It also agrees with points 4 and 5 of Mr Helms' motion for a resolution, as well as with Amendment No 2. The Council working party responsible for those points has already found technical solutions. On Amendment No 1, the Commission does not feel that there is at present any reason for further delaying the increase in mesh size from 16 to 20 mm, in view of the fact that the derogation introduced to this end by Regulation 2527 expired on 30 September 1981, so that it is already obligatory to use nets with a mesh size of 20 mm. On point 6 of the motion for a resolution, I would point out that the Commission is prepared, if scientific data so justify, to review the extent of zones where fishing is forbidden with a view to conserving natural resources. On points 7, 8 and 9, the Commission would assure the Parliament — and this was a point made by Mrs Quin as well — that it will not approve any measure taken at national level which introduces discrimination by nationality and which would thus be contrary to Community legislation.

I turn now to the report by Mr Clinton. The motion for a resolution on the bilateral agreement with Sweden calls upon the Commission to explain how the catch quotas allocated to each party were established. I would remind you that Article 2 of the framework agreement between the EEC and Sweden includes a provision to the effect that the aim of the two sides shall be to achieve a satisfactory balance between their fish resources in sea areas of mutual interest. This basic principle — that there must be a mutual balance of concessions and rights — was adhered to during the discussions on the 1982 agreement now before you. The value of catches granted to Sweden in the Community zone of the North Sea and the Baltic is estimated at 11.1 million Swedish kronor, while the value of Community fishing quotas in the Swedish area of the Baltic is put at 11.7 million Swedish kronor. There is thus a relative balance with a slight advantage to the Community. As regards the agreement on the granting of quotas between the two sides in the Kattegat, the Swedish stance is that, if the productivity of the Swedish part of the Kattegat is taken into account, the resources should be distributed equally between Sweden and the Community. The Community, however, rejected this view, and after discussions we arrived at the agreement giving the Community 70% and Sweden 30% instead of a straight 50%/50% distribution. As regards the quotas for 1981, I would point out to Parliament that when the 1981 agreement was approved by the Council on 10 October last, it was already too late, and the Swedish side felt that at that stage it had no interest in ratifying the agreement which had been initialled. In reply to the last comment in the motion for a resolution, I would remind you that the Commission has repeatedly assured Parliament of its wish to keep it informed on negotiations with third countries. I think we now have a satisfac-

tory information procedure, with the meetings of the Committee on Agriculture and the working party on fisheries being attended by the responsible officials of the Commission, and even by myself, and we are at the disposal of the committee whenever our presence is needed with a view to supporting it in all its activities.

The subject was raised of prior consultation of Parliament before negotiations start, or of informing Parliament during the course of negotiations so that it can express its views. This is a more general subject and one which does not concern fishing agreements alone. The Community negotiates multilateral agreements with the whole world, trade agreements, tariff agreements and agreements on economic and scientific cooperation, so that this is a subject which must be studied in its entirety within the framework of the provisions of the Treaties. This means that I cannot give any undertaking as regards the particular case of the United Kingdom. I would, however, repeat that I myself and my staff are always at the disposal of Parliament, the Committee on Agriculture and the working party on fisheries, and that we are prepared to give them every information whenever we are asked.

I come now to the report by Miss Quin on the trilateral agreement on the regulation of fisheries in the Skagerrak and the Kattegat. The Commission is asked to explain how the total allowable catches for 1982 were established. The scientific recommendations of the Advisory Committee on the Administration of Fisheries of the International Council for the Exploration of the Sea (ICES) were used as a basis for the agreement between the three parties on the TACs for 1982. Setting the total catches, of course, is a matter for the administrative bodies, but they must take account of the scientific recommendations. As regards the TAC for 1982 and the common stocks of fish in the area in question, the view of our technical departments is that the figure has been set within safe biological limits.

With regard to certain amendments tabled by Mr Kirk, particularly Nos 1, 2 and 3 relating to the report by Miss Quin, I would stress that the agreement on the Skagerrak and the Kattegat represents a compromise reached after complex and difficult negotiations in which the interests of the two sides were diametrically opposed. It is of course the case with all agreements on whatever subject that no one side can impose its wishes and desires on the other. There are lengthy and difficult negotiations, compromises, and the final outcome is a congruence of interests which each side may or may not consider satisfactory. I should like to point out that the other third countries with which we conclude agreements also attach great importance to the need for proper administration of resources. This is also one of the calls of scientists, and it benefits all fishermen, including Community fishermen, since proper conservation and development of fishing resources has a positive effect on herring

stocks, particularly in the North Sea. I would also point out that, in absolute figures, the 1982 agreement allows larger herring catches than in 1980 — i.e. 26 000 tonnes in 1982 as against 23 150 tonnes in 1980. In 1981, as I already said, there was no agreement, since approval came too late for Sweden to be able to sign it. Altering the agreement at this stage would not only be very difficult, if not impossible, in practice, but would also be to the disadvantage of the Community, since reopening negotiations and changing an agreement reached after so many difficulties would only mean that we would lose another fishing season — something which would be damaging to Community fishermen. I listened carefully to all Mr Kirk's comments and I can assure him that they will be taken into consideration in the negotiations on the agreement for 1983. I can assure you, Mr Kirk, that I paid particular attention to your remarks.

I come now to the report by Mrs Pery on the coordination of maritime inspection and surveillance.

I can inform you that the Commission agrees completely and has already made proposals for the establishment of a system for monitoring Community fisheries. We agree completely, Mrs Pery, that we cannot have a common fisheries policy with total catches subdivided into quotas unless we have effective monitoring to ensure that these are being adhered to and that fishing is not going on in a way which will lead to the destruction of the Community's fish resources, and hence to the destruction of the fishermen.

As I said, therefore, the Commission has proposed to the Council a regulation establishing certain monitoring measures. In broad outline, this regulation provides for the setting up of monitoring services by the Member States, since in the first instance, it is only the authorities of the Member States which can carry out the monitoring of fisheries. The Commission proposes the creation of a body of its own which would exercise surveillance to ensure that the Member States really are implementing the rules on the monitoring of fisheries. The Commission cannot take over the responsibilities of the Member States — all it can do is carry out investigations to ensure that they are fulfilling their obligations, and it is essential for the Member States themselves to understand that it is in the interests of everyone that they exercise their responsibilities effectively.

As regards ships from third countries — a subject which was raised in Mrs Pery's report — if it is established that such ships are not adhering to the regulations, and if there is any question of irregularities in the Community, the regulation which we have proposed provides for a procedure for withdrawing licences. This is the only measure which can be effective against ships from third countries.

In more general terms, and since the subject was raised, I should like to refer to the method for estab-

Contogeorgis

lishing the TACs and say that the Commission — and up till now this policy has been supported by the Council of Ministers — feels that the basis for establishing these catches must be the scientific reports. Moreover, we must not forget that many of these stocks are not the Community's alone, but are held jointly with other neighbouring countries such as Sweden, Norway, Canada etc.

You will therefore appreciate that the matter does not concern us exclusively, since the interests of the other countries are also involved. The total allowable catches are thus established through agreements with these countries, and we are obliged to respect these agreements.

As regards fish stocks belonging solely to the Community, here again the Commission essentially follows the recommendations of the scientists, although in this case it has a certain margin for manoeuvre when it comes to propose to the Council of Ministers the total amounts of fish which it is finally permissible to catch.

Let me take up Mr Battersby's remark about the control computer. The Commission necessarily relies on the data sent to us each month by the Member States. It would be untruthful to tell the House that all countries meet the deadlines for submitting data. We do what we can to make sure that these data are supplied, and the situation is rather like the one I described before with regard to the monitoring of fishing in the Community. I would emphasize that the cooperation of the Member States is essential if we are to have more effective management of Community fish resources. Otherwise, nothing will be achieved. The Commission can achieve nothing unless it has the cooperation of all Member States, and I should like to take this opportunity of repeating my call for rapid and complete cooperation.

In conclusion, just a few words on the whole problem of drawing up the common fisheries policy, which has now been pending for six years. Only last September we managed to make some progress with the adoption of the regulation on the organization of the market and with the approval of a minor *ad hoc* regulation on support for infrastructure measures in fisheries.

The Commission will do everything in its power to ensure that, by June, we have not just one Council meeting but, if necessary, two Council meetings, so that the Council can take decisions on this pressing and hotly debated topic.

I hope that the decisions reached will include approval of the regulation on Community economic aid for infrastructure works in fisheries, since this is a fundamental element of the whole policy and will provide practical assistance for the fishermen of the Community.

Once again, Mr President, I should like to thank all the rapporteurs and all those who have spoken for

their contribution towards finding a solution to these problems. I repeat that the Commission will do everything it can to ensure that progress is made and decisions reached shortly.

(Applause)

President. — The debate is closed. The motions for resolutions will be put to the vote at the next voting time.

8. Transport infrastructure

President. — The next item is the report (Doc. 1-1084/81), drawn up by Mr Nord on behalf of the Committee on Budgets, on financing the common transport infrastructure policy from the tax on mineral oils.

I call the rapporteur.

Mr Nord, rapporteur. — (NL) Mr President, in recent years the Commission, supported by Parliament, has made repeated attempts to establish a Community transport policy. Granting aid to transport infrastructure projects is an important element in this, both politically and psychologically. As early as 1979 Parliament supported the Commission's original proposal.

Last year we recommended making a financial contribution to the construction of the Pyhrn motorway in Austria, and since 1977 these projects have been included in the budget particularly in Article 781. Parliament has repeatedly tried to maintain this series of loans, and in the 1982 budget 10 million ECU were approved as commitment appropriations in Chapter 100. And very recently, in determining the budget guidelines for 1983, we reaffirmed the importance which Parliament attaches to the transport policy.

Now, Mr President, Mr Klinkenborg and others have submitted a proposal calling on the Commission to examine whether these infrastructure projects might be financed from part of the taxation on mineral oils. They intend to put this into practice by levying surcharges on the existing taxes, i.e. Community surtaxes on the price you pay for your petrol. Now I must emphasize, Mr President, that this proposal has been referred to the Committee on Budgets to be examined purely in terms of its budgetary aspects. I say this to prevent any misunderstanding over any negative points I may have to make — not that the Committee on Budgets has suddenly changed its mind about the desirability of a Community transport policy, but that it is our job to examine only the budgetary aspects, both technical and political, of the proposal. And it is on these very points that the Committee on Budgets has a number of serious objections to make.

Nord

First of all the technical budgetary aspects. We in the Committee on Budgets are reluctant — I might even say opposed — to earmark specific revenues for particular expenditures. And it is not only our committee — the whole Parliament expressed its opposition very clearly in the Spinelli report on own resources. An additional aspect of the present case is that the proposal submitted by Mr Klinkenborg and others takes no account of the existing differences in petrol tax between the Member States, which would, of course, become greater when the surcharges were applied.

We also have serious objections in terms of budget policy. The proposed regulation would necessitate amending the regulations on own resources and this would involve anticipating the results of the mandate of 30 May negotiations and the restructuring of the budget. The opinion of the Committee on Economic and Monetary Affairs, which you will find annexed to my report, also points this out, adding that there are naturally many other priorities in the budget as well as transport projects, and they all need to be carefully weighed up against each other.

Of course, the Committee on Budgets appreciates the Committee on Transport's argument that transport infrastructure projects might eliminate bottlenecks in the transport system, releasing money and energy for productive purposes. This is certainly the case, but the Committee on Budgets believes that these purposes may best be financed from the normal own resources. We would also point out that the projects being examined at present by the Commission could perfectly well be put into practice using the Community's present resources.

I should like to add by way of personal comment, Mr President, that this sort of project could make a considerable contribution to increasing the individual's awareness of the Community and improving his motivation for it. Community roads, for example, provided that they were generally recognized as such, would be tangible proof of belonging to the Community, bearing out the view that Community policy can replace and supplement national policy both fairly and efficiently.

For all these reasons, Mr President, the Committee on Budgets has three proposals to make in its resolution: firstly, to reaffirm Parliament's support for the need for a Community transport policy, and therefore also for a transport infrastructure policy. Secondly, to establish that this policy must and can be financed from the Community's own resources. I would point out that the Commission is at present working on the theory of a five year plan of 60 million ECU per year. Finally, we indicate in the resolution that these projects viewed in the longer term, cannot be separated from transport policy as a whole and from all the budget's finance problems in the future. This is the resolution, Mr President, which I, on behalf of the

Committee on Budgets, am pleased to submit for Parliament's attention.

President. — Ladies and gentlemen, I should just like to emphasize how strongly Mr Nord rejects pursuing one particular policy, while still advocating a Community transport policy, for which funds must also be made available. I hope that the next speakers from the Commission will also focus their attention on this point.

I call the Group of the European People's Party (Christian Democratic Group).

Mr Notenboom. — (NL) Mr President, your encouraging comments on the rapporteur's speech make mine somewhat superfluous. However, I should like briefly to pledge my group's full support for my colleague Mr Nord's report and, as you urge, warn against certain misunderstandings to which this subject is so easily prone, in spite of the clarity of the report.

The Group of the European People's Party would like great priority to be given in the Community budgets to transport facilities across the borders. When we examine what should be financed by the national and Community budgets, cross-border transport facilities should, in our opinion, be an item of Community expenditure. In this we are merely underlining what Mr Nord says. But they should be financed from the budget's own resources, because we, like the rapporteur, reject earmarking levies, for two reasons. Firstly, it is only in exceptional cases that earmarked levies of this kind can be used, even in national budgets. This, at least, is the general consensus among public finance theories. Secondly, the Community budget is already complicated enough, and we must avoid the notion of earmarking levies to prevent it from becoming even more so, especially as we must face the music either now or next year to try to get the Member States to increase the Community's own resources. The vast majority of the Spinelli report is acceptable. We do not want to introduce a levy of this kind and thus further complicate the difficulty which will arise anyway and will only be postponed by greater control over agricultural expenditure. Mr Nord and our group are, therefore, not saying that the notion of a Community tax on mineral oils should be rejected once and for all. But the possible introduction of such a tax must be judged in the light of the Community energy policy.

Thus, Mr President, this resolution is not recommending that we should have no finance for transport across the borders. This is precisely what we want. Neither is it recommending that we should reject a Community tax on mineral oils once and for all. No, the rapporteur, on behalf of the Committee on Budgets, is merely rejecting combining the two by asking to earmark funds in the budget. We, like the rapporteur, reject such a combination.

Notenboom

We thus fully support Mr Nord, the rapporteur, and thank him for his short but very lucid explanation.

President. — I call the Socialist Group.

Mr Gabert. — (*DE*) On behalf of the Socialist Group, but also as a member of the Committee on Transport, I should like to say that we not only understand the attitude of the Committee on Budgets, but that we also realize no other attitude is possible at present.

The Committee on Budgets has made it clear — and both the Socialist Group and the Committee on Transport welcome it — that the Community will benefit if it contributes to financing cross-border transport routes of international importance. But what is the point of this statement, when the Council of Ministers has refused for the past six years to pass the draft regulations on financial contributions to transport infrastructure projects which had been proposed by the Commission and approved by Parliament? It is neither the Commission nor Parliament, but the Council of Ministers which is thus standing in the way of a Community transport policy.

The Pyhrn Motorway was mentioned a short while ago, and this is another of the Council's masterpieces. Indeed Parliament and Commission reached a decision on this matter, which is of great importance for traffic across the Alps. But what happened then? The Council of Ministers gave the Commission a negotiating mandate on all matters involving the general transport policy between Austria and the Community. But finance was the very thing not covered by the mandate. I met Austria's Transport Minister at the weekend; Austria is severely disappointed and claims that the Community and the Council of Ministers are making themselves look ridiculous. I welcome the Committee on Budgets' opinion and that of the whole Parliament, and I can only call on the Council of Ministers to stop dragging its feet in this matter and holding back Community development.

President. — I call the Communist and Allies Group.

Mr M. Martin. — (*FR*) Mr President, the French Communists and Allies feel bound to make a number of points regarding Mr Nord's report.

Firstly, we do not think it is a wise move to assign budgetary revenue to specific categories of expenditure.

Secondly, we are against the idea of instituting a Community tax on mineral oils. Such a tax would do nothing to relaunch the economy and to create jobs, in our opinion, and would only be an additional burden on people's income. The French Communists are more keen on the idea of using the profits and financial spe-

culations of oil companies in such a way as to encourage investment to create new jobs promote occupational training and research. But it is not up to the Community to make decisions of this kind.

Thirdly, the increase in the Community's own resources as scheduled does not seem adequate to us.

Finally, we feel that a common transport policy should be developed in accordance with existing funds and available resources and that action by the Community should consist of topping up national development programmes, particularly those of the public services, to foster bilateral or multilateral cooperation, including cooperation with countries which are not EEC Member States, as communication problems affect all neighbouring countries.

For all these reasons, we cannot see the sense of and any justification for the Community to rule on transport infrastructure costs. Hence, we will not be voting for this report. Since, however, we approve the fact that the report rejects the idea of a tax on mineral oils, we shall be abstaining. These are problems which we can solve ourselves, provided that we have the courage to do so. This Assembly has found itself in this situation for three years and while it has the nerve to preach common policies at others, it is incapable of instituting a common policy for itself. This state of affairs cannot be allowed to continue and that is why we are pronouncing a negative political judgment on the budget, which — as I said before — will not take the form of simply passing the accounts in administrative terms, but which assumes a position of a political character.

President. — I call the Commission.

Mr Contogeorgis, Member of the Commission. — (*GR*) Mr President, I should like first of all to thank Mr Nord as well as the entire Parliament for the support they are giving to the Commission in its effort to have a system of Community aid adopted for infrastructure projects of Community interest in the field of transport. Mr President, with the aim of finding an effective financing method which could be rapidly implemented, Mr Klinkenborg, Mr Key, Mr Albers, Mr Gabert and Mr Seefeld tabled a motion for a resolution in 1981 containing many interesting proposals for financing the common transport policy by means of a tax on mineral oils.

This proposal was thoroughly debated in Parliament and in the specialist committees, which goes to show the interest it aroused. It emerged, however, that the proposed method of financing transport infrastructure projects by imposing a tax on mineral oils and of earmarking these funds especially for this purpose would give rise to very difficult problems and, according to established budgetary conventions, would certainly be an unorthodox way of dealing with the matter.

Contogeorgis

These ideas and opinions are also expressed in the report by Mr Nord, especially as regards the linking of this proposal with the various Community policies.

As you, Mr President, and the honourable Members of the House are aware, the Commission considers that the existence of a regulation providing for the use of Community funds to aid transport infrastructure projects is a basic requirement of a proper common transport policy.

It has submitted proposals to Parliament, but unfortunately these have not yet been adopted. With Parliament's help, 10 million European units of account were entered last year, which was a start. I hope that in the 1983 budget there will be a substantial appropriation, at least in the proposals from the Commission to the Council and to Parliament for agricultural infrastructure projects, and in any case this would, I feel, also be an instigation to the Council to decide on the adoption of the regulation proposed by the Commission.

In this regard, Mr President, I should like to conclude by saying that Mr Nord's report is in line with the Commission's views on the financing of transport infrastructure projects.

President. — The debate is closed. The motion for a resolution will be put to the vote at the next voting time.

9. Titanium dioxide

President. — The next item is the report (Doc. 1-1072/82), drawn up by Sir Peter Vanneck on behalf of the Committee on the Environment, Public Health and Consumer Protection, on the

proposal from the Commission to the Council (Doc. 1-847/80) for a directive on methods for the surveillance and monitoring of the environments affected by wastes from the titanium oxide industry.

I call the rapporteur.

Sir Peter Vanneck, rapporteur. — Mr President, I am very pleased and privileged to be presenting this report because in my constituency at Hartlepool I actually have a titanium dioxide manufacturing plant, and when I fly over the outlet in the North Sea, I can see its effluent of white foam going north or south depending how the tide in the North Sea takes it.

But I do not propose to take up a great deal of the House's time in presenting my report on titanium dioxide because those who do not have specialist

knowledge of the subject may find it lacks something in the way of excitement, and those who are familiar with the somewhat technical aspects of the matter — and here I refer to my colleagues on the Committee on the Environment Public Health and Consumer Protection — were nearly unanimous in voting for this report. Indeed the directive and motion for a resolution now before the House, attracted in Committee no dissenting votes and only one abstention.

Turning to the substance of the proposal before us: titanium dioxide is a highly valued pigment. It makes things whiter than white, and it is widely used in the manufacture of such products as paints, varnishes, plastics, paper and ceramics. For certain applications it is indispensable, and overall it is expected that demand will double over the next decade. However, like so many other valuable substances, titanium dioxide cannot be produced without creating waste. In this case solid, liquid and gaseous waste is created or remains after the processing of ore containing titanium. It is estimated that for every ton of titanium dioxide produced, 2.5 tonnes of waste are created. Most of this waste is currently discharged into the sea, and in the case of the Community the major receiving waters are the Channel, the North Sea and the Mediterranean.

In 1978, the Council adopted a directive on waste from the titanium dioxide industry which aimed to control and progressively reduce the level of waste. In accordance with Article 7 of that directive, the Commission has presented the current proposal which is the subject of my report and concerns the surveillance and monitoring of waste from the industry by setting parameters for sampling and analysis. There is provision in the proposal for the parameters to be adapted to take account of technical progress in the coming years and an obligation on Member States to submit the result of their analyses to the Commission every three years.

The Committee on the Environment, Public Health and Consumer Protection welcomes this move to harmonize parameters and methods of sampling which will help to ensure that national surveillance data can be compared. The committee also felt that action was necessary to reduce at source the amount of waste from the titanium dioxide industry. This means that attention must be paid to treatment and purification and, where technically possible and economically viable, to recycling or useful recovery.

The committee was also much concerned — and rightly so — with the matter of the cost effectiveness of these sampling and monitoring measures. We are all in favour of a cleaner and healthier environment. We are all, I hope, in favour of profitable, efficient industries which provide jobs and products which enhance the quality of life. No doubt the majority of us are equally in favour of keeping taxes and rates paid by the public to a minimum. All these aims are worthwhile and we stand a better chance of achieving them

Vanneck

— or as much of each of them as is possible — it we are prepared to balance them.

To those in this House — and I know there are some — who would say that we cannot compromise when we are dealing with the environment, I would say this: I have no doubt that the most effective ways not only to reduce, but to eliminate entirely titanium dioxide discharges would be to close down all our titanium dioxide plants. But nobody can realistically assert that any environmental gains thereby achieved would be so valuable as to justify the loss to industry, the consequent loss of jobs and the loss of a product so widely used and valued. It is, of course a *reductio ad absurdum*.

We can too easily forget, when discussing pollution control measures, that they cost money. Even the sampling and monitoring requirements contained in the present directive, relatively modest though they may seem, will still have to be met either by the industries themselves, which will pass the cost on to the consumer of their product, or as a charge on local or national authorities who will pass the cost on to the general taxpayer in the form of increased rates and taxes. It would, therefore, be irresponsible to approve these measures of pollution control unless we can be sure that the taxpayer or consumer is, as it were, getting value for money.

We have a duty to ensure that those measures called for are cost effective; that they are necessary and worthwhile measured in relation to the amount of money needed to carry them out.

It is for this reason that, while welcoming the Commission's proposal, the committee, in paragraph 4 of the motion for a resolution, calls on the Commission to ensure that sampling is kept to the essential minimum and that unnecessary testing and analysis will be avoided.

With that warning, that thought in my mind and, I hope, in the Commission's, I can commend to the House the Commission's proposal with the amendments thereto standing in the name of the Committee on the Environment, Public Health and Consumer Protection. Amendments Nos 1-3 from the committee are designed to tighten up the procedures for measurement and analysis. Amendment No 4 calls for a review of these procedures within three years, rather than six as proposed by the commission — a call which will give opportunities both to relax or to make more stringent our rules and regulations at a modestly earlier stage.

Turning finally, Mr President, to the other amendments that have been tabled, they emanate from three Members of this House. Those from Mrs Squarcialupi were mostly raised and rejected in committee. That from Mr Newton Dunn I can live with, though, personally, I think the original text is better, and that

from Mr Galland I accept as it enlarges the paragraph in useful detail. I move the adoption of the report.

President. — I call the Socialist Group.

Mrs Weber. — (DE) Mr President, ladies and gentlemen, I am pleased that I can for once broadly agree with my colleague from the Conservative Group on an environmental topic, at least as far as his report is concerned. However, I cannot subscribe to everything that he has just said.

We are very pleased that, in addition to the 1978 Directive approved by Parliament, the Commission has submitted this proposal for a directive on the technical monitoring of waste from the titanium dioxide industry. We consider it to be urgently necessary for the monitoring measures to be applied uniformly throughout the Member States, producing truly comparable results, and thus ensuring real protection against these very dangerous wastes. Of course, we cannot rely on this alone to prevent the damage to the environment caused by this industry and its wastes. Our main aim — and here I can underline what my colleague, Mr Vanneck, said — must always be to introduce production processes which are less harmful to the environment, and gradually to improve them until this sort of monitoring becomes unnecessary. However, when we hear that the demand for and production of titanium dioxide are growing steadily and that therefore increasingly large quantities of waste are to be expected, we should think twice about how far the Directive which we have already approved actually meets our requirements. I cannot share Mr Vanneck's opinion that the public interest may well not be any justification for imposing higher costs on the industry. I think that jobs are being set off against each other, but a job in the titanium dioxide industry may not necessarily be worth more than a fisherman's job which is at risk from titanium dioxide wastes. We should realize that this is no place to set jobs off against each other, as we must also, of course take into consideration the harm that is done to the environment and which is very difficult to assess in real terms.

I consider it a good thing that the Committee on the Environment has tabled a number of amendments, particularly the one which states that the methods of measurement should be really comparable. The original Commission draft failed to mention that proof must be submitted that the methods of measurement are the same.

The second point which I feel is very positive is that the Member States are allowed, in addition, to set further parameters. I believe that this is also necessary, because a directive should not penalize a Member State for taking more environment-conscious decisions. The third point which I also feel is very important, is that it should be after three and not six years

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that the Commission should aim to make possible improvements to the procedure and to increase harmonization if necessary.

Finally, I should like to take up a question asked in the European Parliament on 12 January 1981 during a lengthy debate in Question Time. I should like to ask the Commissioner — this being very important for our assessment of the situation — how far the Member States of the Community have now progressed with their national programmes for the reduction of pollution, and whether the Commission has already been able to draw conclusions from them.

President. — I call the Group of the European People's Party (Christian-Democratic Group).

Mr Mertens. — (*DE*) In the last part-session, Parliament dealt with various air pollution topics and I believe that we took some good decisions which will help us to keep the air cleaner in the future.

Today's topic is concerned with water pollution, which requires a firmer approach on our part. Every Member of this House must be fully aware that keeping the water clean — our groundwater, the rivers and the sea — has to be a Community concern and therefore ought to be given the House's consideration.

Sir Peter Vanneck has just told us that we are dealing with wastes from the titanium dioxide industry. Even up to ten years ago, these wastes were piped directly into the water, and it was considered great progress that the acids were 'discharged' into the sea. Since then, serious misgivings have arisen as to the possible consequences of this. Even if these consequences have not been scientifically defined down to the last detail, we should nevertheless assume that it would be better to prohibit discharging in the first place.

Of course, it would be best if we had nothing to do with these wastes at all, but production is increasing and we have, as yet, found no alternative. For your information I should like to point out at least one encouraging fact. One mass-producer in the Federal Republic has succeeded in combining the liquid at the end of the process so that they can be used for a specific purpose, eliminating the need to discharge them into the sea. I consider this a great success, although it has taken producers 15 years to develop. I wanted to mention this particularly, because I think it is only right to tell you the good news too.

However, I must point out in all honesty that it has not yet proved possible to neutralize the harmful effect of acidic wastes from other processes. We can only hope and pray that this will become possible in the future.

That is why my group welcomes not only the Commission's draft directive, but also the rapporteur's

amendments. He has made his opinion clear and comprehensive enough for everyone, and I should like to say that we give our full support to the substance of his proposals.

In conclusion, allow me to mention perhaps our only misgivings. We are worried that a large number of checks and perhaps excessive bureaucracy may involve costs which cannot be properly assessed. This applies not only to this report. It is a point which may crop up again and again, and we can only hope and pray that the checks prove useful and that bureaucracy is kept to a simple minimum, so that we can make people understand the need for them and somehow manage to keep costs under control.

President. — I call the Commission.

Mr Burke, Member of the Commission. — Mr President, I should like to thank the Parliament for its opinion. The Committee on the Environment, Public Health and Consumer Protection and the rapporteur have made a thorough examination of the question and have issued an opinion with which I can say that I am fully in accord and welcome very much.

It is not necessary for me to rehearse the reasons why this matter is important. As has been said already, the Commission attaches great importance to the implementation of the directive of 20 February 1978. The aim of that directive is to prevent and reduce pollution caused by discharges of waste from this particular industry with a view to eliminating pollution. The proposal for a directive which you have examined constitutes the first measure submitted by the Commission with a view to applying the directive. In accordance with Article 7(3), the aim of this new directive is to describe the pollution levels in those parts of the environment affected by discharges of waste from the titanium dioxide industry, to determine pollution trends and to assess the progressive reduction of pollution caused by these wastes. In order to lay down the procedures for the surveillance and monitoring of the environments affected by discharges of waste from this industry, thorough scientific and technical investigations were carried out and in this connection the Commission called upon national experts for advice. Precise, serious examination of the effects of these discharges on the environment is one of the main aspects of the measures to reduce and eventually to eliminate the pollution caused by them.

In your opinion you do not raise any fundamental objections to our proposal. Instead, certain points which the Commission may perhaps have treated too superficially are specified in greater detail and supplemented. Your comments would seem to me to be constructive and very relevant. Under the procedure provided for in the second paragraph of Article 149, the Commission should now submit to the Council the

Burke

amendments to its original proposal. I am ready to accept Amendments Nos 2 and 3 submitted by the committee, but the remaining two amendments, Nos 1 and 4, will be difficult to accept for the following reasons. In Amendment No 1, the committee asks for the deletion of the words 'as far as possible' in Article 4(2). This deletion would mean that the sampling periods must be spread over the year in such a way as to obtain a representative picture of the quality of the environment affected. In cases where the frequency of sampling is one per year (sediments, living organisms, Annex 5), this is not applicable. Furthermore, the increase of the frequencies would impose additional costs on the Member States which are difficult to accept in the present economic situation.

As for Amendment No 4, the committee wishes to reduce to 3 years the 6-year period proposed by the Commission to supply an assessment of the effectiveness of the surveillance and monitoring procedure. Implementation of directives already adopted require the preparation of frequent assessment reports. The period proposed by the Commission takes into account the requirements of other directives and the limited capacities in budget and staff to fulfil these requirements. As the directive is being implemented 2 years after notification the assessment set out in the directive will be made only 1 year after implementation, which seems too short a time to reach useful conclusions. The period of 6 years is considered to be more appropriate for this assessment.

I would like to add some considerations concerning the motion for a resolution, more specifically points 4, 5 and 6. The parameters shown in the annexes have been retained after several meetings of national experts of Member States. The Commission is aware that the multiplicity of monitoring procedures is costly, but a fair assessment of the quality of the environment requires a minimum number of parameters depending on the conditions of discharge. Only the parameters appearing in the mandatory column are obligatory. Article 4, section 5 also sets out that the minimum frequencies which apply to the mandatory parameters may be subsequently reduced. In this way the directive should be seen not as a set of rigid constraints but as a tool for monitoring the environment capable of being adapted to local conditions. The Commission has also taken note of Parliament's request expressed in point 6 of the resolution concerning the promotion of a coordinated research programme on discharges of waste from the titanium dioxide industry.

Finally, Mr President, I would like to comment briefly on Amendments Nos 5-17, tabled by Mrs Squarcialupi, Amendment No 18 by Mr Newton Dunn and Amendment No 19 by Mr Galland. Some of these deal with the parliamentary resolution itself and they can be accepted by the Commission. Others refer to the Commission's original proposal and concern mainly the frequency of measures and the scope of the directive. As I already have said, some freedom should be

left to Member States in determining the frequency of measurements in order to take local conditions into consideration and to avoid unnecessary expenses. The Commission further considers that even if the injection process is not now in use, it is absolutely necessary that it be included in the directive. These are the reasons why I cannot accept the amendments of Mrs Squarcialupi which relate to the Commission's original proposal.

In regard to the question asked by Mrs Weber, I can say that all the Member States who are concerned in this matter have presented their programmes to the Commission. Initially it was envisaged that they might have done so by July 1980, but I must tell Parliament that the last one came in only on October 1981. Our services are now preparing proposals to the Council for the harmonization of these programmes so that we should be able to get on with the work now without undue delay.

Mr President, it falls to me then to thank the honourable rapporteur and the other Members who have spoken in support of our directive.

IN THE CHAIR: MR ESTGEN

Vice-President

President. — The debate is closed. The motion for a resolution will be put to the vote at the next voting time.

10. *Radiation protection*

President. — The next item is the report (Doc. 1-42/82), drawn up by Mrs Weber on behalf of the Committee on the Environment, Public Health and Consumer Protection, on the

proposal from the Commission to the Council (Doc. 1-857/80) for a directive laying down basic measures for the radiation protection of persons undergoing medical examinations or treatment.

I call the rapporteur.

Mrs Weber, rapporteur. — (*DE*) Mr President, ladies and gentlemen, there is already a history to the directive with which we are dealing. In July 1980, we approved a directive for the protection of the population and workers against ionizing radiation, and it was adopted by the Council. This directive laid down the basic standards for measuring the ionizing radiation to

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which people are exposed. At the same time, it laid down how medical personnel should be protected against this radiation.

The directive before us today is also concerned with protecting the population against ionizing radiation. In all of our Member States people are exposed to natural levels of radiation. It is estimated that approximately 110 millirem shine on us every year. Artificial radiation produce approximately 60 millirem per year, of which by far the largest part, approximately 50 millirem, comes from X-ray radiation.

I am sure that we all certainly agree that radiation can be perfectly useful: it has already been used to cure many invalids and to diagnose many diseases. Nevertheless, we should be aware that radiation may well have disadvantages in the form of genetic effects. So we should try to keep the advantages while reducing risks to a minimum.

All the major world organizations concerned with health have expressed their opinion on this subject. The United Nations together with Unsear, the World Health Organization and the International Commission on Radiological Protection have also made recommendations. Articles 2 and 30 of the Euratom Treaty lay down basic guidelines on protecting the health of the population and the workforce in the Community. In other words, we are now in line with all those involved with this subject.

This directive is attempting to guarantee radiation protection for the population in three fields. The first involves improving the technical knowledge of doctors, dentists and technical staff engaged in radiology. It is assured that exposure may be reduced by a factor of ten merely by improved training in radiation protection. In other words, the better informed a doctor or the radiology staff is on what the process involves, the lower the levels of exposure for the patient. The training should be carried out as effectively and to as high a standard as possible. There should be not only a certificate of participation in a course but, if at all possible, an examination to prove that the knowledge really has been absorbed.

There is, unfortunately, a tendency in the Member States, at least in the Federal Republic, for increasing numbers of non-specialists to use radiological equipment. It seems a likely assumption that in the Federal Republic of Germany this has something to do with the materials accounting system. I have tried to go into this very briefly in my explanatory statement.

Surprisingly, the number of examinations per person is increasing, although the equipment used provides better information so that the number should actually be going down. It is understood that today three to five examinations per person are carried out, instead of one to two previously. At the same time, the increase in the number of examinations in all the Member

States of the Community is running at an average of 10% per year.

The second aim of the directive says that we need more stringent grounds for radiation treatment. The whole House probably has doubts about the usefulness of mass examinations. We all receive regular invitations to attend mass X-rays, although there are obviously no prevalent diseases to justify this. But it is primarily because many of the things which X-ray examinations are used to investigate could be pinpointed by other methods that it seems a very dubious step to take.

It is of particular importance in this case for the person about to be examined to know exactly why, and how strong the level of radiation will be. This is particularly important for pregnant women.

But it is also important for the doctor treating the patient to know exactly to what levels of radiation he has been exposed in the past. In other words, he should not have to rely solely on the patient's memory for information on the number of examinations and the level of radiation, but there should ideally be an information system, and one which is 'unbureaucratic' in that each individual Member State should be responsible for the way they operate it.

Surprisingly enough, the radiation exposure per person per year varies greatly. In Great Britain, for example, the figure is 2.4 examinations per person per year, compared with in the Federal Republic's 3.5.

The final important point is the technical improvement of equipment. We proposed — and this point was taken up by Mrs Krouwel-Vlam for her motion for a resolution — that equipment should be kept under regular surveillance and withdrawn if it does not function properly, and that it should be marked with a symbol similar to the MOT discs found on motor vehicles.

We consider it important to set up central establishments to ensure that medical service costs are kept to a minimum by a more rational use of the equipment and also that only qualified staff are engaged in radiology. I believe that this directive is certainly heading in the right direction, and I am very glad that in this case I can for once submit to the House a relatively uncontroversial report.

(Applause)

President. — I call the Group of the European People's Party (Christian-Democratic Group).

Mrs Lentz-Cornette. — *(FR)* Mr President, I should like first and foremost to thank Mrs Weber for her excellent report, which was not easy to achieve in this

Lentz-Cornette

scientific and above all highly technical field. We all know that ionizing radiation, such as X-rays and alpha, beta and gamma rays, plays a very important role in medicine — one whose importance is increasing both in the field of diagnosis and in those of prevention and therapy. In view of the risks involved in the use of these rays, it is unacceptable that patients should be exposed to doses higher than those which are strictly necessary in medical terms.

Over-consumption of ionizing radiation constitutes in the first place a serious danger to the patient, and secondly a financial waste for the social security services in all our countries. It was in order to keep the radiation used for treatment to a minimum that this directive was drawn up. It provides for the basic training and further training — i.e. recycling — of doctors, dentists, technical staff and assistants who use ionizing radiation. At the same time, it provides for periodic checks on the equipment and for the withdrawal, of defective equipment. It is true that the new equipment now used, such as scanners and equipment for mammography or tomography, requires smaller and smaller amounts of radiation. Article 2, paragraph (d) of the directive provides for direct fluoroscopic examinations to be carried out only in exceptional circumstances, i.e. in medical emergencies at a long distance from a specialized hospital centre. As for Article 7, which concerns the real needs of the population in terms of heavy radiotherapy equipment or nuclear medicine equipment, I am afraid we may here come up against very strong national feelings or questions of the prestige of various university and research centres.

It is desirable to draw up a logical plan for heavy equipment in the Community, while avoiding a monopoly situation both in the private sector and in the public sector. The directive in question meets the requirements for training and checks on equipment, and I can therefore say on behalf of my group that we shall support this directive and vote for Mrs Weber's motion for a resolution.

President. — I call the European Democratic Group.

Mr Sherlock. — Mr President, on behalf of my group I can both welcome this report by Mrs Weber and say that we shall be supporting it and also congratulate her on the excellent work she has done in this highly technical field.

I would like to add one reason why, in my opinion as an ex-practitioner, the number of X-rays increases. It is not entirely irrelevant to some of the debates we sometimes have in this House, because the fear of litigation in the profession has now reached a point which at times almost seems hysterical and results frequently in the ordering of far more investigations, particularly by younger and less experienced practitioners than myself, should I say, and this does increase the number of X-rays.

I would also say that it is singularly unfortunate that the best investment a young German doctor can make is in an X-ray machine, which he puts in his basement. That financial return is not reflected in every Member State of this Community and particularly is totally not reflected in the English financial structure of radiographic practice. I had submitted some amendments but later I am going to have the pleasure of talking to the rapporteur because I think, with her consent even those will be susceptible of quite ready modification and I think we shall be able to present a considerable, yes a total, degree of unanimity across this House very shortly.

President. — I call the Commission.

Mr Richard, Member of the Commission. — Mr President, in view of the admirable clarity of this debate so far and the way in which the participants of the debate have made their points, I think, on behalf of the Commission, I can be extremely brief.

I would merely like to do three things. One is to congratulate Mrs Weber for the work that she has done. It is an extremely important field. It is one, which as she will know, about which the Commission has been concerned for some time and we welcome this report and this debate and the views of Parliament, as giving the Commission's efforts in this direction a considerable boost.

May I just say two words about the significance of this Directive and the context within which we see it, just to make the Commission's general position absolutely clear.

We see it very much as part of the legislation which flows from the initiators of the Euratom Treaty in the significance which they accorded in the area of radiological protection. In Article 2, (b) of that Treaty we read that one of the major tasks entrusted to the Community is, — and I quote — 'to establish uniform safety standards to protect the health of workers and the general public and ensure that they are applied'.

The central feature of the European radiological protection policies is thus clearly the basic safety standards laid down for the first time in 1959 in the form of a Council directive. It should be pointed out that radiation protection, insofar as it relates to the medical uses of ionized radiation was deliberately excluded from the area covered by this directive. The Commission believes, as is evident from the fact that we have submitted this directive, that that omission should now be corrected.

There are really two problems that we are trying to deal with. First of all, can unnecessary exposures arising from the medical use of ionizing radiation be avoided? And secondly, can the doses received during

Richard

necessary exposures, be reduced? It was only after consultation with a group of experts on radiological protection in public health that the Commission considered it advisable to present to the Council of Ministers a special proposal for a directive. May I say, in this respect, that in doing so work in this field already done by the World Health Organization, the United Nations' Scientific Committee on the Effects of Atomic Radiation and the International Commission on Radiological Protection has been taken into consideration.

The House will be familiar with the general outline of the draft directive, and therefore I do not think I need go through it in detail. It is fairly clear. I would only add that positive and concrete suggestions on the points we make in the directive are contained in the excellent report prepared by Mrs Weber, for which the Commission is indeed grateful.

Before finishing, Mr President, I would thank the members of the Committee on the Environment, Public Health and Consumer Protection for the support they have given to this initiative taken by the Commission. The Commission is indeed convinced that such a Community regulation is likely to make a useful contribution to improving the quality of radiological protection during medical examinations and treatment in the Member States of the European Community. Before I sit down, may I say to Mr Sherlock that I compliment him upon the gracious modesty of his speech and I am delighted to say that I am not responsible for the United Kingdom tax regulations.

President. — The debate is closed. The motion for a resolution will be put to the vote at the next voting time.

11. Foodstuffs

President. — The next item is the report (Doc. 1-110/82), drawn up by Mr Ghergo on behalf of the Committee on the Environment, Public Health and Consumer Protection, on the

proposal from the Commission to the Council (Doc. 1-935/80 — COM (81)5 final) for a directive on the approximation of the laws of the Member States relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs.

I call the rapporteur.

Mr Ghergo, rapporteur. — (IT) Mr President, ladies and gentlemen, we all know that the practice of packaging foodstuffs in wrappings designed to facilitate their distribution and conservation is constantly being

extended. It is also well known that in certain conditions the substances used in manufacturing the wrappers may be transferred to the wrapped foodstuffs, with obvious risks to the consumer when these substances are toxic.

Hence the need for measures to regulate the use of the substances employed in making the packages in question.

As early as 1976, the Council adopted a framework directive on the subject, which was followed by three implementing directives drawn up by the Commission and transmitted to the Council: one on ceramic articles, another on materials and articles containing vinyl chloride, and a third on plastic materials. The directive in question — the fourth — relates to materials and articles made of regenerated cellulose film.

The measures proposed are based essentially on the compilation of an approved list — i.e. a list of substances authorized to be used in the manufacture of regenerated cellulose film. For such substances, and particularly for additives which may tend to 'migrate', i.e. be transferred to the packaged foodstuffs, a percentage is fixed for use, so as to limit their presence in the finished product to the essential minimum.

Substances other than those included on the above-mentioned list may be used when the substances are employed as colouring matter (dyes and pigments) provided that there is no migration of the substance into or onto foodstuffs. Non-migratability must be confirmed by highly sensitive and safe methods, following a procedure laid down in the abovementioned framework directive of 1976. Until there is a Community directive laying down such methods, the field is not without rules, since national standards currently in force will continue to apply. However, we should certainly urge the Commission to draw up the relevant proposals as rapidly as possible.

One extremely significant aspect of this directive — and credit must be given for this to the Commission, to which I express my warmest appreciation — is the fact that it is the result of expert contributions and unanimous agreement at the scientific, social and economic levels.

The Scientific Committee for Food made a direct contribution to drafting it. The thoroughness of the work carried out in close cooperation with the CIPCEL — the European trade association for manufacturers of regenerated cellulose film — and with the Member States themselves is borne out by the exclusion from the approved list of any substances the harmlessness of which could not be proved with total certainty.

The Advisory Committee on Foodstuffs, too, has delivered an opinion in favour of the adoption of this directive.

Ghergo

That said, I think it is natural to agree with the proposal before us, with regard to which I should also like to recommend — as I have already done in the Committee on the Environment, Public Health and Consumer Protection — revising the figures given for the percentages of the various substances allowed in the manufacture of the materials in question, so as to make those figures uniform and comparable.

Another recommendation concerns the general need for greater coordination among the various advisory and research institutions, so that the results may be related to the problems as they arise in reality, and not separate one from another. Of course specific studies of individual aspects can lead to a better understanding of those aspects, but we must avoid the risk of a dispersal of energies and instead keep in mind the correlations among various problems.

Ladies and gentlemen, only one amendment to the text of the Commission proposal has been tabled in this part-session, and I am its author. It concerns the procedure for amending Annex II — the approved list of substances allowed in the manufacture of regenerated cellulose film. The Commission text provides that, for possible amendments to the said annex, the Scientific Committee on Food should be consulted 'if necessary'. My amendment proposes that it should be consulted not 'if necessary' but 'in every case'.

In the previous part-session Parliament approved a proposal for a directive relating to the COST 2(a) project on the effect of processing on the physical properties of foodstuffs.

On that occasion I stressed the need, which I now reaffirm, to develop overall policies for homogeneous sectors.

Only in this way can we achieve really incisive results contributing to the aim which we have set ourselves of protecting the health of consumers.

On behalf of the Committee on the Environment, Public Health and Consumer Protection, I recommend — subject to the observations I have made — the approval of the proposed directive in question, for which I also express the support of my political group.

(Applause)

President. — I call the Commission.

Mr Burke, Member of the Commission. — Mr President, again I would like to thank, on behalf of the Commission, Mr Ghergo for the excellent work he has undertaken on this question. To this we join our thanks to the Committee on the Environment, Public Health and Consumer Protection.

I am very pleased that the Commission's proposal is acceptable to the Parliament, and I therefore hope that the final decision can be expected in a very short time. I can also give the House the assurance that the Commission will pursue its efforts to achieve harmonization of the legislation in this difficult sector of materials and articles intended to come into contact with foodstuffs. I would also offer to draw the comments on the coordination of study programmes to the attention of the Commissioner principally concerned with this matter.

With regard to the amendment, however, I have regretfully to say 'no' on behalf of the Commission. The amendment to Annex II — that is, to the positive list — could concern not only the toxicological aspects of this list, on which we recognize the need to consult the Scientific Committee for Food, but also other aspects, for example, the technological aspects, for which consultation of the Scientific Committee for Food is not appropriate. For that reason, it is necessary to maintain the term 'where appropriate' in Article 5. Moreover, Article 5 of this specific directive is directly inspired by Article 5 of the general directive, which employs the same formula in relation to consultation of the Scientific Committee for Food.

President. — The debate is closed. The motion for a resolution will be put to the vote at the next voting time.¹

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*Votes*²

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(The sitting was suspended at 8.25 p.m. and resumed at 9.30 p.m.)

IN THE CHAIR: MR LALOR

Vice-President

12. *Drugs*

President. — The next item comprises:

¹ Motions for resolutions entered in the register (Rule 49)
— Verification of credentials: see Minutes.
² See Annex.

President

- the report by Mrs Scrivener, on behalf of the Committee on the Environment, Public Health and Consumer Protection, on the combating of drugs (Doc. 1-1079/81); and
- the oral question, with debate, by Mrs Squarcialupi and others to the Commission, on the production and exportation by Community countries of acetic anhydride used for the production of heroin (Doc. 1-75/82):

The report of the United Nations International Narcotics Control Board for 1981 frequently mentions the problem of acetic anhydride, a chemical substance produced in the countries of Western Europe that is used by clandestine laboratories to extract heroin from the opium poppy, and asserts that:

- acetic anhydride is produced in substantial quantities, particularly in Western Europe, and is exported, free from any control, even by countries acquainted with the catastrophic effects of heroin;
- 90% of all acetic anhydride seized in the near and Middle East, East Asia and South-East Asia originated from one firm in one Western European country;
- where checks have been made on the destination of acetic anhydride, these have resulted in important discoveries of clandestine laboratories.

The UN International Narcotics Control Board therefore calls on the various governments to study the problem of acetic anhydride in order to find a rapid solution.

In particular it calls for:

- (a) more effective measures to reduce exports of acetic anhydride to regions where the opium poppy is illicitly cultivated and/or where clandestine laboratories are presumed to operate;
- (b) close monitoring of the movement of acetic anhydride in order to intervene in the event of orders from suspicious sources;
- (c) scrupulous application of the United Nations 1971 Convention and measures to prevent the diversion of psychotropic substances from licit trade, especially those listed in Schedule II;
- (d) the compilation of basic lists of the main chemical products and agents used in the illicit manufacture of drugs and psychotropic substances for regular submission to police, customs and other control authorities;
- (e) the conclusion of international agreements to provide prompt exchanges of information on unjustified requests for acetic anhydride.

In view of the present drug phenomenon in the countries of the European Community and the

hundreds of heroin victims, can the Commission state:

1. To what extent the countries of the Europe Community are involved in supplying acetic anhydride to the clandestine drug market?
2. Whether and how it intends to respond to the United Nations invitation to the whole international community but in particular to the countries of Europe?

Mrs Scrivener, rapporteur. — (FR) Mr President, honourable Members — I am always a little overawed at having to talk to a virtually empty House, but there doesn't seem to be anything I can do about it.

Drugs are a very serious problem in our Western societies today. In view of the extent and complexity of the problem, we have to realize that, if the Community cannot replace the Member States here, it can, on the other hand, back up what they do.

The development of really effective strategies for combating the misuse of and dependence on drugs, both legal and illegal, has been hampered so far by a lack of collaboration between the people who are fighting the problem, by an inadequate exchange of information and experience and by a kind of pointless, ill-advised competition in research into the causes and effects of drug addiction.

The European Parliament had the opportunity to discuss drugs, certainly, way back in 1972 when Father Laudrain produced his report that was so good from all points of view. But unfortunately, although the House accepted his proposals, they were never acted upon. No doubt the Commission will have something to say about this.

Drug-taking, as we all know, is on the increase. The dangers associated a decade or two ago with the use of natural narcotics have been replaced by the dangers arising from the ease with which people can obtain synthetic drugs and psychotropic substances.

This is what began to emerge from the reports of the Council of Europe's Select Committee of experts on the treatment of drug dependence, which said that drug addiction is on the increase in many countries, that new addicts seem to be getting younger all the time and that these young addicts cannot yet benefit from existing treatment facilities.

In the absence of epidemiological studies, it is not possible to assess the extent of the problem any more precisely, which is why the Council of Europe experts said, in the same report, that: 'There are very few figures available on these trends. Therefore more statistical data on drug addiction and its growth are needed to assist in combating it'.

Scrivener

However, looking at the different types of drug, it is still possible to state that heroin abuse is still increasing — as we have had proved to us over the past few days — that psychotropic substances such as sedatives and tranquillizers — as well as anaesthetics — are being used in alarming quantities by all sections of the population and by all age groups, that there has been a particularly noticeable increase in alcoholism among women and young people in recent years and that there is evidence of a general trend towards multiple drug addiction.

The statistics currently available indicate an increase in the use of both soft and hard drugs and of glues and solvents for their hallucinogenic effect.

Apart from the cost in human terms, the drug problem also imposes a heavy economic and social burden — although we have no recent estimate of the social cost of drug abuse in the European Community.

So the anti-drug campaign is also important because of the financial burden drug-taking imposes on each of the Member States of the Community.

We need to improve the exchange of information in the EEC, which is why we call on the European Commission, in our resolution, to produce more precise, more up-to-date information on drug-taking and to organize better coordination between all the bodies that have carried out studies and research in the Member States.

Drug-taking, of course, can be looked at in many different ways. The commonest idea of drug-taking is, probably, that it is a scourge — although not the inevitable one it is sometimes seen to be. In view of the growing lack of communication between young people and the society around them, drugs first of all seem to be another way of expressing anguish, a language that all other forms of communication seem to have worn out. As Mrs Monique Pelletier so rightly pointed out in her brilliant report, drugs play a pivotal role in a community, which may be real or imaginary, where there is communication and where the youngster hopes to find the warmth and human contact he failed to find at home or at school. Yet in all societies, tolerance for the use of drugs stops as soon as it becomes clear that those who take them are seeking to compensate for society's inadequacies or to challenge its functioning.

At the same time, it would seem that the harsher the repression of drug-taking, the more it grows into a symbol of escape and of destruction of established values. The difficulty is that when official policy is to shut up young addicts in prisons or psychiatric hospitals, it only serves to deepen the gulf between them and the adult world, thus increasing the process of alienation. Nevertheless, in view of the serious nature and growing scale of the phenomenon, action by the authorities is indispensable.

The Community can provide a significant stimulus here by organizing special 'information days' during which young people can be objectively instructed on the dangers of narcotics. It has been found that extra-curricular activities can, as often as not, play an important role in preventive education.

Among the measures which could be undertaken at Community level, we should particularly stress the part that the Community can play in providing information to groups specifically concerned with the drug problem, such as associations for combating drug abuse, the media, health and social bodies, regional and local organizations, youth clubs and parents associations. The Community could distribute information and audio-visual materials and run campaigns involving the showing of films on a large scale and running travelling exhibitions.

However, if a Community policy aimed at reducing the intake of narcotics is to have any chance of success, we must concentrate first on defining the principles according to which strict control of the production of drugs is to be effected.

Reducing production does not seem practicable unless substitute crops can be offered in compensation. This, however, presupposes that such crops are completely suitable to local technological development and local traditions and that they can offer comparable incomes to the growers. The second, and admittedly somewhat unrealistic, solution would be for the countries concerned by the drug problem to buy up the entire amount of drugs produced. This would require a system of very strict control and the permanent overseeing of the production laboratories in order to ensure that additional quantities are not manufactured for sale at exorbitant prices on the black market. In view of the costs involved, any such measures should be undertaken by the Community with the USA and any other countries in a position to do so.

The Community has to act at European level and at international level as well. Many initiatives have already been taken. In Europe, the most outstanding was undoubtedly the 'Pompidou initiative', as a result of which between 1971 and 1977 a number of meetings of the Council of Ministers of the Community took place.

There is something we must be very clear about here. This report is not intended to replace the work of the Council of Europe. The idea is to fix a certain number of specific schemes that the Commission can run in conjunction with the Council of Europe and any other international organization involved in the anti-drug campaign — the UN, UNESCO, the World Health Organization and, more generally, all those concerned with the problem.

Mr President, honourable Members, when drafting this report, your rapporteur, with the support of the

Scrivener

Committee on the Environment, Public Health and Consumer Protection, tried to propose in the resolution one or two specific, practical schemes that the European Commission can run. We are well aware that, in dealing with this affair, we cannot, realistically, do it all.

We were forced to choose, as trying to do everything would be fruitless — as we have seen so far.

So the point of our proposals is to achieve a better understanding of the drug problem, to circulate proper information on the dangers of drug-taking (this is a most effective means of prevention and must be adapted to the different age groups), reduce the supply of drugs by limiting and controlling production and ensure greater collaboration between the European organizations that deal with the problems of drug-taking.

However, we realize that some aspects have not been covered. This was a deliberate omission and my colleagues will no doubt remind me of it, which will be a good thing. But what I really want is to find myself in a few years' time with a committee that has actually achieved something and a Parliament that has been effective.

(Applause)

President. — I call the Socialist Group.

Mrs Krouwel-Vlam. — *(NL)* Mr President, for many years the public authorities in the Member States have been looking into ways of dealing with the problem of drugs. Many millions have been spent on reports and research into the causes and consequences of drug addiction. Millions more have been swallowed up by subsidies to a great many reception and treatment centres. But what has the result of all this been? Drug trafficking is flourishing more than ever before, the number of drug addicts is rising and young people are beginning to use drugs at an increasingly early age, with all the social and economic consequences which this brings. The use of drugs in Western Europe has reached a critical point, and effective immediate and longer-term measures will have to be taken to combat this vast problem.

When dealing with the problem of drug addiction, the emphasis must be placed on the human being as an individual and on his reintegration into society. User-groups change, but prevention must be based on early recognition of the groups which are particularly endangered so that remedial action can be taken.

Horrifying publicity about drug addiction is undesirable; appropriate information is, however, necessary.

The rules governing prevention also apply to the provision of aid. Since the groups of drug addicts con-

stantly change, our approach to them must also change. The provision of aid is still inadequately adjusted to the possibilities and needs of the addicts themselves.

In my group, opinions differ as to the desirability of legalizing soft drugs. However, it seems reasonable to consider whether direct action would not better be directed at the hard drugs, which cause such incredible damage. The use of soft drugs is no worse than smoking or consuming alcohol and certainly no more harmful than taking all kinds of tranquillizers and sleeping-pills. That is why I have tabled an amendment relating to the use of drugs in pharmaceutical preparations.

My group supports Mrs Scrivener's report, which contains excellent recommendations, and we are looking to the Commission and Council of Ministers to show the necessary political willingness for the Community to take appropriate supporting action. If this political willingness is not forthcoming, the excellent work done by Mrs Scrivener and the Committee on Public Health and Consumer Protection will be fruitless.

President. — I call the Group of the European People's Party (Christian-Democratic Group).

Mrs Lentz-Cornette. — *(FR)* Mr President, ladies and gentlemen, I should like to start by congratulating Mrs Scrivener on her fine report. Writing a report on drugs, I am sure, is no easy matter at the moment and seeking an answer to the problem is a useful thing provided it is clear what the scope is and where the opposition lies. Drug-taking isn't an epidemic where all you have to do is identify the virus and come up with a vaccine or a serum to prevent the sickness or cure it. That would be easy. But drug-taking is a furtive thing that has gradually taken over all the countries of the Community over the past 15 years to much the same extent.

This is why the Christian-Democratic Group supports everything Mrs Scrivener's excellent report says so that the Commission can get the means it needs to coordinate all the data on prevention, information, education and treatment in an anti-drug addiction centre.

Dr Olivenstein, who has been head of the Marmottan Centre in France for some years now, says that drug addiction is the result of three things — a product, a personality and a socio-cultural occasion. I shall talk briefly about all these.

First, as to the product, there are hard drugs, opiates that is to say, and heroin and, in addition, we now have uppers (amphetamines, stimulants and cocaine) and downers (barbiturates and all kinds of tranquillizers) and, of course, alcohol.

Lentz-Cornette

Over the past few years, it has been found that younger and younger children are buying glues, solvents, spot removers and so on, which are on open sale. These substances are drugs. You might call them 'light' drugs but drugs are drugs, I think, and these glues and solvents that are being used by children are almost all extremely dangerous.

But it is deluding oneself to imagine that it is possible to combat drug trafficking efficiently when drugs are international big business and there is far too much money involved for us to be able to wipe out the problem completely.

We have to join forces and try to limit production as much as possible and cut down on the transport and trafficking of drugs, as Mrs Scrivener has just said. But we will only have an effect if all the Member States cooperate.

Second, the personality. Very fortunately, it has been found that almost all those young people who have tried drugs have done so out of curiosity. Only a very small percentage of youngsters who try drugs out of curiosity actually become addicts. It is 5% at most. But those who take drugs because they find life difficult are much more likely to become addicted.

A drug addict is a human being who undergoes physical and mental suffering and tries, in his own way, to effect a cure by chemical means. His behaviour is a cry for help, a question of life and sometimes, alas, death. Helping him means re-establishing human relations between him and the rest of the world.

The third thing is the socio-cultural occasion. Drug addiction may be looked upon as a symptom of our crisis-ridden society — not just economic crises, of course, but the more important crises in terms of moral values. Young people are lost and they find it difficult to fit in. They want to break out and very often they escape all too successfully — to death.

And this is why we have to do our utmost to stem the tide of drug addiction in the way Mrs Scrivener has described so well — through education, through information and through training for young people and their parents. I believe that, although treatment is the prerogative of specialists, of doctors and psychologists and teams of professionals, prevention should be the concern of us all, of Parliament and of the Commission and the Council as well.

President. — I call the European Democratic Group.

Mr Sherlock. — Mr President, firstly, may I express my immense pleasure in being able to say that not only I, but all the members of my group will give our support to Mrs Scrivener for the excellent work she has put in on this subject, where she could easily have

been led astray by a lot of rather inconsequential matters that are so frequently raised. She has kept herself strictly to an excellent brief, and I would request that when the time comes, you follow her hand when all of you and our friends and colleagues vote, and vote particularly, against some amendments which have been proposed suggesting that perhaps the use of soft drugs is not as bad as some think.

These, Mr President, are the *entrées* to the main course, and the main course is the way to death; death in dirt and degradation in almost every case, death almost inevitable because the processes of cure are very, very unlikely to succeed. *Facilis est descensus Avernii*: It is all too easy to go on this slippery slope.

I ask you to vote for Mrs Scrivener's proposals because they help us to educate, to research and coordinate. They help us as a Community, and surely this is a Community project worthy of Community support, if ever there was one. By ourselves erecting around our outside boundaries a form of *cordon sanitaire*, we are also helping those other countries, and we must continue, of course, to contribute to assistance on a world-wide scale against this dreaded scourge, another desperate way in which so many — particularly of our young — are bringing themselves to their own premature deaths.

Support the Scrivener report is the message I give to you tonight!

(*Applause*)

President. — I call the Communist and Allies Group.

Mrs Squarcialupi. — (*IT*) Mr President, to relegate such an important debate to an hour such as this does Parliament no credit; and the failure of some members to be present reflects no better on them. I would also like to point out that with the exception of Mr Sherlock, all those who have spoken so far — and perhaps also all those who are going to speak — are women. I also feel it is humiliating for a Parliament to be obliged after ten years to raise such a serious and dramatic problem once again because its requests were never heeded by the Commission or the Council.

The drug problem is a more or less tragic one in all of our countries, but it will be even more tragic this year, because the harvest of opium poppies was extraordinarily large; unfortunately so, I should add, because more will be sold at lower prices.

This mass of opium will be made into heroin, and, like so many other toxic substances — cocaine, for example — it will find rich territory in our countries. It will reap its victims among the young, because of the mistrust they harbour towards the present system of social organization and especially because of unemployment.

Squarcialupi

On this subject I would like to quote the remark of the Secretary-General of the Council of Europe: 'If you provide work for the young and create a more just society drugs will cease to be a solution to these problems.' Political indifference is still great, however, and the problems are becoming enormous. The Community, however, can make itself felt where families, local governments, and the State cannot. It could give a Community dimension to the fight against drugs; it should seek especially to form broad alliances, given the scope of the problem, which exists in proportion to the availability of the raw material: heroin exists because opium poppies are grown. It is a question, then, of persuading farmers in the underdeveloped countries — especially in the 'Golden Triangle' — to cultivate other crops.

Besides appropriating funds for agricultural reconversion, it is also necessary to inform and educate growers about the reasons behind such action. Such programmes are already being carried out by the United Nations with a success in proportion to the funds available. We as a Community, therefore, should contribute towards increasing these funds so that the programmes can be more effective.

Our countries should also collaborate among themselves in the context of Community cooperation.

Recently many of our countries have opened or are in the process of opening offices in the countries which produce narcotic substances, so that the situation can be handled on the spot. Why not make a joint effort? Why not make the drug problem an important theme in politics, in external relations, even in the battle against underdevelopment? Also, why not take action on the problem of the export of acetic anhydride, about which I tabled a question?

The countries of Europe would be able to control the production of heroin by controlling the export of the acetic anhydride produced in Europe, without which heroin cannot be extracted from the opium poppy. Until now no adequate controls have been applied, and therefore our countries are to a great extent contributing towards the growth of the scourge that later returns to devastate them. Why not give proof of a common will in this area as well? The problem at the root of this inadequate debate of ours — as Mrs Lentz-Cornette pointed out — is that the drug problem itself exists on three levels: the individual level, concerning in this case the young people who take drugs; the product, that is, the drugs themselves; and the socio-cultural situation, which at present is above all characterized by a job shortage, but which is also affected by international tensions and the not improbable prospect of a nuclear holocaust.

A great mustering of forces is necessary, therefore, in order to deal with this enormous problem; above all however, we need a political will strong in proportion to what is at stake: that is, the lives of hundreds of

young people, the tranquility of our society and the credibility of our institutions.

(Applause)

President. — I call the Liberal and Democratic Group.

Mrs Pruvot. — *(FR)* Mr President, there is nothing to add to Mrs Scrivener's excellent report and I thank her for that. There is nothing to add, particularly after what the honourable Members, who went into considerable detail, have said.

However, I should like to say that, to my mind, the suggested solutions to the problem go far beyond medical and legal matters. The health service at the Council of Europe has just produced an important, very thorough, very serious piece of work on the prevention of drug dependence and I entirely agree with what it says — that drug-taking in a youngster has to be considered as an accident both legally and health-wise. So it is urgent to devise and actually use a new teaching method that will enable problems to be tackled in a global way. It is vital for the leaders of society to devise a proper health education scheme and to do so fast. The accident must not be allowed to become a disease or a relapse in the case of medicalization or an offence or a further offence in the case of too legal an approach.

But above all, I should like to congratulate Mrs Scrivener. It takes a lot of courage today, I think, to try and find an answer to this terrible problem.

It takes a lot of courage to tackle a vice which will, I fear, go on spreading. As long as we are unwilling to do anything about the big producers and traffickers — these people, who are important and powerful because they are so rich, are protected by the financial interests they represent and they go free, often getting respect because of the luxury which surrounds them, obtained by playing on the vulnerability of young people — as long as we are unwilling to do anything about them, young people will go on rotting and dying in inhuman prisons where the law and the judges have put them, often for years and years. Forgetting this is salving one's conscience.

This is not the way to give young people the courage to face up to life instead of using drugs as a means of escape from such an unjust society.

President. — I call the Group of European Progressive Democrats.

Miss de Valera. — Mr President, ladies and gentlemen, I too, like all the other speakers, wish to congratulate Mrs Scrivener warmly on her excellent report. Drug abuse was almost unknown in Europe in the

de Valera

1960s. In 1960, for example, only one case of international significance was reported — from the Netherlands. Now the situation has become very serious indeed. For the past two years more heroin has been seized in Europe than in the United States. More nations have introduced special legislation, and special police units have been set up in practically all countries in order to carry out enforcement more efficiently. The number of drug-related deaths continues to increase year after year in most countries.

As was pointed out in the report, until recent years young people started off 'soft' drugs out of curiosity and then gradually went on to 'hard' drugs. However, today, this escalation process tends to be replaced by an immediate initiation into hard drugs and the use of highly toxic substances, for example, the all too common practice of glue sniffing, which has become a very grave problem in the Dublin area. In the 1970s those who had become involved in the drug scene were usually from less fortunate areas of our society: the unemployed; from broken homes; the less educated. However, today drug abuse hits all social classes.

I was very disappointed, however, to note that Ireland was the only Member State not to be considered in this document. Unfortunately, we in Ireland also have our problems and need the help of the Community. The number of drug abuses has risen to a frightening degree from 1980 to 1981 in Ireland. The age group most at risk is the 16 to 19 age group although, as in every other country, those abusing drugs are becoming younger and younger. Most of the drug addicts being treated at home in Ireland are male, the ratio of male to female being 5 to 1. In 1980/81 the majority of patients being treated in the main Dublin centre had continued their education past primary school and there is also a very strong link between drug involvement and the loss of jobs. This, indeed, could be attributed to the change in lifestyle.

The Irish figures for 1980-81 show that 82.5% of addicts who sought medical aid were single and that 65% lived at home and that the highest percentage of drug abusers were semi-skilled and in the professional sector. Cannabis and indeed heroin are now the most frequently used drugs in Ireland. The number of patients abusing heroin has risen from 13% in 1979 to 55% in 1980. I agree with Mr Scrivener when she says in her report that a detailed information plan must begin and be financed by Europe. Our attitudes, however, must begin to change too; our use of drugs such as tobacco, alcohol and what are termed household drugs must change. We have become a pill-popping society. The overuse of such drugs in the home is known to influence youngsters, and such a lax attitude at home can lead to trouble for the young person later on. The phrase 'prevention is better than cure' is especially true in the case of drugs. We should therefore encourage all Member States to exchange information and experience. Training of teachers is also very

important, for the effects of drug abuse should be taught within the structure of general health care.

The main stress should therefore be on prevention, information and education to dissuade people from taking drugs. The Community should also provide financial aid for the establishment of statistical services in every country and to have these statistics collected and correlated. I, like, I am sure, many other Members, would wish to encourage Member States to increase their contributions to the United Nations fund for drug abuse control. I also believe that it is now our opportunity to set a serious study in motion, a study which must look at the source of drugs.

I would therefore end, Mr President, by congratulating once again not only the other Members that have spoken in this debate, but Mrs Scrivener for her tremendous support and the work that she has done on behalf of us all.

President. — I call the non-attached Members.

Mr Eisma. — (NL) Mr President, we share your pleasure at the fact that Mrs Scrivener has fully recovered and clearly got over her throat infection, so that we can now embark upon our debate on drugs. I should also like to take this opportunity to point out to Mrs Squarcialupi that I too am a male speaker. That observation might be superfluous, but I have made it all the same because of her introductory remarks.

Mr President, as we all know, there are two ways of reducing the risk inherent in the consumption of drugs: firstly, legal prohibition and the threat of penalties, and secondly, prevention, information and education. In general, prohibition must be approached with great caution — firstly, for reasons of principle. The freedom of adult human beings should only be limited where it encroaches upon the freedom and rights of other individuals. Young people on the other hand, are entitled to protection, and I shall be returning to this point in a moment.

Many drugs are easily obtained by adults, in particular those which are regarded as socially acceptable such as tea, coffee, alcohol, tobacco, a great many sleeping-pills and other pharmaceutical preparations. Mrs Krouwel-Vlam just drew your attention to this fact. As the report points out, young people rightly make a distinction between those drugs and the products derived from hemp, which are often illegal. The resolution seems to overlook this point, and we therefore support Amendment No 11, by Mrs Bonino and Mr Pannella, which highlights this fact. The harm caused to individuals and property by the misuse of alcohol is probably many times greater than that attributable to heroin addiction. Policy must be based on measures to reduce risks and not on action against the users themselves.

Eisma

Mr President, those substances which entail unacceptable social risks should naturally be prohibited. Heroin is one of them. Hemp products, on the other hand, are not addictive and should not be classed in the same category. Trade in them should be legalized and controlled. If we legalize trade in soft drugs, they will be clearly set apart from heroin, in which trafficking is particularly harmful, and the transition from soft to hard drugs will be made more difficult. It is a pity that the resolution does not go into this point. We shall therefore support the amendments by Mrs Bonino and Mr Pannella which favour the legalization of hemp products.

In addition to the unacceptable social risk, a second requirement is that any prohibition must be effective, i.e., the social damage caused by the prohibition must not be greater than the damage caused by authorization of the drug. One need only think back to prohibition in the United States in the 1920s and the way in which alcohol was distributed in Sweden in the 1940s. One might even ask whether the ban on peddling or using heroin is effective. Because of the ban, the price is so high that many addicts are obliged to resort to crime to obtain the necessary funds. Nevertheless, a reduction in the rate of supply is one of the two cornerstones of any policy to control drug abuse.

We are pleased to note that the resolution gives full attention to the second cornerstone of this policy namely, prevention, information and education. The most striking aspect of this problem, Mr President, is use and abuse by young people, including young teenagers, who become addicts. If this phenomenon is to be successfully combated, the use of heroin must first and foremost be isolated from the present atmosphere of sensation, emotionalism and taboo. The use of drugs is simply one form of deviant behaviour by young people who are at particular risk. Other phenomena are vandalism, aggressivity, certain other types of criminality among young people and apathy. The young people concerned are often characterized by a low level of education, incomplete schooling, unsatisfactory living conditions, a difficult family situation, difficult conditions at work or unemployment, a lack of hope for the future and an insufficient conception of their own value.

Mr President, for some addicts the use of heroin is such an important component of their way of living that they are increasingly reluctant to give it up. They should be helped by improvements in their physical and social environment.

Finally, Mrs Scrivener's report does not deal with these aspects in detail, but it does leave room for fuller consideration in future. The whole of this problem is so generalized in the Western world and so serious that the Community should surely play a coordinating role, although we do, of course, recognize that the creation of yet another Community agency, as suggested in the resolution, is superfluous. We therefore

support the amendments which suggest that no such agency should be created.

President. — I call Mrs Dury.

Mrs Dury. — (*FR*) Mr President, first of all I should like to tell Mr Eisma, in a perfectly friendly manner, that as I am the only woman to speak in the Stabex debate, I should perhaps point that out too. Now, on the subject of drugs, I should like to tell Mrs Scrivener that I thought her introduction was fuller and more incisive than the report itself and that, unfortunately, her resolution does not really reflect the very thorough analysis she made for us this evening.

But it is not easy to adopt a fair attitude and get proper information on the drug problem. There are too many contradictory and complex data. The only thing we can be sure about, I think, is the suffering drug-taking causes. We heard about Dr Olivenstein just now and he also said that there is no such thing as a happy drug taker. To take drugs is to sacrifice one's freedom, one's body, one's sexuality and one's life. But do we ever make such a fuss about alcoholism — which kills more people than all the drug overdoses put together? Do we publicize the cost of smoking to society? The answer, as I see it, is unfortunately no. We do not talk about these enough and this is why I tabled Amendment No 26.

We should also warn people about the dangers of pharmaceutical drug addiction, which is encouraged by the producers who make a big profit out of it and left to medical laxism. It was to increase the control of psychotropes that I tabled Amendment No 25.

I should also like to say, as someone in fact said just now, that the basis of the problem seems to me to be an economic one. The Golden Triangle poppyfields in Turkey represent far too much money, influence and power for us not to mention this. This is why I tabled Amendment No 22. And I should add that the USA's attitude on this is more than confused if you think of the CIA's part in the notorious Golden Triangle.

I should also like to tell Mrs Scrivener that I think we should extend our discussion to countries other than the USA — to the countries of ASEAN and the Maghreb and the Mashreq — and that collaboration with the USA is already in existence as far as the countries of the West are concerned. We had a scandal in Belgium where policemen who were supposed to be campaigning against drugs actually became peddlers and, when they were arrested, seven American policemen left Belgium in a hurry. . .

I should like to finish by saying that, instead of having repression, rejection and incomprehension, we should be concentrating on prevention and cure. This is what I meant in my Amendment No 24.

President. — I call Mr Kaloyannis.

Mr Kaloyannis. — (*GR*) Mr President, while I feel obliged to disagree with the previous speakers I feel I must congratulate the rapporteur. However, I am also obliged to point out that the Bureau does not seem to have given much thought to the choice of the timing of, and indeed the time available for the debate on this subject. This may perhaps explain in part why the House is nearly empty.

The problem of the fight against narcotics has become more dangerous and more difficult to solve since the war.

Both socio-economic and pharmacological factors have contributed to the increasing trend towards drug-taking. One of the many causes of the initial inclination towards drugs is association with addicted persons.

As has already been emphasized, and as I agree entirely, the measures adopted in the fight against narcotics must be both preventive and suppressive.

Among these measures, special attention should be given to the following:

1. Effective collaboration between the international and the national police forces in the domains of monitoring the problem and of pursuit;
2. Imposition of the severest penalties, and I stress this, on those who deal in drugs;
3. The correct treatment of addicts, as sick individuals and not as society's rejects; and finally
4. Appropriate educational measures, using all available means and at all social levels and all ages.

Unfortunately, in Greece in recent years there has been an increase in the distribution and use of drugs, though not to the extent observed in other European countries. This increase is due to our geographical position and has resulted in some increase in criminality among the young. Moreover, the penalization of such offenders has become among the most severe.

In concluding, Mr President, I put the suggestion that the Commission of the European Communities and its competent services should take special measures, particularly in the area around Greece, to coordinate and prevent the movement of narcotics, particularly from Turkey but also from other Eastern countries, via our country. This would benefit the whole of the European area, for which most of these drugs are destined.

President. — I call Miss Brookes.

Miss Brookes. — Mr President, I will try and adhere to time because I know there are many other speakers and many other debates tonight; so I shall go ahead with 60 seconds.

There is one point which I would like to bring to the attention of those people who are absent and those who are present. I am horrified and deeply concerned at the extent to which drug pushers and drug peddlers are so easily able to sell their unsavoury, dangerous and often fatal goods — and seemingly, Mr President, with considerable freedom and with great financial reward for the creation of tragedy. Of course there should be prevention of drugs, of course it should start with education at an early age: education on drugs, especially their misuse, should be regarded as an important element in that prevention, and the problems of drugs should be made part of an overall programme of health education.

But the point I want to bring home in my brief 60 seconds is that we, as the European Parliament and the Community, must accept the responsibility and find means of controlling the making and selling of dangerous drugs. There must be severe laws and penalties for those drug peddlers who are responsible for so many deaths amongst our young people. That is the responsibility that this European Parliament has. I ask the Commission to accept that responsibility. At the same time, I congratulate Mrs Scrivener on her excellent report. I hope that was 60 seconds.

President. — Very well and succinctly said.

I call Mr Beyer de Ryke.

Mr Beyer de Ryke. — (*FR*) Mr President, honourable Members, romanticism in talking about drugs is past. Although we could once hear the tales of refined opium-eaters and sensual pleasures that fear or moral values denied us, drug-taking has now become a social vice. More than a vice, a scourge. The ranks of the drug-takers are swelling at a suicidal rate. We are witnessing the democratization of death. Heroin, the white death, is everywhere. It was Dr Olivenstein — someone mentioned him just now — who made this clear. And to this I would add that, although processions through Paris follow ideological routes — the left go to the Bastille and the République and the right go up the Champs Elysées — drugs know no such distinctions. Drugs reign in Belleville and in Neuilly too.

When talking about the terrible problem of drug-taking, there are a number of things to say and Christiane Scrivener — quite rightly, I am pleased to say — chose to concentrate on prevention. It is essential. It is not an exclusive thing. And, if she will allow, I should like to draw your attention to the legal, and therefore repressive, corollary that has to go with her report.

Beyer de Ryke

A case which wound up in the courts recently and which is worrying a lot of people in Belgium — as Mrs Dury reminded us — is the François case and this suggests to me that we should be altering our system at European level, bringing it into line and, above all, harmonizing it.

When you campaign against drugs, there are three questions you have to ask. What should you do? With whom? And in what sort of legal framework? There is no sense in lying in wait for the pusher like a policeman lurking about at a traffic light waiting for a potential law-breaker. You have to dismantle networks and track down the quarry where he is, where he goes, where he acts and where he prepares to act. And you have to do more than that. If you are to catch him, you may need to provoke him, to force him to act. There you see, I've said it — you have to provoke him!

There are pushers. Their job is to find outlets. And one of the jobs of the anti-drug squads is to flush them out. So they need psychological, financial and legal arms. They are not dealing with choirboys. They are dealing with tough customers. They have to work their way into another world, with its own laws, customs and rules, those of the underworld. And like it or not, the leaders of the anti-drug campaign in the world today are the officers of the DEA, the Drugs and Enforcement Administration. They are supercops, highly paid supercops and they work with daring laws. They work in our countries and the people we send to work with them are often badly paid (or they are as far as my country is concerned) and hampered by restrictive legislation. So what happens? Well, some of them do give in to temptation and corruption, particularly as they have to avoid detection by leading the sort of life that low wages cannot pay for. But they are the exception. I should like to emphasize that and make it quite clear. Most officers do not allow themselves to be led astray.

But the laws are impracticable. They have to be got round. You have to go beyond them. There is a distortion between facts and laws. So the anti-drug squad goes to the public prosecutor and the public prosecutor gives his consent, he gives his authorization, but he never, never puts anything in writing. The police give the green light, but things go badly and the light goes red and everything is forgotten. In the François affair, the police headquarters decided to act according to one of the most famous, most widespread prototypes — namely Pontius Pilate!

To avoid such a denial of justice, Commander François le Moël, that remarkable cop, the boss who knew how to look after his own and shoulder his responsibilities, will tell you that, to avoid seeing Europe be or become the soft underbelly of the drug trade, we should review our laws, harmonize them and act in the light of American laws, making the necessary specific modifications. The law has to be respected, but if it is

to be respected it has to be changed. This is the job, this is the mission that I say the governments of our different countries should be taking on.

I shall conclude, for the benefit of those who sometimes applaud in an over-interested or plain irresponsible manner when incorruptibles fall, with a few words from the Sydney Lumet film, *Prince of New York*. 'Yes, we are, we really are the barrier between you and the jungle'.

President. — I call Mr Almirante.

Mr Almirante. — (*IT*) Mr President, what was presented to us by Mrs Scrivener — whom I congratulate on her work — is not a report but rather something different and something more; it is an appeal, a cry of alarm, and an accusation. To demonstrate this, I have only to quote some of the most important statements contained in the report. They are: the data available to the Community concerning the spread of this virtual epidemic are far from complete and therefore untrustworthy. The funds available to the Community to combat this scourge are extremely limited. Some Member State governments, among them, I am ashamed to say, the Italian Government, have not yet signed the 1971 Vienna Convention on the control of psychotropic substances. The existing UN fund for drug abuse control relies solely on voluntary contributions; any sort of joint action between the UN, UNESCO, and WHO is still lacking.

After speaking broadly and candidly of all this, the Scrivener report affirms that drug addiction should be considered not as a crime but as a disease, and that therefore the true preventative function should be exercised by a doctor and not a magistrate. This, if the rapporteur will permit me to say so, is a dangerously one-sided view of the problem, and this for two very serious reasons. First, we cannot fight the epidemic or prevent its disastrous effects if we do not strike at the drug peddler, a sordid figure not even mentioned in the report. Second, the drug addict — as the report itself acknowledges — refuses *en bloc* the standards and values handed down to him; he becomes asocial, which means in turn that he can become an habitual criminal. This means that prevention depends first of all on suppressing the drug peddlars, using the most vigorous means and — I am not afraid to say it — even the death penalty. Naturally, I am referring to the large-scale drug peddlars, although very severe punitive measures are also needed for medium and small-scale drug dealers, in their case, of course, excluding the death penalty.

I wish that we could begin to speak frankly on this issue, for I have the strong impression that there exists an international organization for distributing drugs in the countries of the West. Soviet laws, like the laws in all the Communist countries, are very severe — and

Almirante

rightly so — towards those who try to sell drugs within those countries, but there is inadequate surveillance at the outgoing frontiers. All in all, I have the impression that a gigantic genocidal operation is being carried out, originating in the East and directed at the West, and I therefore call upon Parliament, the President, the Commission, and the Council of Ministers to spare no effort in the fight to prevent and suppress the distribution and consumption of drugs. This, for Europe and unfortunately for Italy in particular, is a matter of survival.

President. — I call Mr Papaefstratiou.

Mr Papaefstratiou. — (GR) Mr President, I shall not waste Parliament's time by analysing the causes of this great social problem, whose severity is unfortunately increasing month by month. Please permit me, however, to propose certain specific measures which, in combination with others, may perhaps help to solve at least part of the matter.

Firstly, it is necessary to set in motion on a European scale, a programme of action involving specialized personnel and organization, to strengthen the infrastructures involved in the monitoring and prevention of the importing of psychotropic substances.

Secondly, close collaboration between the various European and world-wide organizations for the suppression of the movement of narcotics, supported by appropriate legislation is essential.

Thirdly, and I draw your attention to this, severe economic and commercial sanctions must be applied against Turkey and countries in south-east Asia, whose official governments tolerate the cultivation of narcotic plants which are subsequently exported, like a white death, to other countries.

Fourthly, the necessary finance should be found for therapeutic medical institutions specializing in the treatment of addicts.

Fifthly, a very broad publicity campaign should be undertaken by all the educational institutions in the Member States, and by the mass media, the press, and the cinema, concerning the tragic consequences of drug abuse.

Sixthly, we should, perhaps, approve some sort of moral and material incentive for young people who once and for all break the habit of drug abuse. For example, I could mention preferential consideration of such people for newly created jobs.

To be sure, these measures would require a combination of political and social will, and of expenditure. In this connection the European Community should not hesitate in the face of any budgetary expedient what-

soever, because it should not escape our attention that any sum spent to secure these aims would constitute a very good investment for the salvation of the souls and bodies of mainly young people. I sincerely congratulate our rapporteur, Mrs Scrivener, and I ask not only that her report should be approved unanimously, but that action should be initiated immediately by every competent Community organ and by every responsible citizen in our community.

President. — I call Sir John Stewart-Clark.

Sir John Stewart-Clark. — Mr President, in supporting Mrs Scrivener's thorough and logical report, may I beg the Commission to pay more attention to the detection of hard drugs. Modern electronics, combined with the use of gerbils, provide a highly sensitive and potentially effective method of drug detection. There must be urgent further research into electronic and other methods of drug detection. At no time and in no place were the words 'prevention is better than cure' more truly relevant.

President. — I call the Commission.

Mr Richard, Member of the Commission. — May I say I think this has been a fascinating debate and I have enjoyed listening to every contribution.

First of all, may I congratulate Mrs Scrivener on her report and, secondly, for having provoked this particular debate tonight.

Perhaps I might be allowed, — although not a Member of the Parliament — to echo the sentiments of some people who have spoken this evening that it is, perhaps, a pity that the debate has not been better attended because it really is a most important subject, and I think one would have hoped for a fuller House.

May I also, right at the outset of my contribution, deal with the difficult question of the legalization or otherwise of cannabis. I deal with it straight away merely because it has been raised by various speakers, and I think it might be hopeful if the Commission made its position, tentative though it is, fairly clear.

As far as the Commission is concerned, our opinion is that the subject of legalizing cannabis should be approached with considerable caution, last but not least because of the uncertainty of possible later harmful effects and frankly because the state of the evidence is not such that at this moment it is really possible to come to a definitive opinion. I am sure the House will remember that the Pompidou group has agreed that any attempt to legalize cannabis should be opposed. I realize there are different views upon this and I can only say that given the state of the evidence as it is at the moment, it would seem, to me at any

Richard

rate, to be a sensible position for the Commission to adopt. Of course if the evidence changes, the Commission would be prepared to look at that position again. But again we would look at it with similar caution.

Mr President, the problems caused by drug abuse have to be approached from more than one angle. Apart from the human angle there are legal, economic and social aspects. In her excellent report Mrs Scrivener not only analyses the diverse nature of drug abuse but also makes a number of concrete proposals for fighting it. I hope that the initiative taken by this House with this resolution will not only arouse public opinion in the Member States, but will also bring about some concerted and sustained counter measures.

The Commission shares the concerns expressed in the report and in the draft resolution. On the other hand, we are grateful for the clear indication in the resolution that Community measures can only be complementary to initiatives taken at national or local level.

However, despite all efforts to get drug abuse under control, one has to say that there has been no real success. In fact, the present situation, as we see it, is characterized by an increase in drug abuse, an increasing tendency towards multiple drug taking and a lowering of the age at which drugs are being consumed, so that we are now faced with the serious problem affecting juveniles as well as adolescents. I think we have to realize that in recent years the drug scene has changed. Whilst during the 1960s and the early 1970s it was mainly young people with higher education who seemed to resort to drugs, more out of curiosity and for a limited period of time, this has now changed considerably. The misuse of drugs has come to be a means of compensation for socially disadvantaged young people. Unemployed young people and those not having finished their schooling and/or vocational training seem in fact to be the most vulnerable.

Since endeavours at national level have so far not resulted in getting drug abuse appreciably under control, the question therefore follows: what could be the role of the Community in developing effective strategies?

I am afraid I have to start on a slightly negative note in reply to the question by Mrs Squarzialupi concerning the export and the use of acetic anhydride for the preparation of heroin. The Commission has recently informed the representatives of the European chemical industry of its concern about exports of this substance to the countries of the Middle East and South-East Asia. But it would be extremely difficult in our view at the present stage to set up rules regarding exports of such widely used chemicals. Taking into account the complex network of exchanges, I feel it has to remain the responsibility of the government authorities of the importing countries to check for what purposes and to what extent imports are justified.

But having perhaps cleared the negative aspect of what I want to say out of the way, may I now turn to a more positive note. Although the Treaties make no specific provision for action in this field, I would argue that it falls within the essential objective of improvement of living conditions. On this basis I think the Commission should be prepared to take action. This should involve the development of prevention through health education and the exchange of information and experiences. In addition, we need to improve the data available and to promote research. With these activities, the Commission would, it seem to me, respond to a crucial demand of the draft resolution contained in item 4.

I must add, however, that the Commission does not believe it would be wise to set up another organization for the fight against drug abuse and in this connection I would like to refer to the answer to Written Question No 971/80 by Mr Bangemann.

But in any case, Mr President, I think I need to warn the House not to expect spectacular results in the reduction of drug abuse. What we must plan for is a long-term programme of containment.

Concerning research, the proposal for a Council decision adopting a sectoral research and development programme in the field of medical and public health research, which is in the hands of the Council at the moment, provides the opportunity for concerted action in the broad field of substance abuse, including drugs, tobacco and alcohol.

I would also like to mention that the Commission has launched a pilot study for an analysis of the present situation of multiple drug abuse with the ultimate aim of assessing the incidence of serious drug problems in the member countries.

Other studies under way into the motivation for adopting a behaviour which is harmful to health could be the starting point for establishing why some drug-takers are able to abandon the habits spontaneously and others are not. It may also give us an indication on how to overcome the present high failure rate of therapeutic methods.

These initiatives have been taken following the resolution on the fight against drug abuse of 10 March 1980.

In conclusion, Mr President, may I say that, as I think the House knows, the Health Ministers emphasized the paramount importance of health education in the context of health policies. I think that there may be a meeting of Health Ministers in the not too distant future and I hope that the major health problems that you have discussed at your last two part-sessions will then appear on their agenda. Certainly drug abuse is a major problem linked to other areas of social policy and with an unquestionable Community dimension. As I said a little earlier on, I think the thrust of any Com-

Richard

munity action should be a concerted programme of containment over the next 10 or 20 years. Having said that, however, I agree with the opinions expressed in the House tonight that a start should be made, and I am grateful for the impetus in that direction given by this debate and by Mrs Scrivener's report.

President. — I call the rapporteur.

Mrs Scrivener, rapporteur. — (FR) I only want to say one thing. I have tabled an amendment to my own report. This seems to me to be important, particularly after the very interesting things the Commissioner said just now. I do not want there to be any confusion here.

I do not think that we need set up a special centre in the Commission — and I have altered my report, via the amendment, to make this quite clear.

I hope the amendment will be adopted. Which of course means that we expect a lot of the Commission. We will not accept the sort of situation we were in after the previous report.

President. — The debate is closed. The vote will be taken at the next voting time.

13. *Frontier workers*

President. — The next item is the report (Doc. 1-1095/81) by Mrs Salisch, on behalf of the Committee on Social Affairs and Employment, on an economic and social policy in favour of frontier workers and on

the proposal from the Commission to the Council (Doc. 1-694/79) for a directive concerning the harmonization of income tax provisions with respect to freedom of movement within the Community.

I call the rapporteur.

Mrs Salisch, rapporteur. — (DE) Mr President, ladies and gentlemen, I am presenting the report on an economic and social policy in favour of frontier workers and on the proposal from the Commission to the Council for a directive concerning the harmonization of income-tax provisions with respect to freedom of movement to you in an unamended form in the hope that the House will show greater understanding on this occasion than it did on the first reading of this report.

What was the controversial point on that occasion? The point at issue was that if the Commission's propo-

sal is implemented frontier workers will immediately be liable for tax under the principle of country of residence. You will recall that the spokesman for the Committee on Economic and Monetary Affairs, Mr Hopper, expressed concern over this. The Committee on Social Affairs and Employment asked Mr Hopper for further explanations. I can only inform you that the Committee on Social Affairs has endorsed the Commission's proposal by an overwhelming majority, and we have therefore made no changes in the report. We believe it is a good principle for the Commission to seek to put an end to discrimination against frontier workers in the matter of taxation, and we fully support its endeavours to that end.

Ladies and gentlemen, the report has a further section dealing with proposals for an economic and social policy for the benefit of frontier workers. A decisive consideration as far as we are concerned is that the concept of the inter-region is now actually being given effect. Hitherto the Commission has, in my opinion, dealt with frontier workers in a fragmentary manner except for certain specific sectors. We in the Committee on Social Affairs feel that an overriding principle has now been introduced and that frontier workers will be dealt with on the basis of a uniform approach, in other words the treatment accorded to them in the taxation sector will not differ from that in the social or other areas.

I believe that particular emphasis should be placed on the inter-region because we cannot simply wait for harmonization to be introduced in every sector but assume that regional authorities, chambers of commerce and trade unions must take the initiative in finding a joint solution to the problems experienced by frontier workers in the areas of vocational training, job placement and employment. To that extent I believe — and I am pleased to see Commissioner Richard with us today — that we should give thought, in connection with the reform of the Social Fund, to the inclusion of special appropriations to support pilot projects in frontier regions designed to assist young unemployed frontier residents. In all too many cases today diplomas are not recognized on either side of a frontier. There are some instances where employers take a private initiative and recognize certain diplomas, but we do not have comprehensive regulations. I see joint action as necessary here.

We therefore call upon the Commission to take action in the areas of employment policy, vocational training and job placement. We attach particular importance to the provision of detailed information on the facts at issue here. As yet we do not have precise details of the number, sex and level of occupational training of the persons concerned. All this information must be compiled on a European scale.

As I said when this report was first submitted, frontier workers might well be the archetype of European workers, but today they are the group which suffers

Salisch

most from the inadequacies in our Community. They fall between two or more stools.

They are not recognized in their own country, because they leave it to find employment in another. On the other hand, in their country of employment they have little chance of taking part in professional training measures to obtain suitable qualifications or higher diplomas. It is vital for us to act in this sector, and the motion for a resolution, which we hope you will adopt, provides a good opportunity to do so.

Mr President, Mr Commissioner, we are well aware that even if a solution is found at the level of the European Community great problems will still exist with third countries. That is why we urgently appeal for cooperation with, for example, the Council of Europe, in order primarily to support those countries which have a frontier with non-Member States of the European Community. Italy is a good example.

I believe that this proposal can provide a good opportunity for action by the Commission to ensure, for example, that, in the area of social security, the benefits earned by frontier workers are calculated in European units of account to avoid exchange losses to them. Above all, it is vital for the Commission to do all in its power to persuade the regional authorities to take action.

In conclusion, I venture to hope that the Commission will take up the suggestions made in this report.

(Applause)

President. — I call the Committee on Social Affairs and Employment.

Mr Papaefstratiou, Chairman of the committee. — *(GR)* Mr President, in view of the excellent coverage of this most important subject by the rapporteur Mrs Salisch, I shall not impose upon the House beyond saying that the exchanges of workers across frontiers undoubtedly constitutes a positive step towards the development and consolidation of human civic, economic and political bonds between the Member States of the European Community. It is also certain that such transfers constitute a serious problem, if one considers that in some frontier regions high proportions, as much as 30% or even 40% of the working population, are in fact frontier workers.

For this reason only a correct and coordinated Community regional policy will be able to make any substantial contribution towards eliminating the economic inequalities between neighbouring frontier regions within the Community, but also those bordering on other countries outside it, such as Switzerland, Austria, etc.

There are many day-to-day problems that must be faced, such as frequent customs' inspections at the frontiers, which directly waste valuable time, the problems of citizenship, the problems of the recognition of educational diplomas and certificates, the problems of professional training, social security, double taxation, etc.

I would like to dwell upon the last two of these, namely social security and taxation, because I believe that practical measures could be adopted by the Council of Ministers and by the Commission that would greatly alleviate the whole problem, and that in this way the development of certain frontier regions would be assisted, and indeed, the creation of new jobs encouraged, because we should not forget that this problem is directly linked to the enormous problem of unemployment, which today besets all countries, even the Member States of the Community.

I hope that this House will accept Mr Salisch's report by a large majority, and that the other Community organs will support the efforts to implement these practical proposals.

President. — I call the Socialist Group.

Mr Schinzel. — *(DE)* Mr President, ladies and gentlemen, on behalf of the Socialist Group I shall begin by thanking the rapporteur and Mr Oehler, who was involved in the preparatory work on this report, for the excellent and clear way in which they have outlined the problems of workers in frontier regions and described possible solutions.

I shall now confine myself to just a few observations. The regions on the internal frontiers of the European Community are frequently among the structurally weak areas of the countries concerned. One reason for this is that frontiers in Europe still are frontiers, so that these regions in effect lack one half of their economic sphere of influence. Their economic structure is therefore correspondingly sensitive to cyclical and structural crises, so that the residents of these regions find themselves confronted at an earlier stage with high unemployment in times of crisis; similarly, in phases of economic recovery they feel the benefits later. All in all, the crisis affects them for longer periods than other regions.

Frontier regions therefore face the risk of being increasingly isolated from the general economic trends in the centre of the respective country. Therefore one of the main demands made in this report is that a coherent economic policy should be pursued in the frontier regions, i.e., the regions on either side of an internal frontier must be considered as a single economic area in which a common policy must be pursued. Definite development planning giving information on the number of jobs available, on foreseeable

Schinzel

developments and naturally also on measures to be taken is therefore necessary in order to create new employment in these frontier regions on a lasting basis. To put it differently, coherent planning of this kind could save a great deal of money, because a joint project would be financed from tax revenue instead of the individual Member States acting separately and, in some cases, in opposite directions. It seems to me that regions on our internal frontiers could be a model of convergence on a small scale, as a practical demonstration of how things can work, even if they do not work satisfactorily, on a larger scale in Europe.

Having regard to the difficult economic situation in practically all our Member States, although of course with some variations, one important side-effect at present is the phenomenon of dislike or even hatred of foreigners. A serious policy pursued by the governments concerned in frontier regions could help to prevent this phenomenon from occurring.

I wish to mention four more points. Frontier regions would be admirably suited to the creation of typical training centres extending beyond the framework of individual undertakings. An attempt on these lines is already being made in the Rhine-Maas region. The trade unions and all other parties are supporting this project and trying to put it into effect. I would ask the Commission to give appropriate assistance to this project in which Dutchmen, Belgians and Germans are to be given simultaneous and uniform training; this project could then be put into effect at the earliest possible opportunity as a practical response to the problem of youth unemployment and the lack of training opportunities in frontier regions.

Now for my second point: the report calls for measures of control in respect of the unemployed. I would add that such measures must not take the form of additional social penalties on the unemployed by downgrading them into jobs which are not appropriate to their level of training. They must not be penalized for the fact that they are unemployed through no fault of their own.

My third point is that we must take urgent measures to prevent pensions from being devalued. To give an example, it is increasingly common for Germans who receive both German and Belgian pensions to find their income declining from year to year as a result of exchange-rate fluctuations. Because of the latest devaluation of the Belgian franc, they have not been able to benefit from the general upward trend in pensions.

Fourthly, the report refers to border controls. It is suggested that a special lane should be introduced for frontier workers. That is all very well, but I must say it does not satisfy us. We want all frontier controls to be abolished; they are no longer appropriate today.

(Applause)

As our countries have come to face increasing economic difficulties, frontier controls have not been eased; on the contrary, increasing difficulties are being experienced in practice. At least that is the impression felt by frontier residents. We would therefore take this opportunity to appeal to the governments and Commission to take appropriate counter-measures and create a climate in which complications of this kind would be avoided and proof given of the fact that frontier controls are a thing of the past.

Finally, I wish to draw your attention to two problems. German citizens who wish to live in Belgium require a Belgian car registration today. But they cannot drive in Germany with that registration. So what do the Germans do? They say that these citizens must also have a German registration plate. The result is they have two plates, one Belgian and one German. They pay two sets of taxes and they pay their insurance twice. That is how things are in practice at the frontier. It is an absurd situation.

My second example is this: a resident of the Netherlands who holds a German driving-licence must hand his licence in. Afterwards he can no longer drive his car in Germany. What do the authorities do? In Aachen, at least, they make out a second driving licence so that he has two. What an absurd situation at our frontiers!

I would draw the attention of both rapporteur and Commission to a further point which has not been mentioned in the report — namely, that of voting-rights. Frontier workers such as Belgians who live in Germany but work in Belgium or Germans who live in Belgium but work in Germany are a special case. This question must be dealt with, because in reality they have no right to vote at present, either in Belgium or in Germany. This makes them second-class citizens in the European Community.

In conclusion, I would appeal to the Conservative Group to abandon the resistance shown by it on the first reading of this report and allow us to adopt it with a large majority on this occasion.

President. — I call the Group of the European People's Party.

Mr Estgen. — *(FR)* Mr President, I am speaking on behalf of my group, the Christian-Democratic Group, and I shall be extremely brief. Parliament has already thoroughly discussed the Oehler report — which has since become the Salisch report — on Friday 18 December, when I made clear what my group thought about a better economic and social policy for frontier workers. I concluded by saying that the Christian-Democratic Group gave its full backing to the Oehler report. Backs it strongly, I think I said and I hoped it was the sort of strength that lent conviction.

Estgen

The Oehler report was sent back to the Committee on Social Affairs. As this committee decided, by a very large majority, not to alter the contents at its meeting of 25 February 1982, my group, in the interests of logic and continuity — and from conviction — maintained its position. We will vote for the resolution and we will fully support the report that Commissioner Narjes has said is an excellent one and that we feel is dictated both by respect for the Treaties and a desire for social fairness.

Mr President, may I add a personal comment here? I come from the Member State which has the most frontier regions compared to its size. Luxembourg is perhaps one big multinational frontier region. No part of it is more than 40 km from a frontier and, in many places, we have frontier workers from all the neighbouring countries, from Belgium and France and Germany. So we know what we are talking about when we discuss this report. And we also know that we need these frontier workers. We, better than anyone, understand their problems, which, with the economic difficulties of today, are getting bigger all the time.

They have many problems, most of them due to non-respect of the Treaties and a lack of community spirit on the part of our Member States. For the frontier workers are, as Mrs Salisch has once again pointed out, Europeans *par excellence*. They tend to live in the Member State in which they were educated and they work in another, for the benefit of their families — which usually stay put — and for the benefit of the whole of the Member State where their job is. So migrant workers are guinea pigs in a way. They are a testing ground for Community integration and they show just how far we are from achieving our aim. Any day of the week, they can see that the frontiers between our Member States are far from being token borders but barriers that are erected and maintained by ill-conceived national egoism. For the frontier workers, the frontiers are not just anachronistic chicanery. They are brutal signs of discrimination between the people of Europe — which, through the Treaties, should guarantee them free movement, equal opportunity and equal treatment.

The frontier workers feel very keenly that, in this Europe of ours, truth, equality and social justice within frontiers do not necessarily mean that there is truth, equality and social justice across them. There is no point in us telling these frontier workers that a lot has been achieved in this Europe of ours. They will reply that there is all the way to go, because they suffer from all the shortcomings of our Community.

We need Community solutions to tax problems. But we also need them to the problems of social security, the working week, the stability of employment and the fight against unemployment. I hope that the report we are discussing and the resolution I hope we will vote for will enable us to have greater social equality through a European policy that is on a small scale —

by which I mean one that is run in the inter-regional framework of our countries.

President. — I call Mrs Phlix.

Mrs Phlix. — (NL) Mr President, ladies and gentlemen, following Mrs Salisch's excellent report, I would like to draw your attention to a typical European frontier region, the Maas-Rhine Eurregio. The Maas-Rhine region is located in the centre of the north-west European triangle around the triple frontier of Vaals, where three different languages are spoken, the most important centres being Aachen, Hasselt, Liège and Maastricht. This region covers an area of some 10 000 square kilometres, with 3 million inhabitants. It has an internal frontier covering a length of 373 km, with 50 frontier stations. Last week my political group organized a large demonstration here under the slogan 'Europe without customs barriers'.

It is something of a sociological phenomenon that in this country without frontiers, as it tends to be called there, thousands of workers cross at least one of these internal frontiers each day. What might be a shining example of European integration for our citizens is in fact a source of difficulties to them. Previous speakers have already mentioned some of them: job insecurity, problems over the recognition of diplomas and courses of training, infrastructural difficulties, repercussions of exchange rate fluctuations, inadequate social security, excessive taxation and so forth. The many agreements and regulations which differ on either side of the frontier and even along a single frontier create great confusion, which is aggravated by the present economic crisis, where employees and their families are particularly hard-hit by gaps in social security and tax legislation.

The responsible authorities in this region, especially the trade unions and political representatives, are concerned by this state of affairs. A European arrangement is the only possible solution and we urgently appeal to all the authorities concerned to make every endeavour at the earliest possible opportunity to put an end to the present difficult situation.

IN THE CHAIR: MR ESTGEN

Vice-President

President. — I call the Commission.

Mr Richard, Member of the Commission. — Mr President, I should like to say at the outset that the Com-

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mission would welcome an expression of Parliament's views on the wider questions which the Committee on Social Affairs and Employment have incorporated in their draft resolution covering the whole economic and social position of frontier workers. It would take somewhat too long for me here and now — and I do not think the House would be in a mood to receive it anyhow — to give a detailed account of the Commission's views on all the points which have been raised and to describe the way in which we are already pursuing many of them. Nevertheless, I would comment on one or two at least of the major ones.

With regard to the economic and social problems of the frontier regions, the Commissions has noted and, broadly speaking, agrees with the points made in the draft resolution. Let me give just one example. We share the view expressed in paragraph 3 on the importance of coordinating regional and national activities to reduce regional imbalances. I must stress yet again, however, as the Commission has so often said before, that the harmonization of a wide range of policies — economic, monetary and social — remains and eliminate those imbalances.

As regards the need for coordinating economic policies, infrastructures and investments on both sides of intra-Community frontiers, the Commission's proposals for the revision of the European Regional Development Fund regulations are designed to strengthen the instruments of coordination between regional policies and Member States. There is a particular requirement in our proposals that regional development programmes, which are one of the instruments of such coordination, must include in the socio-economic analysis of regions the specific elements characterizing frontier regions.

Let me just say two words about the problems of frontier workers. First, in general terms, all our work concerning migrants takes into account the particular problems of frontier workers. This is true, for instance in the field of employment, in professional training and the recognition of certificates and diplomas, all of which are mentioned and covered in paragraphs 15 to 19 of the draft resolution. Let us take another example, the question of inter-regional collaboration between the appropriate employment services. The Commission has taken an initiative with the directors-general of the national services concerned, inviting them to designate appropriate regional employment services to examine the kind of points made in the motion for the resolution. I turn to a matter upon which there may not be quite so much agreement namely, that of exchange rates. This is a difficult question and has been debated on numerous occasions. It cannot be denied, and of course we accept, that variations in exchange rates have an effect on pensions, incomes and social benefits. I have to point out, however, that these variations can work both ways. I am advised that as things stand at present, the situation most often benefits frontier workers since the majority

come from countries with a weak currency to work in a country with a stronger one. Now I accept this is not to say that there are no cases where the opposite is true.

I turn very briefly to social security, including unemployment insurance. The main problems here derive from the fact — and I think they are well known to the rapporteur and to the House — that while frontier workers are in general subject to the legislation of the country of employment they do not receive all their benefits from that country. In two cases, they receive instead the benefits offered by the country where they reside. These are health care and unemployment benefits. This mixed solution has arisen, I suppose, for technical reasons. The House and the rapporteur will know what the Commission has been trying to do in this field. I do not think I need say much more about it, because the long-term solution — and everybody would accept this — lies in greater integration and cooperation between the social security bodies or unemployment offices on both sides of the frontier, as is requested in paragraph 10 of the resolution under discussion.

Other related points such as delays in calculating pensions and the necessity for a uniform system of payment of family benefits are general problems which concern all migrant workers and are not confined to frontier ones. Here again, the Commission has informed the Parliament on many occasions of its position and of the development of work in these fields; consequently, I need not, particularly at this late hour, take up the time of the House by going into all those points yet again.

I would just say a word about two other matters. The whole question of frontier workers was discussed at the meeting of the advisory committee on free movement of workers on 22 September 1981. At that meeting, a decision was taken that the questions which surround the problems of frontier workers necessitated a comprehensive consultation with those who were involved in the problem. In this connection, the Commission has noted the rapporteur's own initiative in organizing hearings of representatives of frontier workers, at which the Commission was represented, in January and in November 1981. The advisory committee on free movement also decided that the Commission should be asked to organize a conference at which the final resolution and report of Parliament would no doubt be given detailed consideration.

I could say a great deal about the taxation issue. I refrain from doing so for one simple reason, and that is that the rapporteur, broadly speaking, accepts the view of the Commission that harmonization of the tax aspect is indeed necessary, and I am very grateful for the support that has been given by the report to the Commission's efforts in that direction.

All in all, Mr President, the Commission believes that its proposal is a fair and a reasonable package, capable

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of making a positive contribution to greater freedom of movement within the Community. It is our earnest wish that at this, its second attempt, Parliament will declare its unequivocal support for the Commission's proposal.

Finally, only remains for me to congratulate Mrs Salisch on the immense amount of detailed work that has clearly gone into the report. I regard it as a valuable document and I am grateful to her for having produced it and presented it to the House tonight and indeed for this debate.

President. — The debate is closed.

The vote will be taken at the next voting time.

14. *Access to the business of direct insurance*

President. — The next item is the report (Doc. 1-54/82) by Mr Vié, on behalf of the Legal Affairs Committee on

the proposal from the Commission to the Council (Doc. 1-917/80) for a directive amending the First Directive 73/239/EEC on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance, particularly as regards tourist assurance.

I call the rapporteur.

Mr Vié, rapporteur — (FR) I was very moved, Mr President, at having undergone a sex-change just now, but as you yourself reversed it, there is nothing to worry about.

I am very sorry to propose what is no doubt a final debate to the stalwarts who are still in the House tonight. The subject is not a diverting one. It is technical — holiday insurance. But I shall not take long to present you this report, which has to do with a draft directive from the Commission.

The problem is a very simple one. Holiday insurance. Should this kind of insurance, this professional activity, have been brought into the directive, with which you are familiar, on insurance or should it not?

Legally speaking, the problem is absolutely insoluble because insurance has never been given any precise legal definition. And since insurance has never been given any precise legal definition, it was even more difficult to decide whether, legally speaking, tourist insurance was an insurance scheme or not.

What guided the Commission in fact — and I think it was quite right here — were practical arguments. We

have all known of cases of this kind, particularly the one where a French company created serious problems for its members by getting into an impossible situation. So it is for these practical reasons that the Commission proposes bringing tourist insurance into the directive on insurance and, as rapporteur for the Committee on Legal Affairs, whose support I have, I also feel that the Commission is right, in the interests of the consumer, to do so.

So the situation is a simple one. Very roughly, the directive says that tourist insurance should be covered by the insurance directive, with all the guarantees that this involves for the consumer. We all know that insurance companies are very tightly regulated and monitored by European legislation. But a whole series of schemes is excluded. We all know what they are — the small schemes such as those offered by automobile clubs (breakdown services etc) and which do not involve any great financial means — and they are excluded from the directive and not therefore covered by our regulations. However, everything else is. It gets the same treatment and has the same legal status as insurance proper. Most of the amendments I suggested be brought to the Commission text are to the form and are simply aimed at making things a little clearer, because I felt that it would be pointless to set up too tight a legal framework for an activity, tourist insurance, which, after all, is fairly new and likely to develop. This is the literal meaning, if you like, of these amendments. They do not alter the substance of the directive.

The only point where the Commission and I disagree — and I have the backing of the Legal Affairs Committee here — is on a really important problem, the solvency margin to be required of companies offering tourist insurance. Here the Legal Affairs Committee is at variance with the Commission, because its amendment involves restricting the solvency margin as compared to what it is for ordinary insurance. There are two arguments in favour of this. First, good sense. Obviously a company covering any sort of civil liability — take the Amoco Cadiz — cannot forecast the possibly astronomical cost of the liability it will be called to cover. The only thing that can be required of a tourist insurance concern is that it have the relevant material means — cars, planes, medical facilities, telex and computer services. It's a much smaller field. And there is absolutely no risk of it overstepping the mark, given the size of individual accidents.

The second argument is also a practical one. Thinking about protecting the consumers, I felt that if we put the financial requirements for tourist assistance too high, we might see it only being offered by a small set of companies with enough means and this, ultimately, would be interfering with the competition that should make the common market thrive.

This, honourable Members, is the only major point at issue between the Commission and me. It is a financial matter.

Vié

I have said and I shall say again that the Legal Affairs Committee was more or less unanimous in its support of my amendment. As for the rest, we are completely in agreement with the Commission's desire to protect the consumer by seeing that this activity does not escape from the control and regulations on insurance. Honourable Members, thank you for your attention.

President. — I call the Socialist Group.

Mrs Seibel-Emmerling. — *(DE)* Mr President, one learns a great deal by travelling. The Socialist Group hopes that the citizens of our European Community will bring back only favourable memories from the holiday period which will shortly be beginning. Unfortunately, however, travel also involves risks. The Members of this travelling Parliament are better placed than anyone to recognize this fact. There is the risk of accidents, of illness and other problems which create a need for assistance. The traveller who may have to fall back on assistance must be able to rely throughout the Community on the efficacy of the precautionary measures taken out by him in the shape of insurance policies, material benefits or special assistance insurance; the benefits must actually be available when he needs them.

My group therefore welcomes this report and the draft directive which closes a gap and gives greater security in cases of emergency. We must not, however, miss this opportunity of drawing attention to the urgent need, in the interests of travellers, for the European health passport advocated strongly by Parliament last year to be brought into effect at long last. I should be most grateful if the Commissioner would tell us how matters stand with that today.

Mr Gondikas. — *(GR)* Mr President, speaking on behalf of the Christian-Democratic Group, I would like to say at the outset that my Group agrees entirely with the overall structure of the Commission's directive, but that we have one reservation, as mentioned earlier by the rapporteur, Mr Vié, concerning the legal basis of the directives.

I had the opportunity, on the Legal Affairs Committee, to express two basic reservations concerning the Commission's proposals, in relation to a specific matter. My first reservation consists in the fact that there is a widespread vagueness and confusion in perceiving the nature and the function of insurance firms in relation to automobile and touring clubs.

My second reservation concerns the possibility of adapting the Commission's proposal to national legislations, granted that the way in which automobile and touring clubs are treated differs from country to country in the Community.

I also note that the Alliance Internationale de Tourisme submitted a document to the Commission in

March 1980, setting out its comments on the matter, but that no account has been taken of these.

The danger that exists in applying the proposal is that the automobile clubs in the Member States may find themselves on the wrong side of the law, in the light of the directives laid down to forestall illegitimate competition. This is because with the illegitimate situation established by the proposal in whatever concerns the automobile and touring clubs, it is probable that the millions of members belonging to the automobile clubs would prefer the positive services of the clubs to the other services offered in return for the payment of substantial insurance premiums.

Thus, Amendment No 2 does not contribute much towards eliminating the vagueness that distinguishes the fourth explanatory point of the directive concerning the scope of its applicability.

We must also accept that the matter is not simply one of a few services of assistance to motorists, as implied by the directive and its amendment, but concerns virtually the entire range of assistance to motorists that has been offered so effectively by the automobile and touring clubs since almost the beginning of this century.

If the clubs were to be brought within the scope of application of the directive, this would not only create a situation of uncertainty in so useful a social institution, but would also result in additional costs for the members of these clubs, who are nowadays numbered in millions.

Basically, I consider that paragraphs 3 and 4 of the motion for a resolution are positive, but I believe that these too do not clearly distinguish between insurance companies and automobile clubs, and consequently, that they do not define the scope of the directive.

Finally, so far as the control to be exercised over the clubs is concerned, I think it would be preferable, Mr President, instead of the general wish expressed in the text of the first directive for the presuppositions and the method of control to be defined by the various national legislatures, if the directive itself were to lay down the method and the presuppositions of this control, so limiting it to logical estimations concerning the equipment required for providing the services of assistance to motorists.

Mr Richard, Member of the Commission. — I think I can be brief because although this is important, the debate has been short, and the contributions have been pithy. May I first of all congratulate the Legal Affairs Committee and in particular Mr Vié on the excellent report. The Commission entirely shares the view they have of the importance of the subject and of the need to deal with it at Community level. I should also like to take this opportunity, if I may, Mr President, to

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thank the Committee on Economic and Monetary Affairs and its rapporteur, Mr Woltjer, for its very positive report.

I think in view of the reception that the Commission's proposals had, and the terms of this report, and indeed the terms of the contributions tonight, I need not say a great deal about the background to this matter nor, indeed, about the fact that we unhesitatingly welcome the spirit of the report which, where it suggests amendments to the Commission's proposal is, apart from one matter referred to by Mr Vié and to which I too shall have to refer simply encouraging us to go even further in the direction that we are in fact already moving, i.e., to take full account of the special character of the business of providing assistance. So let me turn straight away to the amendments because I think that really was the substance of the contribution that Mr Vié made.

Perhaps I can clear the ground there too by saying that Amendments Nos 2, 4, 8 and 9 can be accepted by the Commission exactly as they stand. We are almost entirely in agreement with Amendment No 6. We think its wording has probably inadvertently been made a little too restrictive. I think that can be put right, possibly by inserting two words in the English text at least, 'in particular', so that it would read 'resources in particular in terms of personnel and equipments available to it'. The point is that although we agree with the report that supervisory authorities should have the obligation to check resources in terms of personnel and equipment, they should also have the obligation to check other resources, and I am thinking particularly here of facilities made available to them under sub-contracts, agency arrangements and the like which I fear might escape control if we do not make the small charge I have mentioned.

Now can I turn to Amendments Nos 1, 3 and 5 which I think we can take together. I think Amendments Nos 1 and 3 will really depend upon Amendment No 5. On the Commission's side we accept the spirit but we think the wording of the amendment as it stands might give rise to difficulties, but I would stress we have great sympathy for its spirit. We will certainly try and find a form of words which will go a long way towards meeting it.

Let me turn therefore to the one which does cause difficulty and that is Amendment No 7, which provides that for assistance operations the solvency margin should be reduced to one-third. As I understand the position, the normal solvency margin laid down in the first directive is in most circumstances 16% of the total premiums and contributions received in the year. The view has been taken by certain specialist assistance organizations that such a margin is unreasonably high for their operations because they do not have the same sort of financial risks as insurance companies, partly owing to their use of their own staff and equipment, partly because their contracts are of a short-term

nature. They think the imposition of the full solvency margin would lead to an excessive increase in costs to the public. I am afraid I have to say to the House that we in the Commission do not feel able to accept these arguments. We think the full solvency margin is necessary for the protection of the public and I really think it would not be so hard for assistance organizations to achieve it, as perhaps they sometimes fear.

Now we think this is necessary for a number of reasons. The financial collapse of the French assistance organization — International Assistance — in the summer of 1980 demonstrated that assistance organizations can indeed suffer financial disaster. They do not exclusively use their own staff and equipment and enter into a whole range of financial commitments. The average length of the contract they offer is becoming longer and longer. The very fact that they so frequently provide benefits in kind, using their own staff and equipment, means they will not build up large technical reserves in the way that this is done for more orthodox insurance business. In consequence, if they suffer an unexpected setback they have little to fall back on if they do not have an adequate solvency margin. In other words, seen from this standpoint, their need for the full margin is actually greater because of the nature of their business.

And finally, the supervisory authorities of the Member States in general do take the view that there is a need for this full margin. It should not be so very difficult in our view for assistance undertakings to provide the margin. In many Member States they are already required to have it. In other cases, Article 14 of the directive will allow them 5 years, with a possible extension for another 2 in which to build it up, so I am afraid that we do not in the Commission feel that this is too onerous an obligation and I regret, therefore, that I cannot accept the Amendment No 7.

President. — The debate is closed.

The vote will be taken at the next voting time.

15. *Community automobile market — Price control — Checks at frontiers — Internal market — Italian wine to France*

President. — The next item is the joint debate on — the oral question with debate (Doc. 1-150/82) by Mrs Squarcialupi and others, to the Commission.

Subject: Price control in the Community countries

The price increases which have taken place to a varying extent in all the Community countries, with serious repercussions on family budgets and the people's standard of living, call for soundly based, effective and long-term measures.

President

- Given that broad strata of the public are no longer able to cope with a continual increase in prices, in particular those of essential goods;
- whereas in each case price control should be understood above all as a means of monitoring the operation of the market and the efficiency of production;
- whereas, according to an enquiry carried out by Eurobarometer the people of Europe had been expecting that the common market would in particular be able to prevent price increases;
- having regard, moreover, to the considerable differences in prices as between Member States, these amounting to in some cases 40% for the same goods;

would the Commission indicate:

1. the measures adopted in the Member States which have proved most effective in controlling prices;
2. the mechanisms through which price control is being carried out in the various States;
3. the Commission's intentions as regards action to ensure the control and transparency of prices, including agricultural prices to the consumer;
4. the measures it intends to take to ensure that price stability is not achieved at the expense of product quality;
5. how the Commission intends to give effect to the European Parliament's wishes regarding prices as expressed in the debate on the second action programme for consumers?

— oral question with debate (Doc. 1-151/82), by Mr Rogalla and others, to the Commission

Subject: Abolition of personal checks at internal Community frontiers

Under the first sentence of the preamble to the EEC Treaty, the Community is obliged 'to lay the foundations of an ever closer union among the peoples of Europe'.

Article 2 of the EEC Treaty provides for the 'establishment of a common market'.

Under Article 3(c) the Community has an obligation to abolish 'obstacles to freedom of movement for persons' between the Member States.

After years of fruitless effort in particular by Members of the European Parliament and the Commission to achieve a genuine elimination of personal checks at internal Community frontiers, the President of the Commission, Mr Thorn, addressed Parliament as follows on 8 July 1981:

'We are greatly shocked to see the continuation, and even the strengthening of frontier formalities and identity controls. How can one expect the citizens of Europe to be delighted or enthusiastic about the prospect of new passports in fine Bordeaux livery if, when they travel inside the Community, they have to go through increasingly draconian controls?

The first step will be for the governments to undertake to reduce passport formalities at frontiers to the level of those applied to the least-controlled means of transport. And I don't want any muttering about policing efficiency or any other technical problems! We have got to change the mentalities and habits of our civil services. We have to show the political determination to give the citizens of Europe an awareness of their continent, by which I mean an awareness of the existence and the significance of our Community'.

We therefore ask the Commission

1. What concrete measures does it intend to propose to the European Council to ensure that by the end of 1982 personal checks at internal Community frontiers will really have been abolished?
2. What role does it consider the Community institutions should play in this context?
3. What practical, administrative and legal objections and difficulties currently stand in the way of abolishing personal checks on travellers between the Member States?
4. To what extent does the Commission regard the objections raised by some Member States to the abolition of frontier checks on travellers to be well-founded?
5. What steps has the Commission already taken to consider in detail such objections relating to internal security, drug offences or combating crime and where necessary, by means of coordination, cooperation between Member States and other measures to eliminate them so that border checks will be abolished by the end of 1982?
6. What proposals has the Commission drawn up on the coordination of the visa requirements of the Member States? Can the Commission facilitate the approximation of the Member States' visa policies by arranging regular, comprehensive, reciprocal exchanges of information in advance between the Member States, in particular on changes envisaged in visa requirements for non-member countries.
7. In what stages is the abolition of personal checks on travellers between the Member States to be achieved?

President

— oral question with debate (Doc. 1-152/82), by Mr R. Jackson and others, to the Commission

Subject: Reconquest of the internal market

Does the Commission now have a view on any Member State government's proposal to reconquer their internal markets by sectoral agreements quantifying import limitation targets?

Would the Commission state what action it proposes to ensure that Member State policies achieve the abolition of all internal barriers to trade so that European companies can conquer the European market and achieve the competitiveness necessary to secure the jobs of their employees?

— oral question with debate (Doc. 1-153/82), by Mr de Pasquale and others, to the Commission

Subject: Exports of Italian wine to France

With regard to the French Government's measures to 'slow down' imports of Italian wine:

1. What action, apart from legal proceedings, does the Commission intend to take to ensure that the systematic application of protectionist measures does not further jeopardize the unity of the common market, which is already under serious threat?
2. Why has the Commission waited so long after presentation of the reasoned opinions of 2 and 12 October 1981 (pursuant to Article 169 of the Treaty) before bringing an action in the Court of Justice, since everything pointed to France making extensive use of protectionist measures?
3. When does the Commission intend to adopt the measures for the improvement of the wine sector advocated in the resolutions adopted by the European Parliament on 9 April 1981 and 19 September 1981?

President. — I call Mrs Squarcialupi.

Mrs Squarcialupi. — *(IT)* Mr President, inflation, with its consequences of rising prices and reduced purchasing power for the European worker, is becoming an ever more serious economic and social problem in our countries. Over the past twelve months the consumer price index in the European Community showed an average increase of 12-13%, with varying levels in the different countries.

We are starting to hear about a slow-down in the rate of inflation, but nothing about an actual decrease. At the same time, other disturbing statistics have come to light, such as the growth in unemployment, which is now touching the 11 million mark, and in our Community there are 30 million poor whose incomes are between one-half and one-third of the average. Infla-

tion continues to worsen, then, especially at the expense of the weakest groups, accentuating the drop in consumption, a phenomenon which will characterize 1982.

While the pressure of the cost of living continues to make itself felt on the family budget, there is an increasingly urgent need for measures to halt the erosion of the purchasing power of a large proportion of European citizens who, as consumers, were considered secondary in Community policy. We must have the courage to say that both the Commission and the Council have neglected the principal factor in the common market, that is, the consumer, and this apart from policies on consumption which have always been partial in nature.

We know by experience in regard to price control that fixing final prices by administrative means has never succeeded in keeping prices down; on the contrary, in some cases it has contributed towards price increases, in the same way that it tends to make goods disappear from the market.

Final prices for distribution can therefore not be an object of public intervention, which should instead be directed at the very system of price formation. Public authorities should therefore ascertain how prices are formed within the cycle of production and distribution, where there are companies of varying size and efficiency and therefore of varying competitiveness.

Price control, in order to be more efficient, cannot be exercised over the medium term; it should rather take the long view in order to adjust the structures to make them more efficient. It is not the final price, then, as we have said, which should be the object of public attention, but rather the entire system of price formation, seen as a control of the functioning of the market and of the efficiency of production. Such control should be exercised at the local level, with specialized observers able to provide reliable, credible data, and it should be coordinated, on the Community level to make it truly effective.

At this time, however, it seems impossible to contribute towards the solution of the problem of price increases by acting only on the laws of competition and the market place. The European Community should pursue a selective and dynamic policy to promote consumption, not only protecting purchasing power and low salaries with a European policy of price control, but also adopting the directives for consumer protection which the Council has not yet approved.

I will mention the directives on commercial contracts not concluded in the place of business, on deceptive and dishonest advertising, and on information on dangers connected with the use of certain consumer products. The defence of purchasing power should also be conducted through the development of collective services, especially in the fields of health, education, and

Squarcialupi

transport, along with the adoption of a policy for economizing on energy and raw materials. This would naturally be accompanied by a total war on unemployment and a wage policy indexed to preserve purchasing power.

In conclusion, Mr President, we feel that by increasing market transparency we give the consumer an instrument which enables him to be better acquainted with the situation and to make more informed choices. Consumer organizations, as they grow stronger, can and should have a restraining effect on price increases, appealing for popular support to establish a new model of consumption, a less costly system more in line with current needs because based on a more rational use of resources, and a general fight against waste in all sectors and with all its implications.

We await a response from the Commission in regard to the doubts we expressed in the text of the question, but we also expect help in solving the great problems of today's society.

President. — I call Mr Berkhouwer.

Mr Berkhouwer. — (*FR*) Mr President, it is 17 minutes to midnight. What do you intend to do? We still have three rapporteurs, two Commissioners and a series of other speakers to hear on this question of the internal market, which is rather important.

President. — We shall continue as quickly as possible. I hope that there will still be time for the Commission to speak. Other speakers will have an opportunity to speak tomorrow.

I call Mr Rogalla.

Mr Rogalla. — (*DE*) Mr President, ladies and gentlemen, as I see it, there is something seriously wrong with this Europe of ours, and I can no longer face my electors in Westphalia and the Ruhr with a clear conscience, because there is a gulf between the external and internal policies of this Community. Today we are witnessing a debate on a whole series of matters which are of interest to our citizens, ranging from the taxation problems faced by frontier workers to questions of insurance; and, as is so often the case, these debates are rather poorly attended while foreign policy topics are discussed at more favourable times during our sittings. I think that something will have to change in this respect in our Parliament.

I have nothing against the prestige of our external relations or against important matters of principle such as the Falkland Islands crisis being discussed in a full House. But as long as questions relating to the internal market, environmental protection or freedom of movement at our internal frontiers are only discussed

during Sunday speeches and at ceremonial occasions in Europe — words rather than deeds — Europe will be in a bad way.

Can the signs of lost courage already be discerned in this Parliament? Have the security experts in the national ministries extracted our teeth before we even opened our mouths? Are directly elected representatives of Europe so easily discouraged? Did not 217 of our colleagues from all the political groups sign a resolution last March under Rule 49 of the Rules of Procedure calling upon the Committee on Transport, the Political Affairs Committee and the Committee on Economic and Monetary Affairs to arrange public hearings of all the parties involved in border controls—security specialists, drug control experts, transport contractors, automobile clubs and tourists and, last but not least, the residents of the frontier regions? This, I venture to claim, is the central problem of freedom of movement under the Treaties.

This brings me to the hard core of the problem, the legal basis. Under the EEC Treaties there is no divided freedom of movement, and in particular no such freedom for which the Community itself does not have responsibility. The Treaty articles referred to in the oral question provide the basis for Community responsibility for freedom of individual movement within the Community. Freedom of movement cannot be subdivided into movement under the customs union, movement covered by security regulations or the control of drugs. This fact is emphasized by the conditions which have prevailed in other comparable structures, for example in the course of German or Italian unification last century or in Canada, where complete freedom of movement was developed, although not overnight.

Our achievements in these areas since 1958 have been modest in the extreme. A new juridical approach must be converted into practical action within the Community, with the help of our legal experts in Parliament, at the Council and in the Commission — possibly by invoking Article 235 of the EEC Treaty — or perhaps with the help of the European Court of Justice. The Commission and Council must move well beyond the promises given in individual answers to written and oral questions over the past few years. I have looked at a stack of answers, a pile nearly 3 inches thick, prepared by our research service.

These examples of principles and individual cases in individual Member States are enough to make your hair stand on end.

We are left with the impression of a kind of music hall act. No true advocate of Europe can talk, in this age of electronic aids and of the future European passport, of the bookkeeping problems involved in tax control; we cannot call for a social, industrial and judicial area in the Community while at the same time advocating random frontier controls. Anyone who supports those controls cannot be in favour of a European Com-

Rogalla

munity. The conflict has been clearly solved on the juridical plane within the Member States through the abolition of all remaining checks on individuals. Let us see to it that our citizens are no longer fobbed off with pretexts and expedient statistics. Let us begin with the Benelux model of random samples, followed by the American solution, with which we are all familiar, in our own respective countries. The problem of drugs and security risks must in future be combated by a body of European officials at our external frontiers.

Mr President, may I quote a literary anecdote for those timorous spirits among us? I recall what Heinrich Heine, the forerunner of freedom of movement between Germany and France and indeed within Europe, once said: he pointed out that the customs officers could not inspect his thoughts and that he carried his contraband in his head. I admit that we shall all have to change our ideas; but if our citizens have to tear apart customs barriers, storm customs posts and insult frontier officers, as happened in 1946-47 or even in 1969, a great deal of goodwill would be unnecessarily lost. Does anyone in this House, in the Commission or Council want that to happen?

President. — I call Mr Papapietro.

Mr Papapietro. — (*IT*) Mr President, ladies and gentlemen, we could have withdrawn the question, but it does give us an opportunity to express a judgment on the agreement reached last Tuesday on the wine problem.

In the first place we wish to express disappointment and protest; the agreement was reached and sealed without Parliament's having exercised its right to give an opinion. This is a negative fact, and not only in general terms. It is negative in this particular case: this was a conflict between two peoples before becoming a conflict between two governments; it particularly involved two regions among the poorest in Italy and France. The affair has caused considerable damage: in the first trimester of this year the export of Italian wine to France fell by 25%. The failure to consult Parliament is negative in that it reflects an aggravation of the tendency to overlook the role of Parliament, to ignore its decisions and refuse to listen to its requests. To an ever increasing degree the opposition within the Council itself tends to obliterate internal parliamentary dialectic and interaction between Parliament and the other institutions, as well as the moments of unanimity which can be reached in this regard.

There are other reasons which lead us to consider the compromise with disfavour. We feel that the price of compulsory distillations is too low, even though it was raised from the initial 60% to 65%. It is still a question, we should remember, of the compulsory destruction of wealth. This is one of the aspects of the destruction of wealth which, in the eyes of most Euro-

pean consumers, is the irrational symbol of these Community economic mechanisms.

Moreover, this principle of compulsory distillation would be difficult to apply in Italy, for the administrative structures are weaker there. The producers are also more numerous, and they make themselves available for control only when they meet in cooperatives and local wineries. Furthermore, there is no provision to allow exemptions in favour of small scale producers, and for this reason the measure seems to be more punitive than selective towards those with the lowest incomes. We wonder why the measure on milk allows for 100% of the price and the measure on wine for only 60%. The criteria for the distribution of compulsory distillation, which are meant to guarantee that the best wine will not be distilled and that no discrimination will be practised, have not yet been established — or at least they have not yet been made public.

Finally, we are obliged to recognize with disappointment that the compromise was reached, contrary to what the Italian government itself was declaring, without connecting it to the basic, long-term measures capable of helping the European wine-growing sector to overcome the crisis. We wish to mention these measures, even though they have been described too many times: a planned wine-growing policy in the agricultural regions best suited for it, discouraging the planting of new vineyards where the product is not first rate; the fight against the abuse of sweetening, especially in Germany; a regulation of the market which would guarantee the free circulation of wine, reduce tax discrimination and promote consumption. This is an essential point, for the alternative is between increasing consumption and destroying the product.

We read instead that recently the British Chancellor of the Exchequer announced counter-inflationary measures to the House, including an increase in excise taxes on wine which would raise the price of a $\frac{3}{4}$ liter bottle of Italian wine, with a warehouse price of 1 300 lire, to 2 400 lire. All this is a blow to the expansion of the wine market; it aggravates the problems connected with it and invites the adoption of the choice of destruction.

Finally, a modern organization of the controls is needed. These are points which it would be well to repeat.

The compromise does not touch on these problems, but it does affect them. It nullifies the proposed modification of the wine market made by the Commission and discussed in the parliamentary committee. We should examine the question once again; for now we ask only that the Commission's new proposed modification taking into account the terms of the agreement be presented as soon as possible so that it can be thoroughly discussed in committee and in the Chamber.

President. — I call the Commission.

Mr Giolitti, Member of the Commission. — (IT) Mr President, I am fully aware of the need to be very brief: I will answer the three questions separately, but limiting myself to the indispensable minimum.

Concerning the first question, the control of prices, I agree with the way Mrs Squarcialupi presented the problem, especially as regards the exercise of the public function in the area of prices. As for the responsibilities of the Commission, it is common knowledge that the Treaty of Rome does not give the Commission general competence in the area of consumer price control, which remains the responsibility of the Member States. Many Member States have introduced regulations on consumer prices which differ appreciably from one country to another and reflect the economic policy adopted in the individual States. In the last three years various Member States have considerably modified their legislation on price control. The Commission, on its part, has taken various measures to strengthen the price mechanism. It has applied Articles 85 and 86 of the EEC Treaty, particularly in regard to the effects of company practices on prices and the impact of fixed agricultural prices on the consumer prices of food products.

Moreover, the Commission presented to the Council a draft directive on the indication of prices for food products which the Council adopted on 19 June 1979. With the exception of the markets in agricultural products, the Commission cannot determine the quality of the products destined for final consumption; the Commission intends to pursue its programme to improve the functioning of the common market, guaranteeing transparency in pricing — I refer particularly to the rules on labelling — and seeing that the rules of competition are respected in the Community as a whole. The Commission will work in conformity with the second programme for consumer protection to encourage the experiments of price comparison carried out by regional consumers' organizations.

As far as the question of checks on individuals crossing the internal frontiers of the Community is concerned, we know very well that these cannot be eliminated overnight, as we would all like them to be. A number of problems must first be overcome. When there are no more identity checks at the internal frontiers, anyone will be able to cross them freely, including citizens of non-member countries.

However, since not all Member States require citizens of some non-member States to have an entrance visa, it would be necessary at the same time to standardize visa policy in all Member States. Working out a uniform policy on visas for all the Member States in relation to all the non-Community countries — for no non-member country could be left out — is a complex problem and a political one as well.

The standardization of visa policy means that, in a subsequent phase, the Commission must be the one to

administer this policy on behalf of the Member States. However, passport union goes much farther. The citizens of non-member countries and the citizens of the Community who have taken up residence in another Member State are subject to internal legislation regarding aliens. Therefore, the principle of open frontiers implies the harmonization of all the laws of the Member States which regulate the relationship of aliens with their country of residence.

For this reason — and here I am answering the questions asked — it is not so much the administrative difficulties which have so far hampered progress towards the abolition of controls. The problems are above all political. The readiness of the Member States to speed up the introduction of passport union is not increased by the waves of terrorism and violence that we have been experiencing since 1974.

As a consequence of this, in the course of the discussions on the abolition of identity checks at Community internal frontiers we repeatedly heard the same objections raised as were mentioned by the honourable delegate in his question.

In spite of the difficulties encountered — and this brings me to the question of the practical measures the Commission means to propose to the Council and of the role of the Community institutions in preparing such measures — the Commission has insisted since the agreement of 23 June 1981, on the introduction of a common passport to further work in this area through passport union. In the fall we had already presented to the Council experimental proposals on the simplification of identity checks at internal frontiers and on the harmonization of provisions on visas. These proposals were in general well-received, and the Commission will soon be asked to approve a draft resolution by the Council on the simplification of identity checks which will be submitted at the next meeting of the European Council. On 21 October, 1981, the Commission also passed on to the Council a draft resolution on the simplification of customs and formalities applied to goods crossing the frontiers. Concrete and detailed proposals will soon follow.

I would also like to mention the efforts we have been making for many years, unfortunately so far without success, to introduce additional franchises. We have succeeded in overcoming the argument according to which no progress can be made in any area on checks on individuals while checks on goods are still necessary for tax reasons, and the argument according to which customs and tax authorities oppose the abolition of checks on goods while checks on individuals still exist.

It was time to break out of this vicious circle. To this end, we hope to continue to receive the active support of Parliament, which will naturally be consulted on all plans.

Giolitti

Finally, concerning the revitalization of the internal market — the subject of the third question — the Commission assumes that this question essentially refers to the measures planned by the French government to encourage the development of certain industries.

The Commission has sought information from the French authorities, who expressly denied that measures were being planned for the control of trade; the sectoral plans communicated to the Commission do not mention the intention to limit imports. Neither does the French government aim at encouraging the formation of private agreements having an equivalent effect for the companies of the sectors in question. The cooperation among these companies desired by the French government is not aimed at restricting trade, but rather at promoting common research, providing access to technology, improving productive and administrative methods, and, in general, at enabling the companies — many of which are small or medium-sized — to overcome the particular difficulties which they now face.

The many complaints it has received lead the Commission to believe that in reality direct or indirect restrictions on trade do exist. The Commission has declared that it intends to study these complaints in the usual manner in the light of Articles 30 and 36 of the EEC Treaty or of the rules on competition in order to ascertain whether or not the complaints are justified. So far no violations of the above articles have come to light from the information furnished in the complaints.

The Commission has also begun enquiries within the industries with the purpose of verifying the information that agreements to limit imports voluntarily, in violation of the rules on competition, have been made. The Commission has proposed various measures intended to help the European economy to enjoy the advantages of an internal market with continental dimensions.

An effective internal market presupposes a Community identity at the external frontiers. At present, the problem of technical checks on goods of non-Community origin is blocking some 20 draft directives under examination by the Committee of Permanent Representatives, and a far greater number of proposals being discussed in the Council's work groups. Under these circumstances there is the danger that the efforts to suppress technical obstacles to trade will come to a standstill.

It is equally important both for entrepreneurs and for public opinion that the checks and formalities at the internal frontiers of the Community be eliminated. The collection of the VAT and the gathering of statistical data should conform to the Benelux system to bring about an appreciable convergence in internal conditions.

Finally, in regard to the regulatory framework in which European companies operate, I would like to make particular mention of our proposals for a European cooperation group on large company financial statements and liability for damage caused by products.

Mr Burke, Member of the Commission. — Mr President, I address myself to the fourth part of the joint debate, Question No 83 on exports of Italian wine to France. I shall try to be as brief as possible.

The question is in three parts. In reply to the first part, the Commission wishes to say that in addition to the action brought by it before the Court of Justice on 4 July 1982 against France, it submitted on 5 February a request to the Court for provisional measures consisting of the immediate suspension of systematic controls, but enabling France to undertake spot checks and obliging her to clear all the consignments at the frontier through customs immediately. The Court gave a ruling to this effect on 6 March. Since then, on 25 March, the Council decided on exceptional distillation operations for table wine on the basis of Article 15 of Regulation 337/79. This measure seems to have met with success since the quantities of wine for distillation in the supply contracts signed are almost 20% above the maximum quantity of 6 500 000 hectolitres fixed by the Council and are seen as sufficient to make a lasting improvement in market conditions. Consequently, the quantities offered had to be reduced. This operation should result in uniform prices on the French and Italian table wine markets and should put an end to the disagreement between these two Member States.

There has already been a sharp price rise, particularly in the case of red wine produced in Italy.

In reply to the second part of the question may I say that the Commission thought it preferable to wait a little before going on from the reasoned opinion stage to that of bringing an action in court, since following various attempts by the Commission to persuade the French and Italian Governments to reach an amicable solution, it seemed on 13 October that an agreement between the two governments had been reached. This included the gradual customs clearance over two months of the wine which had been held up. It also seemed, towards the middle of January, that the situation had returned to normal. However, the Commission has not closed the procedure it initiated and is monitoring the relevant operations closely.

Thirdly, on 16 October last the Commission proposed to the Council a far reaching alteration in Community rules aimed at improving market conditions and making the market policy and the structural measures already implemented more coherent. Discussion on this has started in all the Community bodies and Parliament is to give its opinion in June.

Burke

In recent weeks this proposal has given rise to much very detailed discussion in the Council. The Member States are aware of the urgent need for this reform. They have arranged to reconcile their interests and are on the verge of arriving at an agreement on the basis of the proposal and with the collaboration of the Commission.

I noted that Mr Papapietro in his remarks felt that Parliament had been pushed aside somewhat. It is true, Mr President, that the Commission's proposal has been extensively changed by the Council, but I should point out that some of the ideas in Mr Colleselli's report have been maintained.

Might I just refer to the following three points: maintenance of assistance for the use of concentrated grape must, assistance for the use of rectified concentrated grape must produced in the C 3 zones and the price regime of wines which are subject to obligatory distillation.

May I say that the Commission is satisfied with the Council's probable decision. It will give the Commission the power to react quickly and efficiently if the wine market is threatened by an imbalance between supply and demand. It is desirable that the Parliament should give its opinion within the stated time limits so that this improvement in the organization of the wine market can be implemented before the next harvest.

May I briefly, in conclusion, refer to the points made about distillation.

The new distillation rules decided by the Council distinguish between compulsory and voluntary distilla-

tion. For compulsory distillation the price for the wine is 65%; for voluntary distillation 82%. The voluntary distillations only take place when all obligations related to compulsory distillation are fulfilled. The Commission in addition has proposed a tax on sugar used for wine-making. The Council was not ready to accept this as there was a majority against it.

Mr President, these are the remarks I wished to make on this very important question.

President. — I call Mr Schinzel.

Mr Schinzel. — (*DE*) Mr President, may I ask very briefly if it would be possible in future to make prepared answers of that kind from the Commission available to the House in advance? That would make things easier for all of us, for you, for the Commission and for the Members of Parliament; we should save a great deal of time and could confine our debate to the essentials.

President. — That was not a point of order. I think that the Commission has the right to reply to that proposal.

Ladies and gentlemen, it is now 15 minutes after midnight. We shall interrupt the joint discussion at this point.

(The sitting was closed at 0.15 a.m.)¹

¹ Agenda for next sitting, see Minutes.

ANNEX**Votes**

(The Annex to the Report of Proceedings contains the rapporteur's opinion on the various amendments and the explanations of vote. For a detailed account of the voting, see Minutes)

Davern motion for a resolution (Doc. 1-221/82): rejected

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Dalsass motion for a resolution (Doc. 1-236/82): adopted

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Lalor motion for a resolution (Doc. 1-229/82): adopted

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Hume motion for a resolution (Doc. 1-233/82): adopted

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McCartin and Clinton motion for a resolution (Doc. 1-243/82): adopted

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Blaney motion for a resolution (Doc. 1-245/82): adopted

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Plaskovitis motion for a resolution (Doc. 1-237/82): adopted

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Saby report (Doc. 1-185/82): adopted

The rapporteur was:

- in favour of Amendment No 4;
- against Amendments Nos 1, 2, 3, 8, 9, 14, 15 and 16.

Explanations of vote

Mrs Kellet Bowman. — Mr President, I cannot vote for a motion for a resolution which contains an element of contempt for the European Parliament. The proposal in paragraph 2(i) to elevate a member of staff from Grade A3 to A2 was not part of the Secretary-General's proposals. The appointment of persons *ad personam* should be for exceptional merit. This being so, during the course of the debate the Parliament should have been informed of what this exceptional merit is. Since this has not been done, Mr President, I would suggest that the general public will be left with the impression that something is being slipped through which, incidentally, did not slip through this Parliament last year, which defeated an identical proposal, and that taxpayers' money is being handed out without a proper case being made for it. Accordingly, with regret, I shall abstain on the resolution as a whole.

Mr Harris. — Mr President, I am afraid I also cannot support this motion for a variety of reasons. I shall mention just three.

I am sorry that the House defeated the amendments of my friend Mr Price, where we sought to review at least the proposed increase for the staff of the individual political groups.

Then there is the whole question of preparations for the next elections. While I myself do not see anything wrong in the principle of an element of public funding towards the cost of elections and information relating to those elections, nevertheless I think the provision which this Parliament is proposing and suggesting that we should endorse today is grossly excessive, and I am afraid I just cannot go along with figures of this order.

Thirdly, there is the long-running question of buildings. I do not think we have got a grip of this situation, and I am confirmed in that impression by information which, I understand, is quite common among Members, that there is now active suggestion that yet another building should be erected on this complex here in Strasbourg.

For all these reasons, as well as for a number of others, I am afraid I shall vote against the motion for a resolution.

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Viehoff report (Doc. 1-88/82): adopted

The rapporteur was:

- in favour of Amendment No 4;
- against Amendments Nos 1, 2, 5, 6, 7, 8, 9 and 10.

Explanations of vote

Mr Papapietro. — (*IT*) Mr President, from the data contained in the Viehoff report — data which do not reflect how bad the situation really is — it is patently clear that illiteracy is primarily a problem of southern and Mediterranean Europe. One of the reasons why the data in the report do not reflect how bad the situation really is, is that they date for the most part from before the worst stage of the economic crisis and from before the rise in the number of jobless. There is a clear link between economic crisis, social depression, unemployment and illiteracy, and the report illustrates this fact.

In our view the Community should urge the Member States to spend more rather than less on education and consequently we are disappointed that the House voted out the Glinne amendment. In combating illiteracy there has to be a role for unemployed teachers outside the existing educational set-up. The way to look at the campaign against illiteracy is to view it less as an abstract problem of knowledge — and this is the main thrust of the report, and where it falls down — and more as a problem of schedules and programmes and commitments, including financial ones. We shall be voting in favour of this motion for a resolution which can be praised at least for spotlighting this tremendous problem of the people of Europe.

Sir Peter Vanneck. — Mr President, I support the adoption of this report generally and for a reason I did not hear mentioned in the debate.

Illiteracy is conducive to delinquency. As an English Justice of the Peace I have to visit borstals. These are institutions for the rehabilitation of young convicted delinquents. Apart from discipline, they are taught simple trades — brick-laying, joinery, and so on — and they used to take elementary examinations such as those set by the City and Guilds Institute, a very practical standard. Then, when they went back out into the world, they could ask for a job and say: 'I know I am a borstal boy, guv, but I have got my City and Guilds in plumbing, or electrical wiring, or whatever.' Now far too many of them have to spend the time in classrooms simply learning the three Rs — reading, writing and arithmetic — which they have just not absorbed in schools. The trend of the figures is becoming alarming and I wish my friends opposite would appreciate the seriousness of the situation. Any measures to combat illiteracy will therefore help those young people who would otherwise turn to crime from boredom based on inadequacy, stemming itself from their unfortunate lack of effective, literate and numerate education.

I shall vote for Mrs Viehoff's report and I hope that those who are not too tired and emotional will follow my example.

Mrs Van Hemeldonck. — (NL) Mr President, ladies and gentlemen, last week the Socialist Group held a colloquium on languages and cultures of ethnic and regional minorities in the Community. It emerged from the contribution of the representatives of these minorities and from the studies and observations by the linguists, historians and sociologists who took part in this colloquium, that the days of most of the minority languages and cultures in Europe are numbered unless people are made literate in these minority languages too, and unless the oral traditions which are dying out can be captured in a durable medium.

The richness of European culture and of the European present and past lies in this very mosaic of languages and cultures. We must not let those languages and cultures which are neglected by the majority be lost. Ethnic minorities, such as the Yiddish speakers and the Sinti, can be found in all the Member States. They have venerable, age-old cultures which are now in danger of extinction because of a lack of literacy in their own language at the very point in history when Europe needs the richness and diversity of its cultural patrimony.

We surely have a moral duty to make up for the consequences of the massive purges of certain ethnic groups under Nazism and to protect the future of the languages and cultures of, for example, the Yiddish speakers, the Romanies and the Sinti — otherwise known as gypsies. I should therefore like to draw the attention of the Commission to the fact that the comparative report which it has been requested to draw up must also include the question of introducing or restoring literacy in the regional and ethnic minority languages. I therefore also welcome the fact that the Resolution calls for support from the Social Fund and the Regional Fund and I shall therefore be glad to support this Resolution.

Mr Adamou. — (GR) Mr President, the figure given in the report for the level of illiteracy in Greece is not correct. According to official statistics, there are 1 040 000 illiterate adults and 2 400 000 who did not complete their primary schooling. This means that there are approximately 3 500 000 illiterates out of a population of 9 000 000.

Unfortunately Greece has the painful privilege of having the highest level of illiteracy among the countries of the Community, and yet national expenditure on education continues to be very low. In 1981 expenditure on education amounted to hardly 10.4% of total budget expenditure, while military expenditure, for example, was 24% and amounted to 127 376 million drachmas. Unless the counterproductive expenditure is reduced and expenditure on education increased, we fear that Greece will permanently keep its sorry position as the country with the highest illiteracy.

The motion for a resolution by the Committee on Youth, Culture and Education is on the whole positive and we shall vote for it. We just wonder whether the measures proposed will actually be implemented.

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Helms report (Doc. 1-187/82): adopted

The rapporteur was:

— against all the amendments.

Explanations of vote

Mr Kirk. — (DA) I am afraid I must vote against this report. It is a highly technical report and the honourable Members have now shown in their wisdom that they have not had an opportunity to assess it. They have merely approved the Commission proposal and have not been prepared to accept a single amendment of those tabled, which were in fact aimed at improving the report of the Commission's proposal in such a way as to permit the fishermen of the Member States to live with it. I see that a majority in this Parliament supports the Commission proposal before us which it will be impossible to comply with. We are therefore sending a proposal to the Council which cannot possibly be accepted since the Members of the Council will in all probability say that it is unusable.

Mr Helms, rapporteur. — (DE) I should like to state on behalf of the Committee that we have in fact devoted considerable attention to this question and that the amendments tabled by Mr Kirk would have totally transformed this report.

We hope that this motion for a resolution may serve as a basis for the Council Decision and the Council will, I think, be able to make some use of it.

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Clinton report (Doc. 1-188/82): adopted

The rapporteur was:

against all the amendments.

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Quin report (Doc. 1-186/82): adopted

The rapporteur was:

- against all the amendments.

Explanation of vote

Mr Kirk. — (DA) I must also vote against this report since Community fishermen get far too little out of it compared with the Swedish and Norwegian fishermen. The Commission, has, I think, achieved a very poor result in the negotiations and that the European Parliament is now adopting an unsatisfactory result.

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Pery report (Doc. 1-183/82): adopted

The rapporteur was:

- in favour of Amendments Nos 15 and 16;
- against Amendments Nos 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14.

Explanation of vote

Mrs Desouches. — (FR) Mr President, ladies and gentlemen, we have just been debating the coordination of maritime inspection and surveillance operations at the same time as the major court case over the loss of the Amoco Cadiz has just opened in Chicago. I do not think there is any need to remind you that the effects of this tremendous economic and ecological disaster, which occurred in 1978 in the area where I live and which has not yet been forgotten by the people there, are still visible. I do not think there is any need to remind you that it was preceded and followed by a series of other accidents which left the Torrey Canyon, the Olympic Bravery, the Tanio and the Gino wrecked on the shores of Brittany and which polluted the area with oil. And I do not think there is any need to remind you of the numerous fishing boats which are lost each year and which throw the villages of Brittany into mourning. The loss of these fishing boats remains unexplained more often than not and the inquiries which are held after each loss never get anywhere for lack of information. The fact is that if you ask the fishermen most of them will tell you what causes these accidents and they often blame certain ships which sail these waters without proper care. I shall support the Pery report because I think it is important for Parliament to do something about helping boats in difficulty and to provide every possible help in combating pollution.

Mrs Hammerich. — (DA) I should merely like to say that we intend to vote against the proposal since it in fact involves a surreptitious and illicit militarization of the European Community, and we think things should be called by their correct names when we are voting on them.

Mrs Le Roux. — (FR) I am aware that maritime inspection and surveillance operations are of major importance for keeping an eye on fishing and processing of catches, the use of flags of convenience, the prevention of pollution, and so on. It is for this reason that is desirable and essential for the Member States to strengthen their national departments and methods for maritime inspection and surveillance. As much as I should welcome closer cooperation and coordination among these services, at the same time I cannot go along with the idea of a group of Community inspectors whose excessive powers might undermine national sovereignty. Things have to be stated clearly. The role of the Community in inspection must be simply one of verification, prompting and harmonization. Inspection can be carried out only as a result of close collaboration among the Member States and

there can be no question of discretionary powers. These risks are not dealt with in Mrs Pery's report and therefore I cannot give it my approval.

Mr Skovmand. — (DA) The European Community started off with cooperation in matters of trade. However, strong forces are working towards including a military cooperation component and these sources are bringing their influence to bear particularly here in the European Parliament. An example of these efforts is the report by Mrs Pery on the coordination of maritime inspection and surveillance operations.

Certainly, this is put forward against the background of the common fisheries policy which, according to the report, is to be made more effective by means of joint surveillance.

However, this is merely a smoke-screen, the ultimate intention is of a political and military nature. What people want is to turn the European Community into a maritime power and the coordination of fisheries inspection is to be the starting point. As they say, the intention is that inspection should become 'progressively and increasingly a Community operation'.

It is quite revealing that the report states that the Joint Inspection Authority would both create efficiency and affirm the Community identity. This shows quite clearly that the real aim is not in fact effective surveillance.

We in the People's Movement must oppose this proposal and we expect the Danish Government to take the same attitude if this ill-starred proposal should happen to get as far as the Council of Ministers.

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Nord report (Doc. 1-1084/81): adopted

Explanation of vote

Mr Skovmand. — (DA) The major obstacle to increasing the Community's powers is the fact that the European Community does not have enough money at its disposal. As long as this is the case, a lot of large-scale plans for joint Community policy will merely remain empty words.

It is important, therefore, that all the opponents of the idea of European Union should keep tight hold of the money and reject any ideas of new taxes or levies which would accrue to the Community.

The Nord Report proposes attacks of this kind and for this reason we in the People's Movement against the European Community must oppose it.

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Vanneck report (Doc. 1-1072/81): adopted

The rapporteur was:

— in favour of Amendments Nos 1, 2 and 19;

— against Amendments Nos 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17.

Explanation of vote

Mrs Squarcialupi. — (IT) Mr President, I do not think this directive goes far enough in answering the electorate's call for the environment to be protected and safeguarded. In some respects it is even counter-productive. What we are talking about here are these so-called tides of red waste which have caused so much damage in the Mediterranean and which have caused fishermen to lose their jobs, quite apart from all the damage to flora and fauna.

I am sorry that Sir Peter Vanneck had to use the word *irresponsible* about these amendments which were prompted by the requests of people working in titanium dioxide plants. I imagine his proposals come from somewhere else, because they certainly do not come from the workers.

What is the reason for our stand against this directive and against the motion for a resolution? The answer is that it makes provision for dumping titanium dioxide waste underground. No one in the industry does this yet but people could be encouraged to do so as a result of this directive. Why are we against the directive? Because there is no provision, among the vitally important parameters, for those on heavy metals such as mercury and cadmium, even though we are all aware of the damage they can do. And why are we intending to abstain on the motion for a resolution? The answer is that it is not strong enough in demanding production processes which result in less pollution, even though Sir Peter was willing to accept an amendment by Mr Galland which was definitely an improvement.

In the case of the resolution, we have called for the deletion of paragraph 6. It limits the Community scope of the legal act, and there was a vote against this on fishery before. These are the reasons why, I am sorry to say, we shall be abstaining.

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Weber report (Doc. 1-42/82): adopted

The rapporteur was:

— against Amendment No 17.

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Ghergo report (Doc. 1-110/82): adopted

SITTING OF FRIDAY, 14 MAY 1982

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IN THE CHAIR: MR DANKERT

President

(The sitting was opened at 9 a.m.)¹

1. Votes²

After the explanations of vote on the Scrivener report

President. — I call the rapporteur.

Mrs Scrivener, rapporteur. — (FR) I asked for the floor, under the new Rule, to ask for an assurance that the Commission will duly respect Parliament's opinion.

President. — I call the Commission.

Mr Giolitti, Member of the Commission. — (IT) Mr President, I think Mr Richard answered this question in detail yesterday — I myself was present in the Chamber. On the basis of what Mr Richard said yesterday on behalf of the Commission I can therefore offer you the assurance that the honourable Member has requested.

¹ For items relating to approval of the Minutes, documents received, petitions, application of the Rules of Procedure, motions for resolutions entered in the register under Rule 49 procedure without report, see the Minutes of Proceedings of this sitting.

² See Annex.

2. *Price control — Frontier checks — Internal market — Exports of Italian wine to France (contd)*

President. — The next item is the continuation of the joint debate on the oral questions by Mrs Squarcialupi and others, Mr Rogalla and others, Mr R. Jackson and others, and Mr De Pasquale and others, to the Commission.

I call the Socialist Group.

Mrs Desouches. — (FR) Mr President, I should like to start by saying that this is a very odd debate we are having on an oral question, which wasn't presented orally, where answers precede questions and half the discussions take place at midnight and the other half at half-past nine in the morning.

Be that as it may. The oral question by Mr Jackson and his associates in fact tends to throw suspicion on the French Government's decisions on organizing certain sectors of industry. In point of fact, as some French leaders have shown in their statements and in European meetings, France wants to see a proper relaunching of Europe that will enable the Community both to solve the most urgent problems and to assert its existence.

We have to be clear about one thing. The Community has failed to reach all the targets it set itself. The construction of the internal common market is far from being complete. Many barriers, as we all know, still exist; others are created by the decisions taken by governments in the Member States, and, as the national economics have not been integrated, or at least not fully integrated, firms outside are rushing in through the breaches. This is an intolerable situation and one that has to be changed.

This is why the French Government's memo proposes, among other things, to establish European standards that will remove the barriers to trade within the Community and set up Community preference on new bases. At the same time, the French proposals aim at setting up a proper external trade policy.

We all know that it is urgent for the Community to make progress on these two fronts if it wants to take up the threefold challenge with which it is faced — its lack of energy resources and lack of raw materials, its tardiness with research and advanced technology and the competition from countries that are now becoming industrialized. The sectoral policies devised by the French Government have to be judged in the light of these decisions and this political desire. As the Commission admits, and admitted again in its statement last night, the French Government's aims in the 14 sectors mentioned are not geared to the orientation of trade but to the competitiveness of firms. This is an essential point.

France, as our prime minister said in a speech recently, is the world's fourth largest exporter and it will not run the risk of going back to protectionism. And I quote: 'We are on the offensive, as far as both the structures under threat and advanced technology are concerned. The aim is to restore and improve the competitiveness of French products with a dynamic policy of investment, research and technological development'.

The Commission is kept informed of all the measures that are implemented. They are aimed, as a matter of priority, at encouraging joint research, access to modern technology, the improvement of methods of manufacturing and management and collaboration between small and medium-sized firms. France's present leaders and its present majority want Europe to develop, for they are convinced that it is within the framework of a community, one that is motivated by fresh political desire, that the problems of trade and of economic and social growth can be solved in an effective, lasting way. The French wager is therefore based on the conviction that the dynamism of firms within a country and the dynamism of the Community as a whole are interdependent. There is every point, we think, in the European Parliament seeing the contribution the French moves can make to the construction of a thriving Europe, instead of blinking itself with what is often hypocritical suspicion.

Europe will only survive if it can establish the commercial and political unity it so cruelly lacks. This is a task, Honourable Members, which demands a pooling of the action and imagination of the Member States. And we think we have to act fast if we are to avoid people becoming inward-looking and the Community being poorer as a result.

(Applause)

President. — I call the Group of the European People's Party (Christian-Democratic Group).

Mr Herman. — (FR) Mr President, Honourable Members, I shall only talk about Mrs Squarcialupi's question. My group shares the concern behind the question, obviously, but we do think that it is both wrong and problematical to have lumped all the difficulties together under the heading of price control.

It is wrong because the problem is a much greater one. The three recitals contain a number of obvious confusions. The fact that many sections of the population are unable to cope with price increases is a problem that has to do both with the distribution of income and matters of fiscal justice and social policy. It is not a problem of price control. At all events, if you try to make prices play a rôle they are not cut out for, you run the risk of getting the wrong sort of results. Saying that price control is primarily a question of supervising

Herman

the way markets work is taking one word for another and one concept for another. Everyone knows that the organization of markets is something to do with competition policy and that price control is by no means what is usually meant by that. And the third recital, which talks about the people's hope for better distribution, across frontiers, of trade and business, has to do with internal policy rather than price control.

So, there are obviously some interesting ideas here, and we share them, but trying to bring them all in under the heading of price control does not seem to me to be good enough. This is why we feel that the question we should be asking the Commission is the following. What conclusions can the Commission draw today about the different policies run in the different countries in respect of controlling inflation and protecting the people's purchasing-power? This seems to me to be both useful and interesting. Which is why we could ask the Commission at once to seek, via a comparison between the rates of inflation in the different Member States, the main reasons why there is this difference.

We are simple enough to believe that three or four countries have made a better job of coping with the problems of price increases than others because they have an anti-inflationary policy which is more efficient and which, fortunately, does not involve price control. So it is not surprising to see that the countries with the most elaborate price-control laws — France, Italy and Belgium to a certain extent — are the champions of inflation. However, this is a discussion, these are considerations that have not been developed along these lines, and we associate ourselves with the question Mrs Squarcialupi asked and call on the Commission to draw better substantiated and more elaborate conclusions from it.

IN THE CHAIR: MR LALOR

Vice-President

President. — I call the European Democratic Group.

Mr Tuckman. — Mr President, this is really a dialogue of the deaf and the surprised. There was Mrs Desouches quite rightly saying what a surprising way this is of going about things. We get the answer before we ask the question. Anyhow, this theme goes right through it. Here we have, as I understand it, poor Mr Moreau from our Parliament here, the chairman of the Economic and Monetary Committee, who is supposed to be one of our guardians of the free, open common market, having to trot along to Paris in order either to ask that this reconquest of the market —

what an interesting term, 'reconquest of the market'! — shall be rescinded or else to receive instructions as to how he should best portray it here. When one of the key features of our Community is to open up a market which is supposed to be in the economic image of that in the USA, it is really quite a surprising thing to find that we come along with phrases like 'reconquering our own market', which is really another way of saying that we want protectionism.

I think that Mrs Desouches has put up a very interesting defence of this, but if you read it in any of the languages I would have thought it does not really hold together terribly well. I do not want to inflict a very long speech on the House here, but I do hope that the Commission will take very careful note not only of what is said but also of what happens, so that we can get along again onto the proper road of freeing the market rather than clogging it up.

President. — I call the Communist and Allies Group.

Mr Bonaccini. — (*IT*) Mr President, my task here is quite simple, for I do not represent the Italian Government; I represent our ideas, our judgments, our way of seeing things, and we were not the ones who organized the campaigns to 'buy British' or 'buy Italian', or whatever, which have enlivened Community life over the last few years.

We, like many of our colleagues — I believe nearly all those who are here today — believe it is very important to improve and develop the internal market: along with the great majority of you, we have approved resolutions to this effect, and we hope that the Community will continue to move more effectively in this direction than it has done so far. We therefore attach great importance to the rules on competition which govern the internal market — a market which, at least in the largest sectors — and I think we all agree on this — is an oligopolistic market ruled by specific agreements which would certainly be horrifying in a treatise on classic competition.

However, having said this, I must add that there are two issues on which we must clarify our ideas. Our market is not the only one in the world: it has to face pressing external realities. I must say — I will take this opportunity to affirm this — that I was very surprised to find that a colleague as expert and able in matters of external relations as is Mr von Aerssen should give his support to the resolution we have just approved, a resolution which does not put us in the most advantageous position to take part in the upcoming discussion on the GATT agreement. This is a frivolous way to deal with these problems, and the responsibility must be borne by all of us as a Parliament.

Similarly, I must say that the unfortunate disappearance from the agenda, for procedural reasons, of the

Bonaccini

debate we had requested on industrial policy and the need to plan common industrial policies for specific actions cannot be considered encouraging. We will make another effort to have Parliament discuss this matter at the next part-session, but I must say that in the mixed economies typical of all our countries a proper balance between public intervention and the demands of the market is indispensable. It is equally indispensable that certain objectives we had set ourselves, such as formulating a common monetary instrument — which should have been the EMS — make it possible to apply the policy requested in the initiatives I have mentioned. Otherwise we shall be playing in a *comédie des dupes*, and each of us has enough intelligence not to be more of a fool than the next person.

As for Mr Herman's observation on price control, I believe that his remark on the matter is correct: it is a question not so much of controlling — as you mentioned, Mr Herman — as of observing, that is, of having an instrument which takes dynamic change into account and gives the governments of the Community the ability to intervene.

President. — I call the Liberal and Democratic Group.

Mr Berkhouwer. — (NL) Mr President, I shall concentrate on the free movement of persons, one of the cornerstones of the Community. I recall that the customs union was completed in 1978, exactly 5 years ago, because I have just verified this fact with Commissioner Giolitti. I was sitting in the Luxembourg train, and at Thionville station, where the customs officers tend to play cards, perhaps over a glass of beer, I said to one of them: 'Do you know, Sir, that the customs union was completed today?' (I think it was the 1st of July.) He replied: 'Monsieur, je m'en fous. S'il vous plaît, votre passeport', or: I don't care, please show me your passport.

That was the customs union. Five years have passed, but the trains are still full of customs officers and our passports are still being checked; you can still be stopped at the frontier between Belgium and Luxembourg to see what you are carrying in your car. Things are getting worse rather than better. I sometimes wonder why all these new buildings are going up at the frontiers between Luxembourg and France, Luxembourg and Belgium or the Netherlands and Belgium. I sometimes have the impression that we are dealing with a union of customs officers rather than a customs union.

Of course we hear a great deal about criminality, terrorism and so forth. That is a fine argument for keeping customs officers in business but what happens in the United States, Mr President? You don't find all kinds of checks between California and Texas to catch up with criminals. What you do find is extremely strin-

gent controls at the external frontiers. Before being allowed to land at Miami or New York, passengers undergo very strict controls indeed. Even in Russia, you can shuttle from Moscow to Vladivostok without controls. But here you are held up all over the place, you are checked everywhere. What is our Commission doing about it? Mr Thorn makes all kinds of fine statements but nothing comes of them. Nothing whatever is done. The Council, of course, never does anything, but neither does the Commission in this case.

Mr President, we are facing all kinds of life-size controls. When I came here last week I had to show my passport on leaving a country. The whole business of passports is horrifying. The worst thing of all is to carry a diplomatic passport. Show that and you will be held up for half an hour; show a Community pass and you will be held up for twenty minutes. Our European Community papers are generally suspect; they run diplomatic passports a close second. The best thing to do in this Community is to travel with an ordinary passport, because then you arouse the least jealousy among customs officers. Then you are just an ordinary person, and that is probably how it should be.

What shall we be able to say in 1984 about our achievements for the citizens of Europe? In two years' time, we shall be having new elections, as we all know, but what kind of message can we put across? It is in the interests of the Commission itself, although I don't know whether its members want to be reappointed, to be able to show results and say 'We have done this together, the European Parliament has continuously encouraged us; in 1974 a certain Mr Berkhouwer pleaded with the President of the French Republic for a European identity paper'. Yes, Mr President, that was how the European passport was born and it has now at long last been decided that it will be bordeaux-red in colour, but where is that passport? When will it be issued? And how long will it be before we can travel around the Community with it?

I have another message to the Commission: gentlemen, why not do something about this so that you can travel around the ten countries with us in 1984 and say: Look, we have actually achieved greater freedom of movement. Perhaps then it will be possible to make a start in 1985 on pulling down all those customs palaces which have been set up everywhere on our frontiers since the Community was first established. I appeal to the Commission to take some real action.

President. — Thank you, Mr Berkhouwer, for your entertaining, provocative and, of course, informative contribution.

I call the Group of European Progressive Democrats.

Mr Remilly. — (FR) Mr President, the Group of European Progressive Democrats does agree with the

Remilly

criticisms of the various speakers, but it is still optimistic about the future of the Community market and, first and foremost, about the advantages the common market provides for consumers. The free circulation of goods has given them a much wider range of products and ensured them safe supplies at regular prices. The European consumer also benefits from the rules of competition laid down in the Treaty of Rome, as Articles 85 and 86 prevent agreements that will interfere with competition and the abuse of dominant positions within the common market.

In Europe, the consumer is king, but his crown is often a crown of thorns. In particular, the application of Community rules should have a positive effect on price formation. Harmonization within the Community means indicative prices for the various sectors of industry and services, in the interests of the consumer. Distribution now has to be more fluid and more transparent and this, we are sure, will have a positive effect on price formation. We need a European price code which covers the cost of production and services: it could be part of a much broader undertaking — the creation of a European consumer-protection organization.

The same remarks hold good when it comes to the simplification of customs procedures with regard to both people and goods. Here I echo what Mr Berkhouwer said.

We cannot but support a maximum of simplification in customs affairs. But we still feel that there is a lot of progress that can be made with technical measures, although what we really need to succeed is a proper harmonization of tax arrangements and a common monetary policy.

What progress can we make? The economic policies of the different Member States do not, alas, converge, and they therefore constitute an obstacle to the creation of an internal market. The growing difference in the rates of inflation across Europe shows how much ground there is still to cover. The answer to this question of economic policy is one of the things we have to find if we are to achieve all the aims Europe has set itself.

The Community should look at the example of Japan here, where state involvement in the strategy of firms has been successful. If we want a harmonious Europe, then what we have to do is, by definition, stress the vital importance of harmonization in tax matters, in social security and in company law. And so on.

Some European countries are no doubt feeling the pinch of Asian competition and still allowing people to work without social security at abnormally low rates. This is serious for Europe, as, economically speaking, our industries are feeling the effects of this abnormal economic policy that has been made law. Politically

speaking, the propounders of this policy are running a risk by playing sorcerer's apprentice with democracy.

Lastly, we should remain firm about sticking to Community rules when it comes to the national measures that some countries take to remedy difficult economic situations in some sectors. However legitimate they may be — and no doubt are, given the situation in certain sectors — they must never hamper trading partners in the Community. The internal market is the European market. If we have to talk of winning things back, then it is by extending the debate to the whole Community that we should think about doing so.

This is what my group has been doing, over the years, when it has called for better application of the rules protecting the frontiers of Europe. The picture of a leaky Europe has to go — it is one of the things on which the success of the Community depends.

President. — The non-attached Members have the floor.

Mr Almirante. — *(IT)* Mr President, I will make some very brief observations on two questions: the one put by Mr Rogalla and others and the one put by Mr De Pasquale. In both cases, in contrast to the preceding speakers, I am pleased that last night the Commission provided answers which, whether one considers them acceptable or not, are at least clear. I will thus be able to go over them just as clearly, I hope, in a very few seconds.

Concerning the question put by Mr Rogalla and others, I am glad that the Commission has substantially refused the Socialist request. I will not say that I am indignant over this request; I will say that I am amazed. Among the many traditions which I believe to be mistaken, the Socialists have one which is positive; they have always fought against speculators, against those who take advantage of a certain freedom of movement at the frontiers to traffic in currencies. Here it is a question of controlling the dealers in death, whether they are drug-peddlers or terrorists. I don't know what kind of Europe you live in, that you ask questions of this sort. I know only one thing as far as my country is concerned, and that is that some of the suspects in the Aldo Moro case, in spite of the current controls — which should for this reason be tightened — were able to cross the frontier and take refuge abroad in countries which do not permit extradition for so-called 'political' crimes. This is a disgraceful situation which reflects on all of Europe: I wish my colleagues would realize this, and I repeat my thanks to the Commission for having substantially answered no.

On the other hand, as for the question put by Mr De Pasquale and others on the export of Italian wine to France, I thank the Commission for having

Almirante

answered fully, but I am not convinced that the answer settles the problem. I took note of certain phrases. First: 'It appeared that an agreement was reached in October', the Commission says. Second: 'the Commission has not ended the procedure on development controls.' Third: 'Parliament must give its opinion in June,' and this is fairly reassuring. Fourth and last: 'the ministers are about to arrive at an agreement.' This is ironic, especially if one thinks of the government of my own country, and more specifically of the present Minister of Agriculture, who, in my opinion, knows very little about the subject. I do not feel that I am being protected, and I fear that the wine will be harvested and stored before the problem is settled.

President. — I call Mr Gerokostopoulos.

Mr Gerokostopoulos. — (*GR*) Mr President, the question put by Mr Jackson, Mr von Wogau and Mr Poniatowski concerning the recovery of the internal market refers indirectly to certain measures planned by the French Government. Permit me to deal with the subject somewhat more specifically, and indeed to relate it to possible measures in sectors of direct interest to Greek economic activity.

These sectors are furniture manufacturing, the leather industry, toys, textiles and ship-repairing.

According to information received, the French Government expects a broad spectrum of measures for the recovery of its internal market — for example, self-limitation agreements between the retail trade and producers, mainly aimed at encouraging the former to buy French products, or the creation of competitive manufacturing units with greater specialization of product, improved management, state financial support of more than 2.5 billion French francs in the machine-tools sector, etc.

Though the measures envisaged are mainly of a developmental nature, some of them may give rise to problems concerning trade within the Community. For example, the said self-limitation agreements may have the same results as the quota restrictions and bring about a reduction in imports from other Member States. Such agreements may possibly also be detrimental to Greek exporting interests. It should be noted that while, in textiles, Greece has clear advantages, as has been said many times, she experiences difficulties in exporting to the French market because of the French Government's attempts to prop up its own industry.

Of course, we recognize that the development of sectors and branches of industry according to choice is mainly a national concern, but we hope that the French measures will not turn against trade within the Community as a whole, and especially not against branches in which less-developed countries have rela-

tive advantages. We feel that this danger will be reduced to the extent that the Community places greater emphasis on Community preference.

Finally, Mr President, I would like to express my satisfaction at the reassuring statements made by Mr Giolitti concerning the attitude to be taken by the Commission should the need arise.

President. — I call Mr Martin.

Mr M. Martin. — (*FR*) Mr President, the oral question from Mr De Pasquale and Mr Gatto deals with two problems that are in fact linked: exports of Italian wine to France, and the wine regulation.

It is true that the wine-growers in the south of France, with our support, got the imports of Italian wine that were submerging our market and pushing prices right down slowed down and then stopped. Some people in this House have got into the habit of reproaching us for these measures on the grounds of the principle of free movement and the unity of the common market. But who benefits from this free movement if it isn't the big businessmen, the Italians as well as the French?

As far as we are concerned, the idea isn't to make war on the Italian wine-growers, but to get a principle, price unity, respected. How could people agree to two wine markets in the Community, with prices as far apart as 20% to 40%?

Price unity can only be ensured if the regulations are applied in an identical manner in all the Member States, both as far as the vineyards and the wine register and all the various kinds of assistance are concerned. If everyone sticks to the rules of the game, there will be no clashes.

We shall get the opportunity to discuss the wine regulation thoroughly at our June part-session, but we should like to insist now on the need for a minimum remunerative price to be applied on the markets, in particular by banning wines below the minimum price so as to avoid crises, by improving the intervention measures, by setting up a system of official purchasing and by harmonizing and reducing excise duty. Proper improvements to the wine regulation are a necessity for the wine-growers and they are also possible as far as the budget is concerned, bearing in mind that EAGGF spending on wine in 1981 was only 76% of what was earmarked.

In any case, and this is the last thing I shall say, you must remember — just in case anyone has forgotten — that French wine-growers, particularly those in the south, are not willing to be sacrificed on the altar of the European merchants' community or on the altar of European enlargement to include Spain and Portugal either. Neither are they willing to submit to any pres-

Martin

sure that might be exerted to stop the implementation of the national measures that are vital to safeguard the future of the southern wine industry.

The French Communists and Allies are part of the government majority, and they are, and always will be, on the side that defends the interests of wine-growers in their country and their region. Nothing will make them deviate from this path.

President. — I call Mr Nyborg.

Mr Nyborg. — *(DA)* Mr President, not so long ago I heard someone ask what frontier officials actually do, and someone else replied — and I think he was right — that they are fighting for their existence, because in reality they no longer have any *raison d'être*.

We are a common market and ought to act accordingly. We campaign a lot for the free movement of goods, free movement of capital and many other things; and yet we still continue checking, not only foreigners, but even our own citizens when they cross internal frontiers. I find it remarkable that the motion for a resolution before us today has been written by German Members of this House, for it is the German authorities in particular that set such great store by the maintenance of checks on travellers at the internal frontiers; allegedly in order to combat terrorism, in the belief that it is possible to catch terrorists at the internal frontiers. What nonsense!

People who really have something to hide know that there are checks at various points along our internal frontiers, and they will make sure to avoid those check-points. They will not be caught at such points, and therefore there is no valid excuse for maintaining an apparatus that is no longer needed.

Check-points set up at random on motorways in Germany have proved to be far more effective in practice. Some fish are really caught in the net there, so I am very much in favour of putting an end to these internal frontier controls. How are the citizens of Europe ever to feel that they live in a Community, when they are still being checked at internal frontiers: when, furthermore, the checking in many cases has been tightened up rather than eased? In fact we know that more people are employed at the frontiers today than was the case before we, at any rate, became a member of the European Community.

President. — I call Mr d'Ormesson.

Mr d'Ormesson. — *(FR)* Mr President, Mr De Pasquale and his friends suggest that the Commission would be in favour of slowing down the imports of Italian wine into my country. What an astonishing

conception of the Treaty of Rome and of the responsibilities of one's own country!

Do I need to point out something that is at the very centre of this debate, that the right of Member States to move their goods about within the common market is limited, in the case in point, by the right of each Member State to see that the basic principles of the wine regulation are respected? Since I took my seat in this House, I have tried, together with Mr Colleselli, to find solutions that would put an end to this annoying argument, but the author of the question seems, quite wrongly, to be raking it up again. I deplore this attitude, because beauty and the beast are very close in this particular case.

Has Mr De Pasquale forgotten that his country has still not managed to submit its viticultural land register, as the regulation requires? This register is the only way the Community can control planting and grubbing and, therefore, get a picture of Italian wine production in the short, medium and long term. This inexplicable shortcoming will, I fear, live on now Greece has entered the Community, and there are prospects of Spain and Portugal joining too.

Then, in 1981, we had 8 million hectolitres of Italian wine ruining the French wine-growers, pushing them to the brink of despair, for this wine was partly a forbidden mixture of red and white wine that came into France at prices well below the intervention price — thanks to national aid with transport.

And lastly, do I have to remind Mr De Pasquale that the tolerance that enables the Italian wine-growers to produce two successive harvest declarations two weeks apart, the second one implying an increase in the volume harvested of two to three million hectolitres, leads to falsification and encourages fraudulent practices?

Fairness and reason would suggest that presentation of the wine register in each producing country should be made mandatory as quickly as possible and that, alongside this, there should be a real policy of ensuring quality by encouraging the cutting back and grubbing up of bad vines, by establishing preventive distillation at a remunerative price — as the regulation we shall be discussing in the Committee on Agriculture on Monday says — by making it mandatory, and this is something I shall stress, to declare rosé wine — something Parliament voted for nearly a year ago but which hasn't been put into practice yet — by standardizing excise duties and by forming a Community fraud squad to safeguard the interests of the wine-growers, winemakers and consumers.

What is the point of rules, ladies and gentlemen, if they are constantly being twisted? Hasn't the time come for the Community to see they are respected?

(Applause)

President. — I call Mr Alavanos.

Mr Alavanos. — (GR) Mr President, in connection with Mrs Squarcialupi's question, we agree in general with the general direction of the price controls, but not of course, with the interpretation given by Mr Herman. However, as far as Greece is concerned we disagree that Community measures, and more particularly membership of the Community, could ever lead to reduced prices. There are two characteristic examples: on the one hand, the abolition of subsidies on a range of goods widely used by the people, which happened when Greece joined the EEC, and which led to a large increase in the cost of living, without of course leading to any improvement of the economy; and, on the other hand, the obstacles to importing cheap products, in exchange for agricultural products, from the Socialist or other third countries. It is characteristic that the first year during which Greece was a member of the EEC was a record year for the rise in the cost of living, and this even though one of the main arguments of those in favour of joining had been that Greek workers and consumers would gain access to cheap European quality products. On the contrary, with our accession imports have proliferated, and products from the EEC are replacing Greek products with unimagined ease, so inflicting great injury upon Greek industry and handicrafts without producing any price reductions. For this reason, in our opinion, the solution to the problem of price control, specifically for Greece, consists firstly in taking a series of anti-monopolistic measures, among which means must be included for facing the problems created for us by our accession.

As for criticizing the policy of the French Government for the recovery of the internal market, what we have to say is as follows. For our country the prime issue is not that between the unity of the market and protectionism, but, on the contrary, between abandoning Greece to an already-lost game against the major monopolies of Western Europe and ensuring her equal participation in the international distribution of labour, and in this connection I would like to make three specific comments:

First, with our accession to the EEC, leaving aside the agricultural sector, the second most important result was that the biggest Greek companies over-borrowed. It is characteristic that half the *sociétés anonymes* in Greece are already too deeply in debt, while the 50 largest among them are on the threshold of ruin.

Secondly, the EEC itself has proved incapable of protecting its Member States. This is characteristic of a whole range of agricultural products, tobacco, etc., which represent problems for Greek farmers and for which there is no protection at all against countries such as the United States.

Thirdly, while we speak of market unity, in fact large countries are able to adopt protectionistic measures.

Here, our criticism is directed not so much against the French Government as against the Greek authorities, who, instead of submitting memoranda to the Commission and the Council of the EEC, could do something more decisive for the protection of Greek industry.

President. — I call Mr Bournias.

Mr Bournias. — (GR) Mr President, I am sorry to say that the Communist Party of Greece attributes anything that goes wrong in our country to our membership of the Common Market. That is the slogan, the invariably repeated refrain of the party in question.

The subject of prices does not concern only Greece, where there is indeed a stampede of prices; it concerns every country, and that is the point of Mrs Squarcialupi's question. We must therefore see the matter clearly, because, as has been very correctly emphasized by those who have put questions, there are price differences from country to country — from country to country, Mr Alavanos — amounting to about 40%. Ladies and gentlemen, do not be astonished if I tell you that this proportional difference is very frequently encountered even within Athens itself, where there is often a 40% difference in prices between the centre of Athens and the suburbs. This is easily explained, and I shall explain it shortly. Another unacceptable phenomenon that disturbs even well-to-do consumers is the repeated price increases of one and the same product within relatively short periods of time, and the outrageous profiteering done by middlemen between producer and consumer, which results in the unreasonable inflation of prices for agricultural products.

There is a need to review the means of controlling and maintaining prices adopted in the Member States, and for new and more effective measures that will guarantee a relative stability. It is also necessary for the governments, which dictate the prices of electricity, telecommunications, water and public transport, all of which greatly influence the household budgets of the economically weaker classes, to restrain price increases for these services to the lowest possible levels so that some degree of balance in prices may be achieved and their inflation therefore avoided. Of course, it must be recognized that the measures adopted will not be able to neutralize all the factors that determine prices, the most important among which are differences between the various national taxation systems, exchange-rate fluctuations, the varying effects of inflation, differences of preference arising out of consumer habits, and differences in purchasing-power from one country to the next.

In the eleventh European Community publication on competition policy, many facts and figures are given concerning the subject under discussion, in particular the fact that the final price is affected more than any-

Bournias

thing by VAT which, for example, in the case of cars ranges from as little as 10% in Luxembourg to the situation in my own country, where VAT has not yet been applied and where the tax burden for a car may amount to 200%.

During the 12 months ending April 1982 inflation in Greece was as follows: 21.8% in general, 15.9% for transport and communications, 23% for food and 37.7% for services.

Ladies and gentlemen, the new price fixed for agricultural products will bring price increases of 15% to 20%.

In conclusion, Mr President, I should like to believe that the Commission appreciates the urgency of the matter and will adopt measures that will satisfy the people of Europe, whose tenacity will allow neither price differentiations nor increases from one country to another.

President. — I call Mr Rogalla.

Mr Rogalla. — (*DE*) Mr President, ladies and gentlemen, at the end of this debate about freedom of movement in the Community, I think it simply remains for us to note that the Commission and Council must redouble their efforts and that we, as directly elected representatives of all the Member States, must exert greater pressure on these Community institutions.

However, it is not enough to step up the pressure; the juridical basis for freedom of movement within the Community must be made much clearer. Moreover, the specialists and experts, particularly in the field of security and drug control, must approach their task, so important for the community, from a new angle. Failing that, and if we cannot count on the assistance of these experts, pressure from Parliament and the Commission's proposals and Council decisions will remain without effect. At the end of this debate, I therefore venture to hope that the experts will come to realize that our citizens, on whose behalf we are ultimately all working, no longer understand today the need for restrictions and controls. Yesterday, Commissioner Giolitti spoke about the frontiers between our countries, and, of course, from the standpoint of national law he is perfectly correct. Alongside national law, however, there now exists a body of Community law, and the Treaties setting up the Community provide for freedom of movement for persons. The fact that nothing has been done to create that freedom of movement in the past 25 years is no reason not to begin work at long last today and to adopt a progressive — I repeat, progressive — approach to this problem, which cannot be solved overnight. The 25-year delay is regrettable enough. What we need now is to take a different approach and to tackle the problem of

freedom of movement afresh on the juridical basis provided by the Community Treaties.

(*Applause*)

President. — The joint debate is closed.

3. *Community energy strategy*

President. — The next item is the joint debate on:

— the report by Mr Moreland (Doc. 1-204/82), on behalf of the Committee on Energy and Research, on the

communication from the Commission to the Council (Doc. 1-1064/81) on the role of coal in a Community energy strategy;

and

— the report by Mr Rogalla (Doc. 1-205/82), on behalf of the Committee on Energy and Research, on the

communication from the Commission to the Council (Doc. 1-1063/81) on investment in the rational use of energy.

I call Mr Moreland.

Mr Moreland, rapporteur. — Mr President, my co-rapporteur, Mr Rogalla has shown his faith in his topic, the rational use of energy, by bicycling to the Parliament. I have not done the same, and Members will realize that I should be in no condition to speak had I done so.

My topic, however, is coal. I can claim to have visited a number of coalmines in my life, and I know the importance the industry attaches to this Commission proposal, even though the reception is not necessarily uncritical. What is more significant in the battle to reduce our reliance on imported oil, this report is of importance to the whole of the Community.

In this connection, the Committee on Energy and Research welcomes the Commission's report. I also welcome the news that the Commission's 1983 budgetary proposals show a significant switch to energy, including a financial backup to this report.

Nevertheless, the committee does have its reservations on this report. In sum: not far enough on the use of coal, too little on encouraging Community coal production, and too much emphasis on imports. In particular, we believe that in some respects the Community's report sidesteps a number of the proposals contained in the Parliament's resolution adopted in

Moreland

February in the Rinsche report. There are a number of criticisms the committee would make. I shall concentrate on three.

First, the document covers a wide range of issues from Australian imports to acid rain, from lignites to Lomé II. Many of the issues beg a number of questions, and to make a judgment the committee would need more information. For example, a number of members would want to know much more about the details of the proposals for long-term contracts for coal imports and on investments in mines overseas.

Secondly, the Commission makes a number of proposals for improving the use of coal, for example for more Community research into utilization, which we urge the Council to accept.

The Commission goes on to encourage investment in the use of coal, which it believes can be done with the help of a Council recommendation. It believes a recommendation will, and I quote 'remove any remaining doubts on the part of potential investors about the importance attached by the Community and of Member States to such investments.'

Does anyone seriously believe that a Council recommendation will influence business decisions? Can one imagine a businessman saying, 'I must change my boiler from oil to coal because of a Council recommendation'? No; it is a matter of analysing balance sheets, profit-and-loss accounts and working capital. One needs positive financial incentives. In this connection, I view with interest the recent comments of the Coal Advisory Committee of the International Energy Agency, which pointed out that current depreciation policy in a number of Member States acts as a disincentive to convert boilers from oil to coal.

My third point of criticism is the most contentious. It is the general concern of the committee that the Commission pays inadequate attention to increasing production from Community coal mines and rather a lot of attention to imports and providing infrastructure for imports.

Now we are not, I think it is fair to say, a protectionist committee. I do not think I could be accused of being, shall we say, the Edith Cresson of coal. Coal is currently readily available from Australia, South Africa, the United States and Canada and it can be cheaper than Community coal. This we recognize. But this situation can change, and as the Commission has reminded us in the past, strikes and hold-ups can cause difficulties. Perhaps I can add, sadly, that, of course, I cannot include Poland in the list of countries from which we now import coal.

Indeed, the pressure of world demand for coal may well change the relative price advantage that currently exists for imports. Consequently, for strategic reasons the Community must maintain a capacity to produce

most of what it uses and will use. The Commission is critical of unprofitable mines, and we accept, of course, that there are unprofitable mines. But these mines currently produce 40 million tonnes, and, politically, the Commission's criticisms are unrealistic. What is more important, the Commission must remember that it takes a number of years to bring new seams into production to replace this 40 million tonnes. Closure of unprofitable mines cannot happen overnight. It must be phased and related to increases in production elsewhere.

Mr President, there are a number of other points that one can make on this report. As I stress, we welcome the Commission's interest in the subject, but we have a number of reservations. I think it is worth remembering in this Parliament that the Community started as a coal and steel community. The first word was coal. It has to some extent been submerged in other policies, but I think there needs to be some vigour given to greater interest in the subject of coal.

(Applause)

IN THE CHAIR: Mr VANDEWIELE

Vice-President

President. — I call Mr Rogalla.

Mr Rogalla, rapporteur. — *(DE)* Mr President, ladies and gentlemen, at long last this Community is giving its attention to an energy policy. If I put it this way, it is concerning itself at long last with its own fuel; its proverbial motive force, the Commission, must not run out of steam and the link with our citizens, for whose benefit the whole operation is being organized, must not be allowed to become looser.

After 20 years the Commission has submitted initial guidelines on certain areas of energy policy; in the last 6 months it has made real efforts to make progress. That is probably due to the efforts of Vice-President Davignon, who is responsible for this field in the Commission but is unfortunately not with us today.

We in the European Parliament welcome this initiative, even if the approach is, naturally enough, still very general. As rapporteur for the Committee on Energy and Research, I gladly take this opportunity to consider the aspect of investment in the rational use of energy or, to put it more clearly, energy-saving. Yesterday we heard several references to the problem of the pressure of time under which Parliament sometimes has to deliver its opinions. My report is a case in point.

Rogalla

I hope that the Commission will see to it that the consultation procedure moves more smoothly in this field by giving Parliament sufficient time to adopt a reasoned opinion, having regard to its political obligations and duties. It is neither profitable nor acceptable that rapporteurs should be appointed only two months before a debate and then have to deal with these important matters in a hasty campaign with their staff; this is particularly true when we are dealing with complex problems over which the Community has regrettably long remained inactive.

I have already drawn attention in committee to the breadth of the analysis contained in the Commission's communication to the Council. In contrast, the text of the recommendation in its present form appears to us less successful. However, that is the paper to which our opinion specifically refers.

We should like the Commission and the many experts to exert a great deal more pressure on the Member States. We all know that the Member States have differing levels of dependence on energy imports — the Netherlands and the United Kingdom, for example, are the least dependent because of their own primary resources — but in any national economy savings through the rational use of energy, i.e., lower consumption, can only be advantageous. In addition, the importance of investments in the energy sector as a means of creating or at least safeguarding employment cannot be stressed too highly. All of you will no doubt already have heard of remote heating, which seems a particularly important example.

I should like to mention two or three sets of figures to clarify the points dealt with in my report.

Firstly, oil imports: the Community is the world's largest oil importer. In 1981, imported oil covered 51% of our primary energy consumption, as against 61% ten years before. Savings have been effective, but we have not yet done enough.

Secondly, between 1973 and 1981 the oil bill rose despite the reduction in the share of oil in total primary energy consumption. In other words, the cost of imported oil has risen. Here, too, there is an urgent need to relieve the present burden further.

Thirdly, investments in the energy sector in the Community are now stagnating at a level of about 1.6% of our gross domestic product. We are aiming for an increase to 2.2% by the end of the 1980s. The United States, on the other hand, are at present investing 4% in the energy sector, i.e., almost three times as much. Japan is investing 3% or twice as much as the European Community. This leads us to certain important conclusions: progress towards greater independence of oil imports must be vigorously pursued, regardless of trends in the price of oil. After all, saved energy is always cheaper than oil.

In all the Member States, incentives to investment in the energy sector must be stepped up — I mention specifically such buildings as bakeries, schools, parliaments, municipal buildings, for which some of us are responsible — to enable the users to convert to domestic sources of energy, generally coal.

New possibilities for financing and borrowing must be opened up, for example through the New Community Instrument. The financing must extend right through to the local authorities and municipalities. It must be accompanied by advice to the users, so that conversion to different sources of energy is accompanied by financial concessions. Those who contract loans must also be protected, for example against exchange risks, if the loans are transacted in a foreign currency; I am pleased to note that the European Court of Justice has very recently handed down an instructive judgment on this point.

The target percentage of our gross domestic product referred to in the Commission's document is not very convincing. We have had disappointing experience of a target in terms of the gross domestic product in the field of development aid. It will be unavoidable, but it must be supplemented by a reference to absolute figures quoted in ECU, DM or FF so that all our citizens can understand what is entailed.

One of our colleagues has proposed the creation of a European energy-saving fund, which would be a good way of giving practical financial aid. But the whole thing would first have to be set up. Energy price structures must be designed to reward users who save energy.

The Commission's initiative will prove useful provided that it is amended to take account of our additional practical proposals. The Commission has assumed the task in this sector of taking more extensive and more specific action. I congratulate it on this, and we shall give it our support if it accepts our amendments.

(Applause)

President. — I call the Socialist Group.

Mr Adam. — Mr President, I would like to congratulate both the rapporteurs on the excellence of their reports and on the speed with which we have been able to get them through the Committee on Energy and Research and in front of the Parliament. It does tie in very much with the longer-term plans for energy in the Community and with the need to dovetail at least these aspects of our work with the meetings of the Council. But it is quite fair to say that the Commission has not really given us sufficient time in this instance, and I hope that they will be a little more aware of the problems that we have in committee when future recommendations come forward.

Adam

There is no dissent in the Socialist Group from the broad implications of the reports or the comments that the two rapporteurs have made. The fact is that for over 20 years the general level of energy investment in the Community has stood still. This is the damning indictment contained in the Commission's report, and the recommendation that investment in the rational use of energy should be increased to 0.7% of gross domestic product by 1985 and 1% by 1990 must be accepted as a *minimum* for implementation. Otherwise, our main competitors will continue to forge ahead of us.

This programme requires the closest supervision and coordination of national programmes. It is far too dependent at the moment on the performance in France and Germany. Other countries have got to play their part. We must also bear in mind that there is a very important aspect to the proposals might the fact that the programme create something like half a million jobs in this particular field.

I turn to the Commission's proposals on coal and have to say that these are a serious disappointment. They do not meet the criteria set out by this Parliament in the recent Rinsche debate. The Commission's proposals concentrate too much on the coal-use aspects at the expense of the question of Community coal production. Coal use is, of course, extremely important. The Socialist Group strongly supports all the measures which are designed to encourage the change-over from oil to coal. We also support the measures to develop coal-handling facilities. Clearly, without adequate provision to use the coal, there can be no possibility of increased coal use in the future. These proposals are an essential part of the package and we recognize them as such.

But the other part of the question is, where is this coal to come from? According to the Commission's figures, and I would ask the House to keep these figures particularly in their minds during this debate, imports of coal into the Community will increase from 70 million tonnes a year now to 240 million tonnes a year by the year 2000 — that is, from 23% to 48% of total coal consumption by the end of the century. Now we all agree how foolish we were in the past to rely on cheap imported oil, and it would not be prudent to accept blithely this vast increase in imported coal.

Now there is another aspect of this criticism. There are considerable reserves of coal in the Community from which coal could be obtained at prices approximately competitive with imported coal. We can also produce coal to generate electricity at prices competitive with nuclear energy, and I want to see a firm commitment to develop at least 63 million tonnes of new coal capacity between now and the end of the century. This is essential if the coal industry of the Community is going to have a firm financial base and if, in fact, we are going to meet the objective of 270 million tonnes which Mr Moreland has included in his resolution. I

have tabled an amendment to this effect, Mr President, and I do hope that the House will support it. We need not only to have an objective, we need a plan which will ensure that that objective will be achieved and which this Parliament and its Committee on Energy and Research will be able to monitor in future.

President. — I call the Group of the European People's Party (Christian-Democratic Group).

Mrs Walz. — (*DE*) Mr President, I too should like to begin by congratulating the two rapporteurs most warmly. They have completed this document extremely quickly. I do, however, also want to stress the fact that it is a minor miracle that the Commission forwarded the text to us in the first place. In the old days we used to learn what was going on at press conferences and had to make of them what we could; on this occasion the Commission has involved us in advance. It did so belatedly, but we hope things will go better next time. All in all, there has been an improvement on the previous practice, and I would like to thank Commissioner Davignon specifically for this.

I shall consider Mr Moreland's report first of all. In recent months the price of crude oil on the spot markets has fallen off sharply, and the old problems of the Community's coal policy have been revived at the same time. The importance of coal in the common energy strategy, which was recognized at its true value when oil prices were high, seems to be less generally recognized in the present oilprice situation. The Commission had anticipated these energy price fluctuations, due to the state of the market, some months ago and therefore developed a coherent and pragmatic suggestion for a Community coal strategy in its communication to the Council. On the basis of the recommendations approved by the European Parliament in the Rinsche report last February, the Commission has assigned a fundamental strategic importance to coal as a source of energy, because, whether mined in the Community or imported from third countries, it can help to compensate for the political instability of the world's energy markets.

This it can do properly — alongside nuclear energy and alternative renewable sources of energy — only if it becomes a modern instrument of a Community energy policy, in particular as a result of more intensive research into the use of coal. Coal is essentially a raw material rather than a fuel. The European Parliament has recognized this fact for many years and advocated corresponding measures of rationalization for coal-mining in the sectors of extraction, research, social facilities and environmental protection. Active Community solidarity in the form of subsidies from the general budget should help to broaden the use of coal or ensure its more rational utilization. The Venice Summit Conference in June 1980 fully recognized this principle. The Member States' governments must now

Walz

act, otherwise there can be no successful common energy policy. This is particularly true in the case of coal and its capacity to compete with other forms of energy. One cornerstone of this policy is the adoption of an annual Community extraction figure of 270 million tonnes right through to the year 2000.

This means that coal-mining in the four coal-producing countries of the Community must not be interrupted by inadequate planning or preparatory work on new fields; also market research into more rational utilization of coal must be stepped up. Furthermore, new infrastructures may have to be established in the non-coal-producing countries to enable cheap imported coal to be brought to the point of utilization. One important aspect of the establishment of new coal-processing industries consists in the creation of jobs so that less developed regions will also benefit from coal policy.

The Commission must therefore develop specific projects in the coal sector and implement them in each case with the economic aid and support of the Member States.

I turn now to the Rogalla report: since the first oil crisis in 1973-74, it has become painfully clear to the industrialized States that unilateral dependence on oil imports may have a particularly negative effect on the development of their national economy. The Community Member States have taken account of this to the extent that measures have increasingly been introduced to replace oil as the principal energy source by other sources. I might remind you of programmes for the increased utilization of domestic coal and for the development of nuclear energy as well as other measures to develop alternative energy sources.

I should like to address a compliment to the Commission once again on this point. It has shown a very progressive attitude to coal policy and has been constantly obstructed by the Council of Ministers. Nevertheless, in 1981 the Community was still the world's largest net importer of crude oil, with a total of 366 million tonnes, and continuing strong efforts on the part of all the Member States will be needed to bring the Community's oil bill under control.

The expansion and diversification of energy supplies must therefore be backed up by measures to save energy. The fall in Community energy consumption of 4.6% last year must not make us overlook the fact that the potential for energy savings has by no means been fully exploited in many areas.

The analysis made by the Commission of the measures taken in the individual Member States to bring about a more rational utilization of energy is particularly welcome in that it provides clear reference to areas in which further savings can be made. According to the Commission's estimates, some 15-20% of present energy consumption could be saved by 1990. This will

only be possible if corresponding investment incentives are offered to the ultimate users. Here it is particularly important for small and medium-sized undertakings to be assisted by special depreciation measures and interest rebates when they convert from oil and gas to other sources of energy. An expert advisory service is just as essential here as financial assistance for the training of personnel.

A further important sector in which financial assistance is called for is that of the renovation of old buildings and the better thermal insulation of new buildings.

I shall have finished in a moment, Mr President, but I shall use a little more speaking time under Rule 66 in my capacity as chairman of the Committee on Energy and Research.

The public authorities could lead the way, since investments in better energy-saving measures in public buildings will benefit all our citizens and have a particularly important demonstration potential for energy-saving measures.

Among the sectors indicated by the Commission, the development of remote-heating networks in areas of urban concentration deserves particular attention. This alone would create many new jobs.

The report submitted by Mr Rogalla on behalf of the Committee on Energy and Research supports the Commission in its endeavours to achieve higher investment in the more rational use of energy. Particular importance attaches here to stable energy prices.

Even if oil is in ample supply at present and prices are still falling, everything possible must be done to exploit the Community's potential for energy-saving, thus making an important contribution towards the containment of economic costs and towards economic recovery. With that aim in mind, the Group of the European People's Party supports both motions for resolutions.

President. — I call the European Democratic Group.

Mr Seligman. — Mr President, this document was issued on 10 February and we are debating it here in plenary sitting on 14 May. This must be an absolute record, and I congratulate not only the rapporteurs but also Mrs Walz, the chairman, and the committee secretariat for pushing this matter through quickly. That is the way we want to do things in future.

Mr President, after a long period of limbo, these two Commission documents which we are discussing today are the first sign of new life in the common energy policy. Life is really getting exciting again in the energy field. Yesterday's announcement by Mr Tugen-

Seligman

dhat that energy budget commitments were going to go up from 65 million to 167 million EUA in 1983 is a sign that it is all beginning to come together again. Furthermore, we hear rumours that a major new initiative by the Commission in energy investment is just around the corner: I believe it is a very imaginative one, so we shall all wait to hear about that with great interest.

The major event in the energy world at the moment, one which overrides everything else, is the oil glut, the fall in OPEC production from 30 million to 21 million barrels a day and the fall in oil prices. These are the things that are really dominating the energy field; they will undoubtedly help industrial revival and reduce unemployment. Altogether it is a marvellous thing, but what we most feared has in fact happened. The big oil companies have lost their nerve and are scrambling out of synthetic fuels and the search for alternatives to oil as fast as they can. I understand their problem. Private industry cannot afford risky investment at a time of recession, but it is up to the Community and the governments to stem this rush out of alternative energies. Who else can prevent what will be the inevitable sequel? If they do not do this, we shall remain hooked on oil, and when industrial revival starts, we shall have no alternative fuels available. All consumption will rise again; so will oil prices, so will inflation, so will unemployment; and by 1985 or 1990 we shall be screaming in economic agony as we were in the oil crises of 1973 and 1979. That is why I call on the Commission to make an urgent proposal to the Council for steps to pick up some of these alternative energy projects which the oil companies have been dropping right, left and centre, and stop the inevitable drift back to oil.

Coal liquefaction is a case in point which is briefly mentioned on pages 12 and 13 of the document we are discussing. In addition to its economic importance, coal liquefaction is a vital strategic matter. If our oil supply lines are severed, how else are we going to drive our cars and our tanks and our airplanes? We must have alternatives like liquefied coal, as Germany did in the last war, almost regardless of price, and as South Africa does now. In fact, liquefied coal promises to be a good deal cheaper than it was in the past owing to the new process that is being developed. That is why I ask you to support my Amendment No 8, Mr Adam.

The fall in oil prices also affects investments in the rational use of energy. Why spend money on energy-saving when oil is getting cheaper? The Saint-Geours report and Table III of the Commission's document today show that further saving in energy of up to 50% is possible by the year 2000. But this is not going to happen if oil prices continue to fall and we continue to waste gas by flaring and invest much too little in energy-saving and helping the poor to insulate their houses. So we and OPEC have a common interest in the stability of oil prices, and that is what Sheikh Yamani called for in London last month.

I therefore ask, in view of the importance of collaboration between OPEC and the Commission, that the Commission make contact with OPEC as soon as possible to take joint measures to increase investment in coal conversion, modernization, energy-saving and alternative fuels. In the present recession, they are the only people with the resources to do it. Increased energy investment is the best way out of recession and unemployment.

(Applause)

President. — I call the Communist and Allies Group.

Mr Veronesi. — *(IT)* Mr President, Mr Moreland and Mr Rogalla carried out their task as rapporteurs on the two matters on the agenda in the best possible manner. I would like to thank them for this.

In regard to the questions submitted for our study, I must point out a contradiction; the eternal one. I refer to the gulf between the initiative proposed by the Commission and the financial resources made available in the Council's budget. The two documents we are discussing are part of a package of proposals advanced by the Commission. They lead us to think, together with the others, that the Commission has been inspired with a new and more vigorous dynamism, and they seem to open up the prospect of measures which will at last be more effective. I can only express my greatest hopes of success for the Commission's project, but, in spite of myself, I feel it is my duty to raise certain doubts. These doubts do not represent pessimism or resignation to failure, but on the contrary they are intended to urge Parliament to make its influence increasingly felt in its relations with the Council.

The purpose of this is to ensure that the planned programmes are effectively translated into functional reality and do not remain in the limbo of good intentions, as has too often been the case.

Ladies and gentlemen, I believe that the question of the rational use of energy does not present any particular problems of principle. Although one can single out certain aspects of the Commission's report, I think that the general judgments already made are perfectly valid. There is always the problem of budgetary resources available to deal with the problems themselves. On the other hand, I think that the coal question is more complex: we have discussed it so many times that I do not feel obliged to return to it now. I only wish to repeat an opinion held in our group which has been stated several times in this Chamber: European coal needs massive technological contributions both for production and for the development of innovative uses.

In the first place, these technological measures should tend to reduce the costs of production so as to make

Veronesi

them, if not competitive — which seems to me to be a goal difficult to attain — at least acceptable within the Community.

In the second place, it should be made easier to apply these measures, in relation to both the environment and public opinion, without neglecting the large infrastructural problems that such utilization implies.

Mr Moreland's resolution is very thorough, and it deals very accurately with these problems. For this reason we feel that, despite all our reservations, the resolution should be supported, and with it the resolution presented by Mr Rogalla.

In conclusion, ladies and gentlemen, we are willing to give our responsible support to the Commission's action in this field.

President. — I call the Liberal and Democratic Group.

Mr Calvez. — (*FR*) Mr President, I am speaking for my group about the report by our colleague Mr Moreland.

I have already said a lot about the problem of coal in the debate on the Rinsche report, so today I shall confine myself to one or two additional remarks — and I shall make them short and to the point, as you, Mr President, requested.

Safety down the mines is only mentioned in passing in the Commission document. But there is a real danger to miners arising from the mechanization of extraction and, in some cases, from the existence of water tables. I think I am right in saying that the problems of safety should be dealt with properly in this report, in the interests of the miners and of the people who employ them. The ILO in fact recently stressed all this in a report. The Community should look into this problem when it makes its plans for using coal.

The Commission has left slag-heaps out of its list of pollution. I think there are ways of avoiding them — we could, for example, use slag in flooring and in concrete. An even more serious thing is acid rain. We hear a lot about it at the moment, and the Community should look into the problem and draw up a research programme so that there is less of it. Carbon dioxide, for example, has an effect on the climate in the long run.

The rapporteur, Mr Moreland, is quite right to stress the importance of infrastructure, for port and transport infrastructure is the most critical aspect of the use of coal. He stresses the importance of developing Community production, for it is true, as the Liberal Group has already made clear during the debate on the Rinsche report, that the EEC has to be careful not to be too dependent on outside sources for its coal

supplies. But, since Community production is not enough, we have to fall back on coal from third countries. So the Community has to have a coherent coal import policy and take out contracts with several suppliers so as to reduce the risks in case of a breakdown in supply.

(*Applause*)

President. — I call Miss Brookes.

Miss Brookes. — Mr President, I welcome Amendment No 8, which has been put forward by Mr Madron Seligman, and ask for the support of the Members of this House and the Commission.

The coal-liquefaction project at Point-of-Ayr, in North Wales, is one of the most important projects in the field of energy. If the coal industry in Europe is to survive, then that industry must look towards the 1990s and the year 2000, when that industry can become more sophisticated than it is at present.

Yes, Mr President, I am going to speak and beg that such a project as the coal liquefaction plant at Point-of-Ayr shall be financially supported. Point-of-Ayr is in a steel-closure area and the diversification and projection of industry is essential in North Wales. At Point-of-Ayr there is the finest workforce, the workforce that does not strike, the workforce that hits production targets. That is the proof of stability and that is worthy of investment and recognition.

The coal industry must look to the future. Financial investment must be made available. There must be no faltering, no turning back. I ask for the full support of the Commission and the Parliament for financial aid for this coal-liquefaction project and ask that the Commission shall have discussions with the private oil company that has withdrawn its support and regain that private financial investment.

President. — I call Mr Wurtz.

Mr Wurtz. — (*FR*) Mr President, the French Communists and Allies have read Mr Moreland's report with both interest and regret. We were pleased to see this desire to develop coal production in the Community and to encourage research into new uses for it. This is progress in comparison with the Commission's position — one in which imports of South African and American coal are, to our way of thinking, of far too much importance. Imports are necessary, obviously, but at the same time we feel that Community production has to be boosted. So we are in favour of that part of the Moreland report. But I also spoke of regret, and that is because the report lacks, to our way of thinking, a precise reference to something which we, as French Communists, are very attached, as you will

Wurtz

understand. This reference is to the fact that, as a general rule, all countries with coal reserves, France included, should increase their production with the help of the Community, on the understanding that it is up to each Member State to determine its own criteria for profitability in the light of local conditions.

This, it seems to me, is reasonable from three points of view. First, from the point of view of France's national interest, which is no negligible thing. Second, from the point of view of profitability itself, for today the cost price of French coal is lower than the cost price of, say, German coal. And third, from the point of view of the proper functioning of the Community. It would not be reasonable, in fact, for the Commission not to take account of the new French Government's policy of relaunching coal production to reach a target of 30 million t by the end of the 1980s. It would not be reasonable to overlook this — for, it seems to me, there are already enough contradictions in the Community for us to avoid adding any more.

For all these reasons, Mr Moreland, we regret that we cannot vote for your report, because, unfortunately, you have not taken these things into account — in spite of the fact that you told me, at the committee meeting, that you agreed with what I said — in your final wording of the text. We regret this, because we are in favour of the general drift of your report.

I should like to conclude, if I may, by saying something to the representative of the Commission. Mr Commissioner, are you planning to take the new policies of the French Government and the French coal board into practical account by laying down a general rule whereby all countries with coal reserves should boost their production with assistance from the Community?

(Applause)

President. — I call Mr Alavanos.

Mr Alavanos. — *(GR)* Mr President, on behalf of the Communist Party of Greece I should emphasize, in the first place, that we cannot disagree with the general principles set out by the Commission's two announcements. In our opinion, they constitute a real criticism by the EEC itself of the policy it had previously pursued, which was based on the merciless exploitation of sources of energy existing mainly in third countries.

I would like to make three specific comments.

First, the matter of saving energy and making rational use of it is particularly closely connected with defence expenditure, in that the armaments industry is a particularly large consumer of energy. Seen from this point of view, this too, like all the major economic themes of

our times, is directly linked with the subject of arms limitations and *détente*.

Secondly, for a country like Greece the subject of saving energy and making the best use of energy sources within our country is directly connected with that of putting an end to the financial advantages enjoyed by foreign multinationals, as exemplified by the case of Pechiney, who purchase Greece's electric power at very debased prices and who, at this very moment, are depriving the national budget of resources that could be made available for the development of domestic sources of energy.

Thirdly, we cannot disagree about the need for collaboration on the matter of energy development, but I will disagree in the event that collaboration within the framework of the EEC becomes an obstacle to the development of our country's collaboration with other countries, more particularly with the Socialist countries, which are known to have a particularly well-developed technology in the sphere of coal utilization. It is characteristic that since 1972 Soviet machinery has been rusting away in idleness following the pressures imposed by West European capital upon the Philippines, where there are vast deposits of peat available for development. Precisely because of this last point, which is of particular importance for Greece, our party will abstain from voting on the reports in question.

President. — I call the Commission.

Mr Giolitti, Member of the Commission. — *(IT)* Mr President, the Commission much appreciated the quality of the two reports which are now rightly the subject of a single debate. In regard to the Moreland resolution, I would like to dwell on the points where there has been to some extent a departure from the ideas expressed in our own document. However, most of the remarks contained in the report and the opinions expressed in the resolution do not represent great differences, as I am pleased to note.

Concerning paragraph 5 of the resolution, I would like to say that the Commission is in no way neglecting the domestic production of coal. It is difficult to find another economic sector in the Community which has received as much attention and as much support from Community sources. The Community aid granted in the period from 1973 to 1981 amounts to approximately 3 900 000 000 ECU and embraces a whole series of operations, including loans and subsidies for investments in research, development and demonstration. These figures speak for themselves, and they cannot give the impression that the Commission is neglecting the importance of the domestic production of coal. We shall continue to act along these lines.

Giolitti

Nevertheless, the Commission cannot fail to take note of the fact that a part of the Community coal industry is not fully competitive and that all efforts should be made to obtain domestic coal on economically satisfactory conditions. I emphasize this need, which should also be recognized in regard to paragraph 7 of the resolution, according to which we should aim at a Community production level of 270 million tons of coal in the year 2000, and also in regard to paragraph 18 of the same resolution. We should be very cautious when committing ourselves to continue working inefficient and uncompetitive mines, although problems of employment and regional problems must of course be taken into account.

In this connection, the question arises of coal imports from other countries. The Commission does not share the opinion of those who feel that the Community will become excessively dependent on coal supplies from outside. For a number of reasons, coal imports should not be considered comparable to oil imports.

The Commission is pleased to learn that Parliament is ready to support its future proposals for increasing research, development and testing in the sector of combustion and solid fuels, including the disposal of waste products. The Commission will present a definite proposal during the year when it announces its new programme for research and development in the energy sector. There is also in preparation a draft proposal on testing which has similar aims.

Clearly these measures should be financed from the general budget and not the ECSC, for they have a direct relation to Community energy strategy, and they are not connected solely with Community coal problems. We are therefore perfectly consistent with what is stated in paragraph 10 of the resolution.

It is true, as some speakers have remarked, that the recommendations are not enough to produce any great change in attitude in the industrial world on the issue of conversion to coal. The Commission sees no need to appeal to the Member States and to industry to convert boilers in sectors where there is little prospect of conversion to coal, as in the case of gas-fueled industrial machinery, but it does favour Parliament's suggestion to prepare new proposals concerning low-interest Community loans in this sector.

As for transport infrastructures, problems arise only in regard to a larger volume of coal imports, and we know that port facilities are limited, especially in Italy, Ireland and the United Kingdom. The first two countries in particular — Italy and Ireland — will have to launch a vigorous investment campaign in this sector, and the Commission sees no difficulty in using the available financial instruments to contribute towards the creation of supplementary infrastructures. The Commission will also study the proposal contained in paragraph 14 to begin a special study on infrastruc-

tural problems, and in due time it will present suitable proposals on this subject.

To conclude on the Moreland report, I should like to say that the Commission is fully aware of the important role that the Community production of coal plays and will continue to play in the Community's plans for energy supply. However, the problem of energy policy which we are now facing cannot be solved by extracting around 10 million more tons of coal from our mines, even though the employment factor should be duly taken into account. It is rather a matter of knowing how to increase coal utilization in our economies. It is from the viewpoint of demand, and not only of supply, that new prospects for the use of coal can be pioneered.

Concerning Mr Rogalla's resolution, we note with satisfaction that Parliament's opinion, as expressed in the motion for a resolution, adheres closely to the Commission's opinion. As indicated in the motion for a resolution, particularly in letter E of the preamble, investment in support of the rational use of energy is the quickest and also the most effective means at our disposal to reduce our economic dependence on imported oil as well as to stimulate employment and growth.

Investment is the central characteristic of the general approach to be adopted in the energy policy we defined last year in our communication to the Council on 'an energy strategy for the Community', where we mentioned five fundamental objectives for Community action in the energy field: investment, energy prices, reliable sources of supply, research, and external relations. In this communication, we examined the obstacles to investment and the various means by which the individual Member States have sought to overcome them.

In paragraph 10 of our document, we stated that some countries have not fully launched the basic programme on energy savings, a programme which they are bound to follow by the Council's resolution of 9 June 1980. I can assure Parliament that the Commission intends to keep abreast of what is happening in the entire Community. Our general survey of the energy-saving programmes in the Member States, in accordance with the indications given in paragraphs 5 and 6 of your motion for a resolution, was published only in January 1981. This survey will be updated in the study of national energy programmes to be presented to the Council in July. I think that this should be left to this specific operation and should not overburden our draft recommendation.

I come now to the problem of objectives, which is the central problem. This leads us to ask ourselves what is the best way to determine objectives or, more precisely, investment indicators for energy savings on the Community level. In paragraph 9 of the motion for a resolution, Parliament suggests that objectives be

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stated in monetary terms rather than in percentages of the GDP. The Commission shares Parliament's opinion, which calls for the objectives to be fixed as specifically as possible. As you know, however, some Member States hold that both the problem of definition and that of measurement make it difficult, if not impossible, to express objectives in terms of strict quantities.

The States did indeed accept some quantitative indicators in 1980, and in spite of difficulties the Commission wishes to adopt a precisely defined unit of numerical measure. In our future work, we shall try to define the indicators more exactly and we shall propose new forms of measurement. For the time being, however, I think that Parliament can best encourage progress on this question by laying stress on the *need* for quantitative indicators rather than on the way in which these indicators should be expressed.

At this point I would like to comment on the question contained in paragraph 13 of the motion for a resolution. It is not enough simply to inform the investor about the possibilities open to him. We believe that Annexes 2 and 3 provide convincing proof of the correlation that exists between the degree of public support and the volume of investments actually made.

We have therefore proposed action on the Community level to strengthen the efforts of the Member States in this area. The Council's draft recommendation naturally emphasizes these proposals. I can summarize them by saying that they have four principal aspects:

First, we propose to continue the process of education, comparison and evaluation that I described earlier.

Second, Community legislation is called upon to play an important part in preserving the unity of the new market in advanced instruments for energy consumption and saving through the adoption of technical standards on the Community level as soon as possible.

Third, we are dedicating all our attention to Community financing, as requested in paragraph 10 of the motion for a resolution. The Council has authorized the launching of a new series in the New Community Instrument, the NIC, and the Commission intends that a large proportion of these new funds and loans be used for investments relating to energy savings. Together with the European Investment Bank, we are actively considering how to improve the procedure by which Community loans are granted to small and medium-sized investors. We hope that this will lead to a better understanding of the financial channels appropriate to each Member State, as suggested in paragraph 12.

Forth and last point: we are researching the possibility of direct support from the Community budget, perhaps in the form of interest reductions on Community loans for some types of large-scale investments in the

rational use of energy, such as those for heating urban neighborhoods and the use of waste products. We hope to present the proposals to the Council before summer.

These ideas will be illustrated in greater detail in Annex 7 of our document.

(Applause)

President. — I call Mr Moreland.

Mr Moreland, rapporteur. — Mr President, may I exercise my right of reply in this debate and comment briefly on what the Commission has said? I say to the Commission that I welcome its statement that it wishes to increase Community production, but I have to say that it has not really got that message across in the document. The general press reactions to this report and those of other organizations the Commission would be looking to have, generally speaking, included this comment.

Secondly, the Commissioner said that he was concerned not to increase the share of imports. But, as Mr Adam pointed out, projections show that the share is going up to 48%.

Finally, on the Commission's statement, our comments in the paragraph concerning marginal and unprofitable coal mines is intended to give the Commission the impression that it is being far too simplistic. Both politically and economically life is not quite what it would like it to be, and it really has to allow some life for these mines.

Just make two comments, Mr President, on earlier speeches. I ask Mr Wurtz to look at my resolution. I hope all that he said is implicit in it. As for Mr Adam, I go along with him, but I rally do not think I can accept the specific figure that he suggests.

President. — I call Mr Rogalla.

Mr Rogalla, rapporteur. — *(DE)* Mr President, I just want to make one essential clarification to avoid any misunderstanding. The Commissioner has said that Parliament's recommendations run parallel to the Commission's proposals; that is only true in respect of the object of reducing energy consumption through the rational utilization of energy. We do not, however, agree on the means to be used. We have submitted a series of practical amendments which the Commission must adopt if it is to obtain this House's approval of its proposals.

President. — I call Mr Wurtz.

Mr Wurtz. — (*FR*) Mr President, I did put a precise question to the Commission representative: may I have a reply? I will repeat the question: are you planning to take the new policies of the French Government and the French coal board into practical account by laying down a general rule whereby all countries with coal reserves should boost their production with assistance from the Community?

Mr Giolitti, Member of the Commission. — (*IT*) The Commission will take the matter raised by the honourable Member into consideration. Naturally, it is impossible for me to pronounce at this time on the conclusions we shall draw from this study. I cannot, therefore, say as of now that we shall indeed adopt the Member's suggestion. I can only assure you that the recommendation will receive attention.

President. — The joint debate is closed.¹

After the vote on the amendments

I call the rapporteur.

Mr Rogalla, rapporteur. — (*DE*) Pursuant to Rule 36(1) of our Rules of Procedure, I would ask the representative of the Commission to comment individually on the amendments tabled to this motion and to inform us of the Commission's intentions. I refer in particular to paragraph 9 of the motion for a resolution, which states that the figures relating to gross domestic product should be supplemented — not replaced! — by absolute figures to enable our citizens to understand what is involved.

I refer secondly to paragraph 10 as regards the financial possibilities held out by the New Community Instrument. We have in mind additional funds, i.e., not the appropriations already authorized by the Council but new capital.

Finally, I would draw attention to the amendments relating to transport, statistical data, and the provision of financial support down to the level of local and municipal authorities. I hope that the Commission will give specific statements on these points, failing which I shall have to ask for the vote to be deferred.

President. — I call the Commission.

Mr Giolitti, Member of the Commission. — (*IT*) Mr President, I must once again call attention to the declarations I made a short while ago on behalf of the Commission, which I think contain adequate answers to the questions the rapporteur has now asked.

However, on the important question of objectives, which I did in fact stress in my speech, I agree on underlining the need to determine these objectives precisely. I also agree that the technical aspects of the objectives should be set down in simple and functional terms.

I must add, however, that in the Commission's opinion, in the event of difficulties of a political or technical nature, especially in regard to the presentation, the Commission would like to be able to make use of an adequate degree of flexibility.

President. — I call the rapporteur.

Mr Rogalla, rapporteur. — (*DE*) Mr President, I must point out to my great regret that the statements made by the Commissioner do not satisfy me. Pursuant to Rule 36(1), I would therefore ask for the vote on the motion for a resolution to be held over until the Commission has made its position known on Parliament's amendments.

President. — I call Mr Seligman.

Mr Seligman. — Before we take this decision, can we find out when the Council has to have this report for its next meeting? Is it in June or is it in July?

President. — Ladies and gentlemen, if you decide to postpone the vote, the matter will be referred to the competent parliamentary committee, which then, in consultation with the Commission, will consider how rapidly it can be dealt with.

You can also decide otherwise and vote immediately, but if the House follows the rapporteur's wishes then the vote is postponed.

I call Mr Seligman.

Mr Seligman. — Can we not have a reply from the Commission at the next part-session rather than refer it to committee?

President. — Rule 36(2) lays down:

In this case, the committee shall report back to Parliament within one month, or, in exceptional cases, any shorter period decided by Parliament.

The matter would therefore be taken up again during the June part-session.

I call Mr Adam.

¹ For the vote, see Annex.

Mr Adam. — Mr President, I am sorry to disagree with the rapporteur on this issue, because I understand his views and I agree very substantially with what he says. But there is a very, very important issue here. We have worked very hard to prepare this report and to get an opinion of this Parliament for the next Energy Council meeting. That is our main job. We really must not give the Council an opportunity to get off the hook. Although I respect the rapporteur's views and support him, I do hope we shall vote today, give the Council our opinion and deal with the other matters later on.

President. — Mr Adam accordingly proposes that we should not follow the rapporteur's wishes.¹

IN THE CHAIR : MR ESTGEN

Vice-President

4. Housing in Northern Ireland

President. — The next item is the report by Mrs Fuillet, on behalf of the Committee on Regional Policy and Regional Planning (Doc. 1-181/82), on

the proposal from the Commission to the Council (Doc. 1-851/81) for a regulation instituting a specific action on behalf of housing in Northern Ireland within the framework of an integrated operation in Belfast.

I call the rapporteur.

Mrs Fuillet, rapporteur — (FR) Mr President, I am not at all worried about defending this report at the end of the morning on the last day of the part-session, because I know there is no likelihood of being beaten by the British Conservatives. Far from it. They will see that we don't bear grudges.

It is in recognition of the seriousness of the socio-economic situation in the Belfast area and because we think the European Community should help Northern Ireland to tackle its problems that the Committee on Regional Policy and Regional Planning has approved the Commission's proposals to build a first batch of 700 houses in Belfast.

As the committee's rapporteur on this subject, I have realized how urgent it is to start a specific operation to

improve housing in Northern Ireland. However, the Commission's present proposals are part of an integrated operation in Belfast.

We on the parliamentary committee have linked the two. We unanimously agreed that it was strange, to say the least, that we were being asked our opinion on the building of housing that was part of an integrated operation, as we are not entitled to give our opinion on such operations because, ultimately, they do not involve very stringent criteria as regards the choice of site, the timetabling or the supervision of coordination.

We preferred to amend the Commission's text, and the Commission will feel free to reject the amendments on the grounds that we perhaps strayed a little from the point. But I think we did so in full awareness of the facts.

I should like to give you the Commission's definition of an integrated operation. An integrated operation is a coherent set of public and private schemes in a limited geographical area to the implementation of which the national and regional authorities in the Member States, and the Commission itself, contribute in a complementary manner. In order to achieve this object, the Committee on Regional Policy and Regional Planning considers that it should be for the recipient to prove the additional and complementary nature of the Community contribution in relation to the national expenditure.

The parliamentary committee also calls for a general framework to be set up for these operations, providing, in particular, for Parliament to monitor their implementation — unless the two integrated operations run so far are only experimental and exceptional. However, if, as I expect, the Commission receives a lot of requests for operations of this kind, then some sort of framework has to be established.

This is what we tried to outline in the report. Otherwise, the Commission would have had to state in its proposal that the scheme was a specific one for housing — which would have opened the door to other possibilities in this Europe of ours. We have made a political stand, as we are accountable for public money.

I should like to stress that no Members have tabled amendments. The only amendments are those suggested by the committee, which unanimously approved them. This is why I think there is no problem about everyone in the House today voting for this report.

(Applause)

President. — I call the Socialist Group.

Mr Hume. — Mr President, I will be very brief and not detain the House. I should like to thank Mrs Fuillet

¹ For motions for resolutions entered in the register under Rule 49, see the Minutes.

Hume

let, not only for her report but for the speed with which she has produced it and brought it before this House.

This issue is of particular interest to my own area — Northern Ireland — and arises originally out of a resolution by this House to which the Commission has responded by offering some funding for housing in Belfast. I can only emphasize what Mrs Fullet has already said, that it is absolutely essential that this Commission expenditure should not only be additional to government expenditure in Northern Ireland but also be seen to be additional. Therefore, we should monitor it in this House.

I should also like to thank the committees of the Parliament for expediting this matter, because we want to get the funds urgently onto the streets of Belfast where we have such a serious housing problem. Again, my thanks to the rapporteur.

President. — I call the Group of the European People's Party (Christian-Democratic Group).

Mr O'Donnell. — Mr President, we in this group fully support the proposal for specific Community action on housing in Northern Ireland within the framework of an integrated operation in Belfast. I would congratulate the rapporteur on her excellent report and commend the Commission on the initiative taken.

The case for Community action in relation to housing in Belfast is a compelling one and has been very well outlined by the rapporteur and in the Commission document as well. My colleagues and I who visited Belfast last October as members of a delegation from the Committee on Regional Policy and Regional Planning were fully briefed on the housing situation in Belfast and left in no doubt about the magnitude of the housing problem there and of the total inadequacy of existing policies and strategies to deal with it. It was made quite clear that if this problem was to be tackled effectively, a new approach and new strategies were urgently needed, and that Community aid was an absolutely vital element. In the exceptional economic and social circumstances of Northern Ireland, housing must form a key element in the formulation of a coherent and integrated development strategy for the region, because job creation must be linked with improved living conditions.

There is therefore, as I said, a compelling case for Community action. There is no doubt whatsoever that Community aid would do much to accelerate housing construction in Northern Ireland and also have beneficial effects on employment and on many sectors of activity linked with the building industry. The formula proposed, one of joint action by the Commission, the local authorities and the government, is a good one and I have no doubt whatsoever that, if properly

applied and in particular if the principle of additionality is fully respected, it may well produce dramatic results.

I am pleased therefore to support the proposal and sincerely hope that it will achieve its object.

President. — I call the European Democratic Group.

Mr J. D. Taylor. — Mr President, representing Northern Ireland and the city of Belfast in this House, I want, first of all, to thank you, Mr President, and the Members of the House for agreeing to our request to have this week's agenda amended so as to include this specific item on housing in the city of Belfast.

I would also like to congratulate Mrs Fullet on the work which she has done both in our Committee on Regional Policy and Regional Planning and in the report which she has so ably presented to the House this morning.

The issue of housing in Belfast arises from our earlier debate in June 1981, when Parliament agreed that the Community should seek means of assisting Northern Ireland and especially in the area of housing. Of course, we pointed out then that the worst housing was in the city of Belfast itself. It is well recognized that housing in Belfast is the worst throughout Western Europe and three times as bad as the average for large cities elsewhere in the United Kingdom.

As Mrs Fullet and Mr O'Donnell have said, these conditions have been seen on the ground by members of the Committee on Regional Policy and Regional Planning, who came to Belfast last year at our invitation. Individual Members of this House have come at my personal invitation and, of course, Mr Giolitti and other Commissioners have also been to Northern Ireland. They have not only seen the bad housing conditions, they have noted that they exist both in the large, deprived Protestant areas of Belfast city and, of course, in the Catholic quarter of the city as well.

What we are talking about, therefore, is the building of an additional 750 houses this year in the city of Belfast. At the moment the government only has proposals to build 2 000 in Belfast this year. Therefore, this is a major increase — it will represent a 33% increase in the number of houses to be built in Belfast this year. That does not go far enough to meet the compelling problems that exist in the city, but none the less it is a contribution from the Community which we throughout Northern Ireland and especially in the city of Belfast appreciate.

There was a time in the late 1960s and early 1970s when we were building upwards of 15 000 houses per annum in Northern Ireland. But since the removal of devolved government and the introduction of direct

Taylor

rule in the late 1970s, housing construction has fallen in the province to just 7 or 8 000 houses per annum. Of those, only 2 000 will be public authority houses in Belfast this year.

As regards the financing of this operation, which is specifically for housing only, we already have in Item 5411 of this year's budget 16 million units of account. As the House heard earlier this week during the submission of the draft supplementary budget for 1982, an additional 12 million units of account are recommended, giving the total of 28 million units of account which will be required to finance this scheme.

This will make a major Community contribution not only to better housing conditions in the city of Belfast but also to the employment situation in our city and district, because we have in Northern Ireland an average of 20% unemployed. Indeed, in some parts of the city of Belfast as many as 40% of the men are unemployed and you will see that by providing these extra 750 houses this year, we shall also be providing many jobs in the construction industry. So there is that additional advantage from this recommendation which Mrs Fullet has proposed and which our Committee on Regional Policy and Regional Planning unanimously supported last week in Brussels, and I do hope that the entire House will now rise and support this recommendation this morning.

President. — I call the Liberal and Democratic Group.

Mr Maher. — Speaking on behalf of that group, I of course fully support, together with my colleagues, this particular proposal and congratulate Mrs Fullet on her report. Undoubtedly Northern Ireland is a special case and Belfast is a special case inside that particular region, and I think that as a European Parliament concerned about the welfare of all our citizens, we would be failing in our duty if there was even one parliamentarian who opposed this particular proposal. I hope there will not be even one.

Now, Mr President, of course we support this as a special case, but it does raise a question about the operation of the Regional Fund and its application generally. We must be conscious that if this is to be extended there are, of course, serious housing needs not only in Northern Ireland and Belfast but in other regions and special areas throughout the European Community. If we are to meet this need, then we have to face up to the reality that this Fund has got to be much larger than it is. Otherwise there is a grave danger that we shall be taking resources from the regions that are very remote and where populations are leaving rapidly in order to put a little here and a little there. So I think we have to be conscious of what we are doing; we have to be conscious when we are embarking on a project of this kind — and I support it fully and wholeheartedly — of the general situation in relation to the application of these funds.

My second point is this. I would like the Commission to monitor and record how economically these funds are being used. I have a suspicion, because I have come across this in relation to other projects, that much money is often absorbed in the administration and the bureaucracies attached to these projects and not enough in fact ends up on the ground, building houses or establishing infrastructure or establishing a small industry in the different regions of the Community. I would like the Commission to monitor that and be able to show to us how much is being absorbed in the bureaucracies.

How much has been absorbed in the bureaucracies? Are the bureaucracies too expensive? Are they taking too much of the money before anything is done on the ground? I think if that were done it would give us a good idea of how effectively we are using very scarce resources.

President. — I call the Group of European Progressive Democrats.

Mr Lalor. — Mr President, I want to add my voice to those Members from Northern Ireland and the Republic who have spoken here already and have complimented Mrs Fullet on her report and motion for a resolution.

My purpose in speaking is to indicate how solidly we are behind our North of Ireland colleagues in the effort to do all possible to make the fullest use of whatever financial assistance can be procured from Europe to help resolve the housing problems in Belfast and its environs. I was rather shattered and horrified to hear my colleague Mr Taylor's statement concerning the tremendous fall since direct rule in the allocation of money for housing in Belfast at a time requirements keep increasing continuously.

Therefore, I should like to reiterate, in the light of what Mr Taylor has said, Mr Hume's insistence that these funds are not only spent but are seen to be spent on what they are intended for.

My colleague, Mr Maher, has drawn attention to the amount of money that can be used up in a bureaucratic system. It is terribly important that these 28 million units of account that Mr Taylor spoke about can be fully directed to what we here in this Parliament and in Europe want to see it directed to.

Let me deliver this message, however, Mr President, to Commissioner Giolitti. It has been stated that he is fully aware of the problems. But I would draw his specific attention to paragraphs 3 and 4 of Mrs Fullet's resolution, where she draws attention to the fact that the Commission appears to have been neglectful up to now in carrying out the instructions of this Parliament. I would ask him, when this Parliament unanimously

Lalor

approves this resolution from the Committee on Regional Policy and Regional Planning, to see that the Commission immediately takes steps to ensure that the work commences this year and that this money is used for the purpose for which it is intended.

I fully endorse what has already been said and want to indicate that there is solid support from all sides for this resolution.

President. — I call the non-attached Members.

Mr Paisley. — Housing has been a major problem in Northern Ireland during the past 35 years. Of the City of Belfast's 112 580 dwellings, 17 070, or 15%, are unfit for human habitation; 27 500, or 24.5%, do not have internal toilets; 23.2% of families — i.e., 26 078 — do not have the exclusive use of a bath or a shower. While other major British cities have similar problems, the City of Belfast has the worst problems of all.

Let me give the House three simple statistics. As regards the percentage of households living in two or more rooms below the bedroom standard, the worst cities in Great Britain are Liverpool and Manchester, with 1.4%, while in Belfast it is 3.7% — almost three times as bad. The percentage of households with no internal toilet in the City of Liverpool is 11.1%, whilst in Belfast the atrocious figure is 24.5%. Where households without exclusive use of a bath or a shower are concerned, Liverpool is the worst city in Great Britain with 10.1%, while the percentage in Belfast is 23.2%. Those statistics show something of the desperate plight of housing in Northern Ireland at the present time.

I should like, on behalf of the people of Northern Ireland, whom I represent in this House, having lived in the City of Belfast for almost 36 years, to say a word of thanks to the rapporteur and her committee for getting this report so speedily before this House. I should like to thank the House for taking time this Friday afternoon to have this debate on this very important matter.

While 15% of Belfast's dwellings are officially unfit for human habitation and with housing conditions on the average 4 times worse in Belfast than in any other British city, there can be no question that the capital of my province deserves aid.

The part of the Commission's proposal which particularly recommends itself to me is the firm provision that this aid must be additional to British Government aid — and I want to emphasize that today. There is no point in this House voting amounts of money for Northern Ireland which is swallowed up in the Whitehall exchequer and never reaches my province.

As one who has long campaigned in this House since being elected to it on this additionality problem, I wel-

come the steps taken to safeguard against this danger. However, I would urge the Commission to be ever vigilant where additionality is concerned. If EEC regional aid is to touch the kernel of many regional difficulties, it must extend to those matters which urgently need assistance. In the case of Northern Ireland housing is one of our most pressing needs and, therefore, it is but right that if EEC regional aid is to be as relevant as possible to the needs it seeks to meet, in Northern Ireland's case it extends to housing.

Therefore this report is a most welcome step and will be received enthusiastically in Northern Ireland. It would be churlish of me, Mr President, not to thank those Members of the House who have spoken in favour of this resolution, especially the representatives of the Republic of Ireland.

In many cases, and especially on the Constitution, I am always in opposition to them, but today on this point we find general agreement.

President. — I call the Commission.

Mr Giolitti, Member of the Commission. — (IT) Mr President, first of all I would like to join the other speakers in congratulating Mrs Fullet for the quality and timeliness of her report.

I would like very briefly to return to the root of the affair which today leads us, I hope, to adopt this resolution. In June 1981, this Parliament adopted the resolution on a special measure in favour of Northern Ireland and Belfast in particular. The impulse which is bearing its fruit here today came from Parliament; but at the same time, in June 1981, the basic dossier concerning the integrated operation in Belfast was presented to the Commission. In this dossier, which was not and still is not a completely defined integrated operation, the basic elements were provided, giving high priority to living conditions in the city of Belfast and, therefore, to the urgent need for housing.

What has happened over this period of time, nearly a year from the date I mentioned? The preparation of the integrated operation in Belfast continues, but it has not yet been concluded. What is the purpose of the integrated operation? Above all, it is to coordinate effectively so that the introduction and implementation of investments can be speeded up. It is therefore an operation intended to accelerate, not slow down, the work. The housing project in Belfast, the subject of this specific regulation, is extremely urgent, as everyone has realized.

This housing project should certainly be regarded as part of the integrated operation, which, however — and I wish to call the attention of Mrs Fullet and all Members who are following this question to this point — has not yet been defined in legal terms.

Giolitti

We do not yet have a legal basis for integrated operations. We introduced a rule for integrated operations in the new regulation for the Regional Fund, on which Parliament has expressed a favourable opinion, but the Council, alas, is still far from giving its approval.

This is why I recommend that the initiative we have taken and on which we all agree, for the urgent construction of housing in Belfast, should not be subordinated to the carrying out of the entire integrated operation. Nor would it be appropriate to form a general definition of integrated operations in respect to the very specific action in Belfast. Integrated operations should be defined in the proper place, in the Regional Fund regulation, or perhaps by a specific regulation. We cannot, however, solve the general legal problem of integrated operations on the sole basis of the question of Belfast.

I therefore strongly recommend — I must say it very frankly and very seriously — rejection of the amendments which call for a close legal link between the current project in Belfast and the integrated operation as a whole, for such a link would inevitably cause delay. Since, I repeat, the integrated operation unfortunately has no legal basis, and will have one only when the Council gets round to approving our proposals for the Regional Fund regulation, by subordinating the construction of housing to the integrated operation we in effect delay the specific housing initiative.

I will undertake, in my own interests as the authority for regional policy, to guarantee that the framework of the integrated operation is maintained and carried through as soon as possible, without, however, establishing a regulation, a nexus, an obligation of a legal nature, which would force us to wait for the housing until the integrated operation had been fully defined.

In regard to integrated operations, as was requested of me, I am ready to provide Parliament with all the information I have available. Two integrated operations, those at Naples and Belfast, have been undertaken: these are still of an experimental and pragmatic nature, certainly — the Naples operation and the Belfast operation. It is true that other proposals for integrated operations are being suggested. We shall consider them at the proper time, when we need a regulation. For this purpose, I say it once again, we have proposed a specific rule in the Regional Fund regulation.

I conclude, Mr President, by underlining another very important aspect which concerns the Members of this House: that of supplementarity. In this regulation we have finally established a coherent rule for Belfast on supplementarity. I can guarantee that we have ensured the supplementary character of this Community measure in respect to national or local expenditure. I also wish to assure you that this expenditure guaranteed by the connection laid down in the regulation itself will be entirely productive; it will certainly not go to fuel

bureaucratic procedures or things of that sort. The way in which the regulation is drawn up also gives this double guarantee of supplementary and productive expenditure.

Once more I offer my thanks to the rapporteur and the Members who interested themselves so actively in the matter, assuring them of the Commission's commitment to proceed with all promptness.

I recommend that Parliament not make decisions which could result in delays. The Council, as you know, already tends toward not making a formal connection in the regulation between the financing of housing in Belfast and the integrated operation. If Parliament, through amendments, should take the opposite approach, we should probably become involved in a long and wearisome disagreement with the Council. We should then run the risk of not being able to go ahead as rapidly as we would wish, for we should be formally bound to the integrated operation, which should be carried out on the practical and functional level as effectively as possible.

President. — I call Mr J. D. Taylor.

Mr J. D. Taylor. — Mr President, we have taken special note of the comment just made by Mr Giolitti that we should have no legal link between the specific housing programme for Belfast and the proposed integrated operation. That being so, it obviously raises some doubts in our minds about the amendments which we had originally intended to recommend to the House. Would he clarify whether he would wish us to reject all those amendments or are there just one or two of them which he thinks it would be wiser to avoid?

President. — I call the rapporteur.

Mrs Fullet, rapporteur. — (FR) Honorable Members, I should not like you to think that I, with I don't know what kind of hypocrisy, would have generated interest in and wanted to see the building of housing in Belfast on the regional committee yet adopted a different attitude in the House. Mr Commissioner, I am sure you will recognize, as I do, that the Conservative Group is strongly represented on the Committee on Regional Policy and Regional Planning; so I think we have just been subjected to political blackmail. Ladies and gentlemen, we have a political role to play. If the Commissioner feels the amendments are bad, he should still not try and influence your vote. You are politicians and you are adults. You have had the opportunity to see and to study the report. In any case, ladies and gentlemen, the Conservatives have read it for you and they have accepted it. So if, now, even one person fails to vote for my amendments, I say that your attitude,

Fuillet

Mr Giolitti, will not have been clear and I regret the fact.

I regret it because, in that case, the Commission should have told us quite simply that it was running a housing programme. Since you went out of your way to mention a 'specific action on behalf of housing ... within the framework of the ... integrated operation', I ask you, Mr Giolitti, to say whether it is the Commission's job now to start promoting the building of houses outside an integrated operation. In our amendments, there is no question of holding up the building schedule, no question at all. They simply suggest that, for the future, a framework be put forward.

What sort of politicians would we be if we now accepted all the expenditure submitted to us? You know full well, as you saw in the draft budget that we added an extra 12 000 000 ECU — 16 the first time and 12 now, making 28 000 000 ECU in all. Well, ladies and gentlemen, I personally feel I have to account to my voters for this money. They don't live in Belfast, it is true, but we have to have solidarity in this Parliament, and it is in the name of that solidarity that my amendments should be voted through.

President. — I call the Commission.

Mr Giolitti, Member of the Commission. — (IT) Mr President, I must react very calmly, but very firmly. I do not at all believe I have been unclear. I think I was extremely clear, and I will again be clear in explaining that the amendments concerning which I expressed reservations — which I still hold — in regard to the legal link between housing in Belfast and the integrated operation are Amendments Nos 1, 2, 3 and 5.

I must warn you, in discharging my full responsibility as a member of the Commission, that in introducing into the regulation for the construction of housing in Belfast a legal rule that binds this initiative to a legally determined relationship with an integrated operation which does not yet possess its own legal definition or a definitive operative framework, you run the risk of delaying the housing project.

It is my responsibility and my duty to warn you of this. Parliament is free to choose. I have no intention of influencing the will of Members of Parliament, but it is my duty to inform them of what the Commission considers to be the possible consequences of a choice that Parliament is obviously free to make. The Commission holds that a choice in favour of these amendments may result in delays in carrying out the Belfast housing project. That is all.

I do not think it is possible to be clearer than this, in the full assumption of the responsibilities which fall to me as a member of the Commission.

President. — I call Mr Paisley.

Mr Paisley. — Mr President, the matter is of utmost importance to the House. My colleagues from Northern Ireland are well aware of the fact that representations have been made to them also by our Minister of Development in Northern Ireland about this matter and we have also been informed, as the Commissioner has informed the House, that if this is tied into this particular operation then we shall not have these houses built in the immediate future and all the benefits from this motion today will be lost for a large number of months and perhaps even years. I must tell the House that that is the information that has been given us from Belfast.

President. — The debate is closed.¹

After the vote on the motion for a resolution

Mrs Fuillet, rapporteur. — (FR) I am sorry to see, Honorable Members — you are responsible for what you have done, although it grieves me to say so — that you have submitted to influence from outside. Perhaps Mr Giolitti, in turn, has submitted to influence from outside — perhaps from your government? I don't want to know about it. That would be involving myself in your personal affairs. But what I am prepared to say is that the Conservative members on the committee worked on the dossier and they were unanimous in voting for the amendments.

This House is barely credible and you know it. Parliament is deprived of part of its powers over the budget because we do not have access to the sources of income. The only thing we can do, as part-time MPs, if I can put it like that, is look at the expenditure of the European Parliament.

Ladies and gentlemen, you have just voted for a report which, ultimately, gives the Commission its head. It's not that I don't have confidence in the Commission, Mr Giolitti, but I should have liked you to be clearer in your reply. Can we build houses outside an integrated operation, yes or no? It's a simple question I am asking you. Because, if this were the case, why did you say in your proposal that it was 'within the framework of the ... integrated operation'. I may be stupid, but I think it's a simple question and I'd like a simple answer. If we cannot vote on a budget to build houses unless they are in an integrated operation, then I maintain that you have made a colossal mistake this morning.

I have explained why I abstained. I cannot vote for the Commission proposal as you have adopted it, because I fought it in the parliamentary committee.

¹ For the vote, see Annex.

President. — I call the Commission.

Mr Giolitti, Member of the Commission. — *(IT)* Mr President, ladies and gentlemen, speaking for the Commission, I cannot accept the insinuation that the Commission was influenced by a government of one of the Member States. The Commission, in this instance more than ever, acted under the influence of Parliament: it was Parliament that, in June 1981, adopted the resolution inviting the Commission to take the initiative we are discussing today. It was my duty to state — as I did — that this initiative can proceed under certain conditions. It can proceed, I repeat, in the framework of an integrated operation, but not in the framework of a legally defined integrated operation. Otherwise we must call a halt and first proceed with the legal definition of the integrated operation. This means months and months of discussion in the Council.

This was the choice Parliament was free to make: is it preferable to wait until the integrated operation has received a legal definition under the regulation of the Fund, or to go ahead with the Belfast project in the framework of an integrated operation which — certainly — we must carry through, but in concrete, functional, pragmatic terms?

This was the issue, and I am pleased with the way it was decided.¹

5. Adjournment of the session

President. — I declare the session of the European Parliament adjourned.

(The sitting closed at 1.05 p.m.)

¹ For items relating to the time-limit for tabling amendments, forwarding of resolutions adopted during the sitting and the dates for the next part-session, see the Minutes.

ANNEX

Votes

This Annex indicates rapporteurs' opinions on amendments and reproduces the text of explanations of vote. For further details of the voting, the reader is referred to the Minutes.

Committee on Budgets report (without debate) (Doc. 1-199/82): adopted

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De la Malène motion for a resolution (Doc. 1-248/82): adopted

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Van Aerssen motion for a resolution (Doc. 1-249/82): adopted

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Scrivener report (Doc. 1-1079/81): adopted

The rapporteur spoke

- *in favour* of Amendments Nos 1, 2, 4, 6, 7, 23, 24, 25 and 27; and
- *against* Amendments Nos 3, 8, 9, 10, 11, 12, 13/rev., 14/rev., 15, 16/corr., 18, 19, 20, 21, 22, 26/rev., 28 and 29.

Explanations of vote

Mr Adamou. — (GR) Mr President, Mrs Scrivener's report is incomplete in its facts concerning Greece, which has become a byway for the large-scale drug traffic between Asian countries and Western Europe and the United States, where the demand from drug addicts is at its highest.

Greece has even become the home of all the machinery for smuggling from Persia and the Lebanon, following the well-known events in these countries. In Greece there are also American bases, which are foci of drug trading and distribution. The consequences of all this for the Greek people are tragic. At the international conference on toxicology held in the autumn of 1980 in Thessaloniki, it was mentioned that during the last 10 years there had been 1 000 drug-induced deaths in Athens and the Piraeus alone. Today, there are 20 000 addicts in these two cities, and these are only the known ones, because there are many tens of thousands who also use drugs but who are not on record. Some estimate the total to be as high as 50 000-70 000. Ten years ago, their average age was over 30 years, but today 60% of the addicts have ages ranging from 13 to 20 years.

We agree in general with the proposed resolution, even though we consider its measures to be ineffectual because the conditions that generate and foment addiction necessitate a decisive activation of progressive forces so as to strike at the roots of the evil.

Miss de Valera. — Mr President, I have asked to give this explanation of vote as I am concerned that the Irish situation is not outlined in the report. I understand that this is not the fault of Mrs Scrivener or her committee, as they tried to get information on the drug situation in Ireland. What I find particularly disturbing is that, when asked by Mrs Scrivener for such details, the Commission, I understand, were unable to furnish her with any information on the Irish case. To me this shows, on the Commission's part, a lack of concern at the difficulties facing Ireland with regard to drug abuse, as information up to August 1981 is readily available from the main medical centre in Dublin that deals with drug abuse — namely, Gervis Street Hospital — or from the Department of Health.

As I pointed out last night in the debate in the House, there is a serious escalation in Ireland in the use of hard drugs. Cannabis and heroin are now the most used drugs there. Both are readily available on the streets of Dublin, where both sell at a price between £ 130 and £ 200 per gramme. The number of patients abusing heroin has risen from 13% in 1979 to 55% in 1980.

The Commission's failure to give such statistics, which are readily available, was compounded last night by Commissioner Richard in that in his reply to the debate he neglected to make any reference to the Commission's omission in relation to Ireland, even though I had outlined my dissatisfaction with the situation earlier in my speech. I would, Mr President, very much like to hear the Commission's explanation of this omission.

Considering, however, that we are dealing with a problem which affects young people and that Ireland has the youngest population of the Community, my group will vote for Mrs Scrivener's report, as her *exposé* of the problem is an excellent one, and I hope that the Commission shows a greater interest in such matters in the future.

Mrs Squarcialupi. — *(IT)* Mr President, we support Mrs Scrivener's report, which took into account many of Parliament's requirements even if it unfortunately did not include certain amendments which could have given the problem more of a Community dimension. What is important is to urge the Member States to do together what they are now doing separately, and to employ better the funds earmarked for this very difficult fight.

Around this problem, however, there remains an atmosphere of oppression caused by the indifference shown by Parliament towards one of the most dramatic human and social problems of our society. There is the total absence of the Council, yesterday and today; the measures that the Commission said it was willing to take are limited. All this, unfortunately, implies a dangerous detachment from the citizens' institutions. If the Falkland Islands drama arouses so much feeling, we should remember that every day we have a Falkland Islands war in our own house, with dead and wounded, all young people as well, uselessly sacrificed.

There may be certain kinds of wars which we would never want to declare, but the war on drugs, on the contrary, should be declared! It is not a matter of spending a lot of money — and I say this especially for those who worry about expense more than about anything else — but let us at least try to be worth taking seriously!

Mr Bombard. — *(FR)* I find Mrs Scrivener's report on drugs extremely interesting, but it seems to me that it does not properly define what drugs are. Drugs are not what produces a stimulating or hallucinating effect: otherwise, why not include coffee or tea? Drugs should be medically defined with the aid of two criteria: their habit-forming and toxicomanic properties.

I think that if alcohol and tobacco were to make their first appearance now on the market, they would be banned as being drugs. Cannabis, in my opinion, is much less dangerous.

With these reservations, I am in favour of Mrs Scrivener's report, though I would insist on the importance of prevention through education, including the use of films, right from the junior classes, more than upon treatment.

Finally, I would emphasize the immense profits brought in by this traffic.

The Scrivener report is, however, a step forward and it has my support, subject only to these important reservations.

Mr Petersen. — (DA) Mr President, I cannot vote in favour of Mrs Scrivener's report in spite of its obvious qualities. First of all I am voting against it for constitutional reasons: combating drugs has nothing to do with the Treaty of Rome. This gives me an opportunity to voice a deeply-felt complaint. Why can't this House observe limits, geographically, politically and professionally? It may well be this lack of restraint that prevents this House from finding *the* strategic factor, the fundamental concept that can resolve the crisis.

My second objection to Mrs Scrivener's report is purely technical: that is to say, it is not only drug abuse that is increasing from year to year, but also alcohol abuse and a great number of other indicators of poor mental health, ranging from suicide to psychiatric treatment and criminality.

If a research programme is to be drawn up deserving of our support, it ought first of all to have an international basis, and preferably include the non-EEC countries in Western Europe.

Secondly, this research programme should not consider the drug problem in isolation, but take a broader view of it — that is to say, in relation to the entire question of mental health in modern Western industrialized countries.

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Salisch report (Doc. 1-1095/81): adopted

The rapporteur spoke

- *in favour* of Amendments Nos 5 and 10, and
- *against* Amendments Nos 1, 2 and 3.

Explanations of vote

Mr Bonaccini. — (IT) Mr President, since our group did not have the opportunity to take part in the debate, we intend in this explanation of vote to express our approval of the directive prepared by the Commission. We consider it to be very important, for it improves the lives of a group of workers obliged to live in particularly difficult conditions. Moreover, this directive is one which truly reflects a Community spirit in the study of the problems. It is also important for a large number of Italian workers, since on the basis of the Community approach other countries as well, such as Switzerland and Austria, will be led to follow these examples.

I would like to compliment the rapporteur on the exhaustive work she has done, and especially on the fine social and human sensitivity which pervades her entire report.

Mr Wurtz. — (FR) Mr President, Mrs Salisch's report on the situation of frontier workers and the attendant resolution call for a number of remarks from the French Communists and Allies.

First of all, these documents advance a series of practical ideas for solving the practical difficulties that some of these workers have to contend with. Naturally we support these ideas. Take the very sound claim that frontier workers should pay their direct taxes in the country of residence. So, on these points, we are in agreement with the general drift of the text.

Second, the report and the resolution, however, seem weak on a question that is very important to us and to many frontier workers: the harmful role played by those veritable latter-day slave-traders, the temporary employment agencies.

Last but not least, the report and the resolution make a proposal with which we are in fundamental disagreement — the creation of regions or areas of cross-frontier employment. We obviously hope to see cross-frontier cooperation, but this should not, to our mind, lead to massive daily migration being forced upon frontier workers by and for the benefit of the bosses. What we want is that each region in our country should have the means of offering jobs, in good conditions, to all those who want to work. So on this point, there is disagreement with what Mrs Salisch proposed.

Our contradictory assessment of the resolution, which is both positive and negative, is the reason why we abstained.

Mr Alavanos. — (GR) Mr President, we representatives of the Communist Party of Greece at the European Parliament, even though the subject is not one of direct concern for our country, cannot disagree in general with the means adopted to face the problems of workers in the frontier regions of the Community, which are seen by the Salisch report as problems directly linked to employment, professional training, the method of taking on workers, and social security. We note that many of these problems, which affect all migrant workers, remain unsolved.

We do, however, have objections in connection with the solutions proposed for solving the economic problems of frontier areas, which are central areas of the EEC, to the extent that these solutions, within the framework of regional development policy, would impose certain priorities to the disadvantage of other regions of Greece or, indeed, of other countries in the Community. We wish to highlight the lack of interest in the development of regions in the Community that border third countries — for example, the northern parts of Greece. We fear that this omission has occurred, not because the problem is irrelevant, but because of political considerations. For this reason, which is of basic importance to our country, the representatives of the Communist Party of Greece will abstain.

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Vié report (Doc. 1-54/82): adopted

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Moreland report (Doc. 1-204/82): adopted

The rapporteur spoke

— *in favour* of Amendments Nos 1, 2, 3 and 8; and

— *against* Amendments Nos 4 and 5.

Explanations of vote

Mr Adam. — Mr President, I spoke earlier on behalf of my group. I speak now for myself. It was my intention to vote against this report if my amendment had not been carried and if there was no firm commitment to a figure for new coal capacity in the report. However, in view of the fact that Amendment No 2 by Mr Griffiths has been accepted, which calls for the Community share of production to remain the same by the end of the century, I am going to vote for the report, because on my calculation this would mean at least 180 million tonnes of new coal capacity by the end of the century. As a mining engineer of over 20 years' active involvement in the industry, I know that that is a very tall commitment, but I am happy that Parliament should have made it. I shall vote for the report and I hope it will be unanimously adopted.

Mr Griffiths. — Mr President, I will vote for the Moreland report despite some reservations, because Parliament has accepted my amendment limiting imports to no more than their current market share. According to Community production indicators for the year 2000, this will mean indigenous coal production will have an assured future. I look forward to the early publication of plans for new soft loans to enable an immediate start to be made on expanding EEC coal production. In particular I look forward to such money facilitating a speedy start to the Morgam deep-mine project in South Wales.

I feel I must warn Parliament, however, to be vigilant about the Commission's intentions, because their original proposals represent a betrayal of the Community's coal industry in the emphasis they place on coal imports. They are a monumental blunder similar to the kind of thinking in the 60s which enslaved Western Europe to oil. If the Council does not oppose them, then over the next twenty years we are in danger of being enslaved to imported coal, with the same disastrous consequences that followed our enslavement to oil.

I am sorry that my amendment relating closures to the development of new capacity was not accepted, as I felt it was more succinct than the original. I hope that in addition to accepting this report the Commission will (i) bring forward new real incentives for non-coal producing countries to use coal; (ii) introduce the environmental safeguards needed to combat the possible pollution that careless coal burning could bring; and (iii) expand the research budget of the coal industry. Of course I also hope that the Council will approve all of these.

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Rogalla report (Doc. 1-205/82): adopted

The rapporteur spoke

— *in favour* of Amendments Nos 1, 2, 3 and 4.

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Fuillet report (Doc. 1-181/82): adopted

Explanations of vote

Mr Harris. — Mr President, I feel I must make an explanation of vote, in particular, to the rapporteur Mrs Fuillet. My group, until the Commissioner had made his remarks, was firmly behind the amendment and even now I am not sure whether we have done right in actually rejecting some of the amendments which we unanimously agreed in the Committee on Regional Policy and Regional Planning. I took the liberty of guiding my group in the last few minutes to reject some of those amendments, simply on the grounds that the Commissioner assured us that if we passed those amendments it would have meant a delay in building vitally needed houses in Belfast. That is the only reason why I took the liberty — and I take full responsibility for doing so — of switching my group's vote. I felt I owed that explanation to our rapporteur, who has done such excellent work, not just for the committee, but also for Belfast and for those people in Belfast who desperately need those houses. I hope Mrs Fuillet will understand.

Mr Lalor. — I want to say that despite the watering down of the overall report, I will certainly lend my support to the effort to get the necessary work done. I want to say to Mrs Fuillet that I fully back the unanimous decision of the Committee on Regional Policy

and Regional Planning down the line because I felt that, in the coldness of their study of it, that was the way they wanted it.

I am rather upset by the attitude of the Commissioner today and what he influenced Parliament to do. It is extremely remarkable that we should have a situation in which the Commissioner was able to influence responsible people in Parliament here to vote against an amendment which asked that the European Parliament be consulted. Amendment No 4, which was voted down by the European Democrats, simply asked in addition to the proposal of the Commission, that the European Parliament be consulted. Here we are, the European Parliament who are providing the money, voting against being consulted as to how it is spent! I think the whole thing is ridiculous, with apologies to Mrs Fullet.

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