

Annex

Official Journal

of the

European Communities

No 2-331

English edition

Debates of the European Parliament

1985-1986 Session

Report of Proceedings

from 21 to 25 October 1985

Europe House, Strasbourg

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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.

SITTING OF MONDAY, 21 OCTOBER 1985

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IN THE CHAIR: MR ALBER

Vice-President

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

1. *Resumption of the session*

President. — I declare resumed the session of the European Parliament adjourned on 11 October 1985.

Mr Chambeiron (COM). — *(FR)* My friends and I are still suffering from the widely-felt shock caused by the hanging of the young black American, Benjamin Moloise. The racist regime of Pretoria remained stubbornly heedless of all the humanitarian appeals made to it, notably by numerous notables and authorities of the European Community.

This fresh challenge to universal values, to the universal conscience and to our Parliament — for Mr Pflimlin himself intervened — is in our view intolerable. As an institution elected by universal suffrage, we have moral obligations to the public opinion of our respective countries. We must, of course, express our feeling

in ways compatible with our parliamentary rules. I therefore take leave, Mr President, to suggest that you consult the Assembly on a possible suspension of proceedings for a few short minutes during which we might mark our indignation and express our reprobation at the hanging of Benjamin Moloise.

Thank you, Mr President, for your indulgence.

(Applause from the left)

President. — The President of the European Parliament, Mr Pierre Pflimlin, has already voiced the displeasure of this House in a telegram to the South African Government.

Mr Staes (ARC). — *(NL)* Mr President, I agree with what Mr Chambeiron has said, and I would point out that the German Bundestag observed a minute's silence and the French National Assembly suspended its proceedings for five minutes as a tribute. These are national parliaments of Member States of the Community. I therefore support this proposal, and I should like to see this sitting suspended for five minutes.

President. — I would ask Members to rise and observe one minute's silence in memory of all those who have lost their lives through violence in South Africa.

*(Parliament rose and observed one minute's silence)*¹

Mr Cassidy (ED). — Mr President, I gave notice that I intended to raise a point of order. It is the same one as I raised at our last part-session here in Strasbourg. The list distributed at the beginning of each part-session of the representatives of Member States' governments who usually attend Council meetings is, for the third time, out of date as far as the British Government representatives are concerned.

Would it be possible, Mr President — if this information is to be of any use at all — to have it brought up to date in time for the next part-session?

President. — You will be getting this list in two days time. As from November, however, your suggestion will be adopted.

2. Agenda

President. — At its meeting of 1 October 1985 the enlarged Bureau drew up the draft agenda which you will find before you. At their meeting this morning the political group chairmen authorized me to propose to Parliament the following amendments to the draft agenda.

*(The President read out the amendments to the agendas for Monday, Tuesday and Wednesday)*²

Thursday:

I have received from the European Democratic Group a request that the report (Doc. A 2-90/85) by Mr Filinis be postponed.

Sir Henry Plumb (ED). — Mr President, without wishing to detract from the importance of the Filinis report, I am asking on behalf of my group that consideration of the report be postponed. It refers specifically to table olives and the establishment of a register of olive cultivation in Greece. Therefore one might be inclined to assume that this is only a Greek item. In fact, of course, it will affect the whole of the olive business throughout the Community. The reason why I am asking for the delay is to enable our Spanish col-

leagues in particular, once they join in January, to take part in this particular debate and to give their opinion. That way Parliament would, perhaps, reach a better overall opinion than it would do now if it went ahead with the report instead of allowing the Spaniards to give their point of view at a later date.

I therefore ask the House not to refer the report back to committee but at least to leave it on the table until a later date.

Mr Klepsch (PPE). — *(DE)* Mr President, my Group has instructed me to speak against this request.

What we are concerned with here is the Greek register, and it has taken quite a long time for this matter to come up for decision. It is in the interests of the Community and the people concerned that this register should be drawn up as early as possible. It cannot serve those interests if we now delay the matter for half a year, merely so that a number of people who have absolutely nothing to do with it may express their opinion.

There is another reason: if we accept the argument that the Spaniards should also be able to express their opinion on this question, the same argument could be used on every subject which we shall be considering in the immediate future. We therefore feel that the Filinis report should remain on the agenda.

(Parliament rejected the request)

Mr Wijzenbeek (L). — *(NL)* Mr President, in this case I am literally referring to the Rules of Procedure. You should have declared Sir Henry Plumb's request, now rejected, inadmissible because, according to the Committee on the Rules of Procedure and Petitions, a request for referral back to committee may not be made at this time.

President. — What Sir Henry Plumb requested was not referral back to committee but a postponement. His request was therefore admissible.

Friday:

I have received from the Committee on Economic and Monetary Affairs and Industrial Policy a request that the report (Doc. A 2-123/85) by Mr Chiusano and the report (Doc. A 2-126/85) by Mr Cornelissen be included in Friday's agenda.

Mr Cornelissen (PPE). — *(NL)* Mr President, I should like to compliment you on the energy with which you have sought to place my report on Friday's agenda, because the Committee on Budgets only adopted it last Wednesday. However, Mr President, it was also only last Wednesday that I received the opin-

¹ *Approval of minutes — Petitions — Transfer of appropriations — Authorization to draw up reports — Referral to committees — Texts of treaties forwarded by the Council — Documents received — Referral back to committee of the Nordmann report: see Minutes.*

² See Minutes.

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ion of the Court of Auditors. I therefore feel obliged to ask you not to take the report this week but to wait until the budget debate at the next part-session. This is an extremely complex matter, Mr President, and the opinion of the Court of Auditors is such that further consultation will be necessary. Hence my request, Mr President, with all due respect and appreciation for your efforts, to agree to this report being held over until the next part-session and debated at the same time as the budget.

Mrs Scrivener (L). — (FR) Mr President, I go along with Mr Cornelissen. These are very important reports. Also, we know how few of us there often are on Fridays. It was not a very good idea to place on the agenda for Friday morning such a very important subject, and I fully support the request just made.

(Parliament agreed to the request for the inclusion of Mr Chiusano's report (Doc. A 2-123/85) in the agenda and rejected the request for the inclusion of Mr Cornelissen's report (Doc. A 2-126/85). It adopted the agenda thus amended)¹

Mr Tomlinson (S). — Mr President, two part-sessions ago we heard from the Commission about their deliberations on South Africa. Since then there have been very rapid developments about which we are all concerned. It is, of course, inconceivable that the Commission should not have further discussed the rapidly deteriorating situation in South Africa.

Has there been any Commission request to make a statement to this House? If not, by what mechanisms can we encourage them to make one during this part-session?

President. — Since this subject is going to be debated in the topical and urgent debate on Thursday, we may take it that the Commission will be making its position known at that time.

3. *Application of Community law*

President. — The next item is the report (Doc. A 2-112/85) by Mrs Vayssade, on behalf of the Committee on Legal Affairs and Citizens' Rights, on the monitoring of the application of Community law by the Member States.

Mrs Vayssade (S), rapporteur. — (FR) Mr President, the European Parliament is today, for the first time, to debate a report on monitoring the application of Com-

munity law by the Member States. It was on the initiative of its Legal Affairs Committee that the European Parliament, in February 1983, adopted a resolution on the responsibility of the Member States for applying and complying with Community law, and paragraphs 17 and 18 of this resolution are the point of departure for the present report. Paragraph 17 states that the European Parliament

requests the Commission in addition to submit annually a written report on all instances of failure by Member States to fulfil obligations under the Treaties which must state which national authorities have infringed Community law and what stage the procedure has reached.

And paragraph 18 of this resolution states that the Parliament

hopes, if applicable, to adopt an opinion on this annual report in a report of its own to be submitted by the Legal Affairs Committee and to forward both reports... to the parliaments of the Member States for information and for use as seems appropriate.

It is therefore by virtue of this resolution that we find ourselves today debating the first report of the Legal Affairs Committee.

I should like to stress straight away that this study of the results of monitoring the application of Community law is in no way directed against the Commission's right of initiative, nor does it underestimate the importance of this right: on the contrary, what we want — in view of the fact that in numerous sectors Community law is still incomplete — is to maintain the legislative drive and to ensure that the application of what is already law is properly monitored. The purpose of the present report is therefore to assess the work already done by the Commission and to contribute to the drawing up of criteria suitable for use in the future.

First of all, one or two formal points on the submission of the two reports which we are debating today. In June 1983, President Thorn promised the Legal Affairs Committee that it would have the first annual report on monitoring the application of Community law by early 1984. In fact, however, it was not forwarded to us until 16 April 1984, by which time we were very close to the elections, and so the Legal Affairs Committee decided to defer its discussion of the document until after the elections. By that time, however, we were expecting the second report, which had been promised us for the beginning of 1985 but in fact was not forwarded until 7 May 1985. This explains why they decided to take the two reports together and why the debate on them is taking place at this rather late date.

Meanwhile, an important question was settled when we received the second report, for this was described

¹ *Deadline for tabling amendments — Speaking time: see Minutes.*

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as an annex to the Commission's annual general report. By virtue of this fact, the Legal Affairs Committee, pursuant to Rule 29 (2), automatically receives the document for consideration and is entitled, though not obliged, to draw up a report. This was one of the matters that had been left in suspense on the first occasion.

The fact that we are presenting a single report on two reports from the Commission is thus explained by the delays incurred, and it raises the question whether we should in future automatically submit a report every year. In my view — although this will be discussed every time a report is submitted by the Commission — two or three reports in the life of every Parliament should suffice and would, indeed, by enabling us to underline the most important features, point up the work done in the field of application of Community law.

I now come to the substance of these annual reports. We have made a comparative analysis of the report for 1984 and that for 1985, and have attempted to draw some conclusions on their value and on some features that would be desirable in the future.

The European Communities are founded upon law, and the application of that Community law is therefore essential if it is to take effect and if a legal community is to exist and to last. Community law is uniformly applicable throughout the Community, save derogations or exceptions laid down in this law itself. This application, however, is largely the responsibility of national authorities and the institutions of the Member States.

The efficacy of Community law therefore depends to a very large extent upon its application by the national executive or administration, judicial system or legislative authority; but there are profound differences in the way authorities in the Member States are organized and also in the practice that has grown up in the various Member States. This may give rise to such a disparity that the application of Community law may end by nullifying the Community as a legal body. The express decision to monitor the application of this law is therefore essential for the very existence of the European Communities.

These annual reports, of which we are debating the first two today, are therefore an indispensable tool for assessing the extent to which Community law is applied. They serve as a good barometer for measuring the degree of integration and are a necessary condition for taking political and legislative action, both on the Community level and at the national level, to maintain and strengthen the European Communities and their policy.

These annual reports therefore deserve to be approached with good will. This is not to say that closer study will not reveal the need for criticism, but

this criticism should always be received as an encouragement to improve further the quality of subsequent reports so as to make possible a more precise judgment of the state of integration.

The reports are in two parts, the one analytical, the other composed of statistics. I shall begin with the statistics, which make up the greater part of each report — pages 24 to 78 of the 1983 report and pages 22 to 96 of that for 1984. The Commission has greatly formalized the steps laid down in Article 169 of the EEC Treaty and stored large sections of the perfectly rational system thereby created. It is therefore possible to recall the latest statistics at any time.

The Parliament has called for access to these data, and this access has not yet been provided. In my view, it is becoming indispensable, and I take literally the Commission's promise — of which I hope we shall have confirmation — that the Asmodée data will be transposed to Sector 7 of the Celex data-system by the end of this year. As I said, I await confirmation of this announcement, as I think it will be important.

The increase in the number of statistics is due to the addition of new synoptic tables not contained in the first annual report. Table 5 of the second annual report, on judgments of the Court of Justice which have not been complied with, classified by Member State, had already been requested in paragraph 53 of the explanatory statement to the report drawn up by Mr Sieglerschmidt. This table contains additional information on the execution by the Member States of judgments delivered by the Court of Justice. A new Table 4 on complaints and infringements detected by the Commission's own inquiries has been added.

The statistics in the first annual report cover the period from 1978 to 1983. The second annual report moves the period covered forward, extending it from 1979 to 1984. It might be desirable for the Commission to apply the analysis to a longer period than that chosen, and since the statistics and the tables are there, it should be possible to extend them without omitting earlier years.

In its introduction, the Commission makes a sector-by-sector analysis. In the first report, the analysis was by branches of economic activity, while in the second report it proceeds by sectors and also contains a number of improvements over the first.

Generally speaking, the second report gives the names of the Member States concerned, thus complying with the request made by the Legal Affairs Committee during an earlier debate, for in any case the names of the Member States concerned could be found in these statistical tables. The new method obviates unnecessary research within the report.

The cases in which secrecy is still employed in the second annual report are surprising. The Commission

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is requested in all instances to give an express statement of the reasons why it feels the need to be so discreet.

The analysis by branches of economic activity corresponds closely to the statistical tables and now contains a chapter on competition and another on development cooperation policy. The chapter on external relations, which is also new, covers the chapter on commercial policy contained in the first annual report.

The analysis by economic activity describes briefly in each case the proceedings initiated or pursued and the measures taken or still to be taken. In addition, there is for each sector a paragraph of comments which is perfectly adequate in relation to the restricted field which it covers, since the reader expects a more comprehensive assessment elsewhere. In the first report, however, such more comprehensive assessments are likely to disappoint the reader, being fairly short, not to say peremptory and sketchy. The second report surprises even more by saying even less: it abstains from making any overall judgment of the legal or political situation and serves chiefly to explain the tables. If it is true that the publication of the report was held up by work on this introduction, this was no doubt due to a desire to soften it to the maximum. It is therefore to be desired that the Commission's explanations should be more thorough and that one should be able to go further with the report.

We have already pointed out some positive features, but I should like to say that it would be important for the Commission, in future, to classify the infringements incurred by Member States according to their degree of gravity and to draw up criteria for this purpose, because at the moment everything is thrown into the same pot and this makes it difficult to form any judgment on the attitude of any particular State. Even so, it should be pointed out that of 700 directives, some 500 posed no problems. Monitoring is a difficult business and demands a great deal of time in view of the procedures followed within each Member State; it is therefore remarkable that the Commission should not yet have notified the budgetary authority of a supplementary budget for staff to improve the speed and efficacy of monitoring in many cases.

We have also been made aware of the difficulties that arise when directives are applied in national law: very often Member States merely make additions to their existing legislation, and this often complicates the business of monitoring. This suggests the need for closer relations with the national parliaments: perhaps they themselves might get in touch with the Commission when they take up the question of applying a directive in national law. In this connection, the Legal Affairs Committee invited the chairmen of the appropriate parliamentary committees to a discussion, which brought the difficulties encountered to light. Mrs Boot has tabled an amendment on this question, whose wording does not satisfy me completely but which

seems to go in the right direction. We can come back to it when we start voting.

Finally, I should like to say that this report proves, on occasion, to be a little optimistic. When compared with other documents such as certain reports emanating from the Member States themselves, the reports of a parliamentary committee of inquiry into toxic substances or certain other reports of the Commission, it proves to have light but too little shade and gives the impression that Community law is relatively well applied by the Member States. I think the Commission, in subsequent reports, should not be afraid to bring out the shade.

So here you have my presentation, a very rapid one, of this first report on the state of Community law. Many other things could have been said, but I will just add these final points: Member States' recourse to Article 177 and the attitude taken by the different judiciaries; also, the question of sanctions to be imposed when Member States fail to apply Community law. At the moment the situation is still indefinite, in spite of the Tindemans report, and only the draft treaty on European union proposes any procedures. I think the Commission should give us its opinion on this matter and prepare some solutions.

(Applause)

Mrs Boot (PPE). — *(NL)* Mr President, on 6 May 1985 the Commission published its second annual report on the application of Community law. Today we are debating Mrs Vayssade's report, in which Parliament delivers its official opinion not only on the second but also on the first of the Commission's annual reports. On behalf of my group I should like to congratulate Mrs Vayssade very warmly on the exhaustive commentary on the two annual reports that is contained in her report.

I find it a pity that the European Parliament — partly because of the Bureau's decision, as you know — has taken so long to deliver its opinion on the first annual report, which was published as long ago as April 1984. This is after all an important subject: the enforcement and uniform application of Community law. The Member States and the institutions of the Community itself are concerned. The European Community is a Community governed by the rule of law. This is not only a sound basis for political development: the observance of this law is also a gauge of the will of our peoples to construct a strong Europe.

In the second report the Commission gives a more detailed description of the procedures adopted in the case of infringements. In addition to indicating the legal basis, it analyses each sector. The second report also reviews the complaints received and infringements detected by official means. It is striking that most of the complaints were received by DG III, Internal Mar-

Boot

ket, and DG VI, Agriculture. A cause of serious concern is the fact that the Member States are increasingly neglectful of complying with the judgments of the Court of Justice. From the Commission's review of 1984, however, it is impossible to obtain a clear picture of the extent to which the Member States do or do not comply with the Court's judgments. This becomes more apparent when the two reports and the list originally compiled by Mr Sieglerschmidt are compared. The Commission is thus still rather cautious, I would say, about disclosing all the facts. We can conclude from the figures that the situation as regards compliance with the Court's judgments is in fact even worse than at the time of the Sieglerschmidt report.

The monitoring of Community law has long gone unnoticed. I might perhaps refer Members to an excellent work by Dr Audretsch on the Commission's supervisory task, which was recently published in English. It explains in a really remarkable way that this Parliament, which originally exercised control mainly through its written questions and later through its oral questions, has acquired, in its committees of inquiry, a completely new instrument to strengthen its political and legal responsibility for exercising control. We all know that the Pruvot report was one of the first examples of this instrument being used. It revealed that the enforcement of the Seveso directive is proving to be quite troublesome in the various Member States.

There are other aspects of the observance and application of Community law to be considered. When we talk to national parliamentarians, we are often asked what happens when Community law is introduced. National parliamentarians feel that control over this is slipping from their grasp.

I have therefore tabled an amendment, to which Mrs Vayssade has in principle agreed, although she does not like the present wording very much. The amendment calls for a suitable parliamentary procedure that will enable the Commission's monitoring to be scrutinized rather more effectively. This might, for example, be seen as an extension of the tasks of the subcommittee set up by the Political Affairs Committee to consider the interpretation of the Treaties. I would refer here to the political and legal aspects. In view of the importance of this matter, I think it would be appropriate to set up a similar subcommittee within the Committee on Legal Affairs and Citizens' Rights to monitor Community law. That is the object of my amendment. I hope all the political groups will give sufficient thought to this aspect.

In addition, Mr President, we very clearly need a European government.

(Applause from the centre and the right)

Mr Turner (ED). — Mr President, we wish to support this report by the chairman of the Legal Affairs

Committee. I am particularly concerned with the implementation of EEC directives in the Member States. At the moment each Member State is bound to send in a report of what it has done with a directive in the form of notes as to what legislation it has taken to put into effect the directive in question. It is impossible for the Commission to check any of these at all probably, and certainly it is impossible for them to do so speedily. I urge the Commission to ask the Member States to give a much more detailed rundown of how they have put the directives into effect — or how they say they have done so.

They could, for instance, do it by putting against each phrase or sub-clause of a directive exactly what part of what act of Parliament, statutory instrument or whatever they have employed to put it into effect. That, of course, does not ensure correctness by the Member State in question, but it does concentrate their mind a bit, and it also makes it easier for the Commission later on to do the donkey work of checking up whether or not directives have been properly put into effect in each Member State.

I believe it is only possible to do this by spot checks on particular directives and, generally speaking, one should do it in each Member State for a particular directive, so that one has a complete cross-section, on that directive at least, as to what has happened. I say that because of our experience in the Pruvot report, which is referred to in paragraphs 16 to 18 of Mrs Vayssade's report — the Pruvot report on the Committee of Inquiry into the Seveso Directive, as it was called. In that particular case we asked the Commission what they had done to find out what each Member State had actually done to put the Seveso directive into effect. In the case of the United Kingdom, they had, in fact, hired an expert to go right through the whole of the directive and see what had happened in Britain. He was not a lawyer as it turns out. He was an expert in pollution. He did a very thorough job.

We found that in some cases the Commission had not taken any steps at all with regard to a particular country, and so we decided in the European Parliament that we would do it ourselves. We appointed experts of our own for most countries, and I happened to do the United Kingdom and Ireland because it was thought that I might know the law of Britain and Ireland. I must stress here that it is quite impossible for a German to go through English acts of Parliament, statutory instruments, amendments and all the rest of it to find out whether or not Britain has put into effect a directive. And it is equally impossible for an Englishman to go through German law to find out if they have. It can only be done accurately by an expert of the Member State in question.

When I did this for Britain, I found that, generally speaking, one-half of the directive had not been put into effect because one half of the directive referred to the environment. It said at the beginning: This con-

Turner

cerns safety of persons and the environment. The environment appeared to have been almost completely forgotten, at any rate as regards the details of registration of lorries and loads, etc. Then when one came to a certain schedule of dangerous substances, of which there were thirty, the British schedule left out three of them. With regard to the definition of what is toxic, which in the directive was quite general and said 'harmful to the human', in the British Act it said that something is toxic if 5 cubic centimetres thereof would be harmful to the tissue of a child who weighs less than 20 kilograms, which was a rather special interpretation of the rather general words in the directive. I am quite sure the British thought they had done a very good job on it, and I am quite sure all the other countries did too.

In Appendix 3 of the Pruvot report, which I hope you will all look at, the experts, who were voluntarily working for Parliament in this case, set out the shortcomings in each country. Germany and France both had a whole page of shortcomings, Belgium and Britain both had a page and a half, Italy had a quarter of a page, because they had only just put the thing into effect. Ireland was not referred to at all because I found that the Irish had done a marvellous thing. They had taken the directive which said 'EEC Directive No such-and-such', they had crossed out the words 'EEC Directive' and written in 'Irish Act of Parliament', and it had gone through just like that. The lesson from this is that you can put the law into effect perfectly if you want to. And we must make sure that that happens. It is an entirely separate matter to police the law once it is in effect. It is wholly irrelevant to say that the policing may not be perfect in Ireland although the law is perfect. That is irrelevant. We are only concerned, at the moment, with the putting into effect of the law.

The other thing is this. Although I said that Germany had a whole page of what one might call errors and Britain had a page and a half, those errors were sometimes very small and sometimes very big. So that you cannot just say that with 21 errors in Germany and 21 errors in Britain, they are both equally good or bad. It depends on how bad each error is.

May I conclude by saying that I believe the Commission must employ legal experts from Member States to look at their own implementation of certain directives and they should use spot check methods. They should report in great detail, legalistically, not with a broad brush as to general intent, but absolutely in great detail as to whether or not the directives are being put perfectly into effect. We are concerned with law here and not just with general good intentions. We must make sure that in each case where a spot check is done, we know precisely where the country has gone wrong. Then when the experts report to the Legal Affairs Committee, we can take the matter up. Furthermore, the Legal Affairs Committee should be entitled to ask the Commission to carry out this spot check on any particular directive it wants. I know it

can only be a spot check system, but I believe it is absolutely vital that there should be some legalistically perfect method of ensuring that, in cases where we choose to have a look, we can find out whether or not the law has been perfectly put into effect or not.

(Applause from the benches of the European Democratic Group)

Mr Barzanti (COM). — (IT) Mr President, ladies and gentlemen, the debate now taking place on the basis of the Vayssade report on the application of Community law in the Member States is of great significance. The two reports the Commission has submitted to Parliament represent in our opinion an important objective and a valuable analytical tool, notwithstanding any deficiencies it may have.

There is a certain reticence in these reports, particularly in the first. Furthermore, little light is shed when it comes to spelling out exactly responsibilities and actions, with precise names and dates. The immediate result will be that production will go up again so that two years of sacrifice will have gone for nothing; the Council's irresolute attitude should therefore be condemned. The Woltjer report takes a cautious step in this direction. I shall therefore vote for the resolution. In addition — and here we agree with what Mrs Vaysade has said in her report — there is a need in our opinion for greater specificity, greater capacity for fine analysis of breaches within the various Member States in the application of Community law. But the overall tone of the report displays a greater optimism than is justified, in our view, by the facts. Regarding the application of Community law, we have a situation which plainly demonstrates the need for energetic consolidation of the work of the Commission and the work of our own Parliament to ensure that a Community, which above all is a Community of law, is fully realized.

I should now like to raise four points.

First, we feel that we must increase checks on the application of Community law. The procedure laid down by Article 169 of the EEC Treaty, even if widely implemented, guarantees neither to the Commission and even less to Parliament an active role of stimulation, of encouragement. This active role must in essence be — and I repeat — one of stimulation and encouragement, given that it is important to strengthen the role of Parliament which, with this report, opens a whole new chapter in such complex and basic subjects.

Furthermore, we feel that in regard to the process of developing the various legal instruments, and in particular the directives, we must achieved a capacity — but this is a problem which primarily concerns the Member States — to decentralize, especially where the application of directives is effected, as in Italy,

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through bodies such as the Regions which have an autonomy of their own.

I would also underline the important passage in the Vayssade report which stresses the need for citizens of the Community to be guaranteed the rights recognized by Community legislation backed up by recourse to the national courts. This too is most certainly a step in the right direction. I would conclude by pointing out the need to improve the disciplinary machinery for the violation by Member States of Community law itself. We feel that the provisions in Articles 43 and 44 of the draft Treaty for European Union are of profound importance and an objective to be pursued.

Finally, I should like to affirm the need for all Community Member States, the Commission and Parliament to implement all machinery, all initiatives aimed at ensuring that declarations proclaiming a European spirit, very often rhetorical, are followed up by genuine and continuous monitoring activity, together with a consistent determination to apply the requirements of the Community of law, which is the European Community.

Mr Wijsenbeek (L). — (NL) Mr President, I join with other speakers in congratulating the rapporteur, and chairman of our committee, on her report, in which she carefully examines the two annual reports drawn up by the Commission following the initiative taken by Mr Sieglerschmidt, a former Member of this Parliament. I should also like to congratulate the Commission on the way in which it has taken up the request made by Parliament and, more specifically, the Committee on Legal Affairs and Citizens' Rights. However, the rapporteur is unfortunately right in concluding that the Commission does not paint a complete picture of the application of Community law in the Member States. We must therefore ask ourselves, Mr President, how we are now going to proceed.

There are two methods. Mr Turner has said that at least a page and a half could be written about the application of Community directives in each Member State. Unfortunately, this applies not just to one case but to almost every case. On the other hand, it might be asked whether we should not in fact be saying: a directive is no more than a directive and more or less variety in its application at national level is admissible as long as the idea underlying it is applied.

Mr President, here again we must, of course, ask ourselves: what do we do in this Parliament? Some of the subjects we have to consider are so intricate that a national parliament would feel insulted if it was expected to pass judgment on them. Let me give you an example: the height of steps on wheeled agricultural vehicles or the tipping devices on such vehicles. These are, of course, subjects that any self-respecting parliament disposes of with a smile if they are submit-

ted for its consideration. We must ask ourselves if it would not be far better for us to concentrate on, let us say, framework legislation, and in the case I have quoted that would best be framework legislation on the harmonization of safety regulations governing all types of wheeled vehicle.

Mr President, the content of Mrs Vayssade's report is another matter, of course. As regards the application of secondary legislation and the action taken on it by our national legal authorities, we naturally find major disparities in our Member States. I would point out in this connection, as paragraph 31 says, that there are legal authorities in our Member States which actually manage to ignore Community legislation. We have had an example of this. My predecessor, Mr Geurtsen, even put a question to the Commission on this subject once, in which he referred to a court of appeal — not even a court of the first instance but one of the second instance — in France which had said in a judgment: 'We don't have anything to do with Community law. We decide how the law is to be interpreted.' There is no point in discussing a specific case, but it does show what happens in practice.

Mr President, that is, of course, wrong and the Community should not let it pass. As a Community we must also place far more emphasis in this respect on the need for joint consultations, for the uniform application of the rules and therefore for closer contact among the national courts, as I requested in my report on competition last year. At that time the Commission promised to work on this, but so far we have seen hardly any results. So that is another aspect I want to refer to.

Mr Schwalba-Hoth (ARC). — (DE) Community law serves to harmonize legislation in the Member States, but also to equalize it, i.e. in certain spheres sovereignty is granted to a central authority, in this case Brussels/Strasbourg. But this runs counter to our fundamental conception that powers should be devolved — decentralized — so that those concerned may have a larger say and a form of legislation exists that is graduated, but not equalized, and adapted to regional needs. Where decisions are decentralized in this way, there is a higher degree of acceptance of each administrative act by the local population.

Over and against the positive effects of Community law there are various areas where EEC legislation has acted as a brake. As an example of the positive there was everything connected with the Water Directive, e.g. the reduction of nitrate content. Equally positive was the directive on dangerous goods and the directive on equal treatment for men and women. Might I be permitted, however, to put a question that will surely seem heretical to this half-empty hemicycle, but it is none the less necessary: could we not have achieved similar results and arrangements in most of the Member States through pressure from society?

Schwalba-Hoth

On the negative side is the long list of areas in which EEC legislation has slowing, obstructive or even damaging effects. Take for instance lead in petrol and the new catalytic convertor — in the meantime the forests are dying. Even though the people and political officials in many EEC States are in favour of the introduction of lead-free petrol and the catalytic convertor, EEC legislation forbids such go-it-alone solutions.

Another example might be the attempt to bring in a mortgage directive. By means of Community law mortgages could be offered across Europe. The result would be the squeezing out of competition, monopolies, cartel agreements, in the short term doubtless dumping, and in the medium and longterm higher mortgage charges and rising land prices.

Although we have such fundamental criticisms and reservations regarding Community law — not anti-European, mind you, but anti-centralistic, pro-regional sentiments — we consider the observance of Community law essential.

So our position may be summed up in this way. First: if we are to have Community law, then there must at least be supervision by the European Parliament.

Second: if there is to be control by the European Parliament, then there must at least be punctual communication of the Commission's annual reports. This was not the case in 1984.

Third: if there are to be Commission reports, then there must at least be precise data in the analytical section as to who has infringed Community law — in the first report this was generally not given, in the second report it was lacking in one instance.

Fourth: if specific infringements of directives are to be indicated, then we Members must at least be given full and direct access to the relevant documents — this is at present not the case.

How else can we make intelligent judgments?

Fifth: if there is to be an evaluation by Members and by the European Parliament, then we also need an evaluation by the Commission itself. The Commission has not come through with its own evaluation. This is a political black mark. The next report must contain such an evaluation.

IN THE CHAIR: MR GRIFFITHS

Vice-President

Mrs Dury (S). — (FR) Mr President, I intend to speak today not as a lawyer but as a convinced European.

I believe that Mrs Vayssade's report comes at exactly the right moment. Today an intergovernmental conference is trying to rejuvenate the somewhat tired and scowling face of Europe. I believe that if we apply existing Community law we shall have already taken a big step towards the Europe we seek.

For my own part I fully support this report and with my group I congratulate Mrs Vayssade on a number of suggestions she has made. As a Belgian I regard this report as very useful. I shall give examples of what I mean. The first concerns a directive agreed at European level, transposed to national level but not implemented. I am thinking particularly of directives concerning women — directives on equal treatment and equal pay. I am sure you have heard of the Bekaert affair where a number of women were forced to work part-time under threat of losing their jobs. It took energetic action by the Commission to show Belgium that it was in the wrong and to bring relief to these women's problems.

The second example concerns directives which exist at European level but which have not been transposed to national level. The list of these is frightening. It is frightening in the case of many countries, but in this race between snails Belgium is almost the last. I am taking as an example all the directives on the environment because of which Belgium has already been condemned for non-implementation by the Court of Justice.

Despite the rulings of the Court of Justice, Belgium has not moved in very many areas. I have to admit that I have heard certain colleagues speaking of their own countries, and there are many striking examples there as well. In 1978 Belgium was condemned for non-implementation of six directives on the environment, as was Italy. After three months Italy put its house in order. I think that four directives have not been taken over by Belgium.

Finally, there is the case where Community law is flouted, where the Court of Justice has given a ruling which is simply forgotten or even ignored by the Member State. To take another example from my own country, there is the *Gravier* decision which rules that Community students are no longer required to pay registration fees to enter university. Despite the Court of Justice's ruling, Belgium has continued to demand them. Belgium has been asked to refund the fees which have been paid unnecessarily. Until now it has done nothing. Not only has Community law been flouted but the rulings of the Court of Justice do not count in our country. I appear to be pointing the finger at my own country, but I believe that there are similar examples elsewhere.

The question we have to ask is why Member States are able completely to ignore not only the Community law but also the judgments of the Court of Justice. There is, I believe, at least one reason, namely, that for prac-

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tical purposes there are almost no sanctions, that the system of sanctions is inadequate and there is nothing to intimidate a country which fails to apply Community law or if it is condemned for non-application. That is why I feel that one of the paragraphs in Mrs Vayssade's report is particularly important and that the Commission should take note of it as a basis for proposals on sanctions. As long as a judgment exists without a penalty, I can see no reason why countries should take any notice of Community law.

Moreover, instead of, like the Member States, treating Community law as something of merely secondary importance, both the Commission and the European Parliament should exercise greater vigilance in this regard. Our concern, for example, with setting up committees of enquiry, drawing up own-initiative reports on the non-application of Community law is the right choice. Moreover, I would ask the Commission to give some thought to setting up monitoring machinery in the Member States and to powers of investigation. I believe that better monitoring, greater powers of sanction and interrogation to ensure that Member States finally demonstrate the political will to build Europe would enable Mrs Vayssade's report to produce concrete results.

(Applause)

Mr Kuijpers (ARC). — *(NL)* Mr President, ladies and gentlemen, I fully agree with what Mrs Vayssade and many Members have said here. In the very little speaking time allocated to me I want to draw attention to a specific problem facing Belgium in connection with this report.

The two annual reports from the Commission show that Belgium has rightly had its knuckles rapped several times for not applying various environmental directives correctly. However, legislation on the environment is no longer introduced by the central parliament in Belgium but by the legislative chambers of the two communities recognized by the Constitution. We thus have the odd situation of Flanders having now brought its legislation on waste disposal into line with the Community directives, while the French-speaking community has so far failed to do so. Seen from the Community standpoint, therefore, Belgium has yet to fall into line, whereas the situation is not in fact so straightforward.

I therefore urge once again that all constitutionally recognized regions — and their number will increase with the accession of Spain and Portugal — be permitted to make direct contact with the Commission on all issues for which they bear legislative responsibility. This applies not only to Community law but also — and perhaps even more so — to contacts on the operation of the Regional or Social Fund. Such contacts, Mr President, which recognize the variety of Europe, will eventually strengthen the unity of Europe.

Mr Clinton Davis, Member of the Commission. — Mr President, I am replying to this debate on behalf of President Delors because, as honourable Members will be aware, his attendance at an extremely important conference prevents him from being here this evening. So it is my task to convey to Parliament the views of the President and of the Commission on the opinions and recommendations contained in the Vayssade report on the extremely important question of the implementation of Community law.

The Commission is extremely pleased at the consideration which Parliament is giving to the particulars the Commission has been supplying for the last two years in the two annual reports on the monitoring of the implementation of Community law. It is gratifying that Parliament feels that there has been considerable improvement as far as the presentation of the second report is concerned.

As you know, the Commission has taken this course at the request of Parliament, in addition to providing a great variety of other information when this has been sought through oral and written questions. We have on occasions also had full-scale parliamentary enquiries into compliance by Member States with Community law.

When this excellent report was before the Committee on Legal Affairs and Citizens' Rights on 23 May, President Delors gave the committee an account of the policy which the Commission intended to pursue on the monitoring of the implementation of Community law: a policy comprising, first, constant urging and prodding to comply with that law and, secondly, systematic proceedings against any breaches which have been detected. So President Delors had the opportunity to speak of the effects which the Commission's work is having in the context of consolidation of the internal market and the all-important division of labour among the institutions in achieving that objective.

One of the Commission's day-to-day tasks — mirrored, of course, also by Parliament's own work — in working towards the establishment of one large market is to identify all the obstacles to free movement and to get them promptly ironed out so as to prevent them from recurring and, above all, to avoid proliferation. This is essential not only so that business may prosper on a secure basis but also so that ordinary people may be able to feel part of the European enterprise. In fact, to carry out its task of enforcing Community law, the Commission does not have officials who are able to go and see what is happening on the ground in the Member States — a point, incidentally, raised by Mr Turner. If Parliament is prepared to assist us in obtaining more officials, we shall be only too glad and we shall certainly consider the proposal that he has put forward concerning the way in which officials from particular nations should invigilate implementation by the individual Member States concerned.

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But that is rather putting the cart before the horse. Nevertheless, we welcome the ideas that have been put forward in that regard.

What we have to do, however, is essentially to base our actions on information received, on complaints which we receive from, among others, individuals, firms, trade unions, consumer organizations and, of course, Members of the European Parliament and the national parliaments. In this field, therefore, there is a very important and direct link between the Community and the people of Europe.

One of the weapons in the Commission's armoury is legal proceedings for infringements under Article 169, and the purpose of the annual reports on monitoring the implementation of Community law is to acquaint Parliament with the use made of that weapon.

Also basic to the establishment of the single market is harmonization. Here the Commission's line is clear: where it is not necessary actually to harmonize national rules, Member States must refrain from placing any obstacles in the way of trade. But harmonization is not a panacea. Directives have to be adopted, transposed and properly implemented. The fact is that this, as a number of honourable Members have stated and as stated in the report, simply does not always happen. In this field Parliament's help can be invaluable, particularly the help given through national parliaments, which in many cases have a very active role to play in the transposition of directives.

In this connection I would like to digress briefly to speak of the situation concerning Greece and the two incoming Member States, Spain and Portugal. As far as Greece is concerned, the line taken by the Commission in the last two years can be described as one of encouragement to observe the law. I think it has paid off, as the next annual report will illustrate.

As far as the incoming Member States are concerned, the Commission has given its officials strict instructions that everything is to be done to give the Spanish and Portuguese authorities all the assistance they need in transposing the huge volume of Community legislation into their own law.

President Delors also spoke to the Committee on Legal Affairs and Citizens' Rights about the roles of the institutions and, more particularly, that of the Commission in the matter of adherence to Community law. The Commission is the sole custodian of the Treaties by virtue of its independence, its function in promoting the common interest and its political responsibilities. In this capacity it works in tandem with the Court of Justice. But we really do not feel that the Court should be asked to do too much. I should like in this respect to be quite frank. The Commission has no intention of sharing its right of initiative under the Treaties with anyone. It will continue to do its job. It will table proposals with the Council where problems

can be resolved by harmonization, and it will open infringement proceedings where the Community patrimony is in danger. I believe that that boundary could hardly be more clear-cut.

As far as the last point is concerned, the Commission's annual reports to Parliament on monitoring the implementation of Community law are, in effect, reviews of infringement proceedings under Article 169. As such, they reflect the facts of the infringement proceedings already opened. This, I feel, is their outstanding function, and I would remind the House that the Commission has, in response to the most proper concern indicated by this House, made sure that the court's judgments are strictly complied with. It has taken all necessary steps to step up its monitoring. In this field in particular, the unique forum in which I am now speaking — and I mentioned just now Parliament's influence on the national parliaments, affecting, as it does, everyone in the Community — is, in consequence, also the proper place for Community public opinion to be voiced.

I would say that most of the points in the resolution which Parliament is now being asked to adopt are valid and that they are justified reactions to what is, by and large, a pretty negative picture, since the Commission's annual reports, after all, record only the problem cases, and I am afraid it will have to stay that way unless your annual analysis of the Commission's work overall is to suffer. It would, of course, be theoretically possible to add to the report, as the motion requests, a commentary on the quality of the implementation of Community law in each individual Member State. But the resources required to do this properly lie far beyond the call of the Commission. Moreover, a prolonged scrutiny of the performance of each Member State may well serve to obscure generally experienced difficulties in the implementation of Community law, difficulties on which the Commission report should focus for the benefit of parliamentarians who, quite properly, demand such information and, indeed, for the benefit of the public at large.

The Committee on Legal Affairs and Citizens' Rights, in its motion for a resolution, complains about the delay in forwarding the report. Obviously the Commission regrets that any such delay has occurred. Unfortunately, many details have to be garnered before the report could be fully prepared. We will make every effort in future to prepare the report by the end of March, but I think that the essential thing is that it should be an effective and detailed report.

The committee has also repeated its request for direct access to the Asmodée data base. I can inform the House that the Commission is happy to agree to this request. Direct access will be made available as soon as all the necessary preparatory work has been completed.

I just want to turn from that, Mr President, to some of the other points which have been specifically raised

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during the course of the debate. I have already dealt with the point raised by Mr Turner, as far as the question of staff is concerned, but there are two points that I would like to take up which were raised by the rapporteur.

I am asked whether the next report will also record what has been happening with regard to proceedings under Article 177 of the EEC Treaty. We feel that it would be better to keep separate things quite separate and to leave the report as it is, i.e. concerned primarily to give Parliament an account of proceedings to date under Article 169.

Then I was asked whether it was possible to classify or distinguish between infringements according to degrees of gravity. I think it is a fair enough request but all breaches of Community law are serious and reprehensible. Some, however, do more harm than others to the working of Community policies or of the internal market. The comments in the report do try to bring out the differences. We will continue to try to give emphasis to that, but it is not always easy to select different areas of gravity as far as this is concerned.

A number of other points were raised during the debate to which I ought to refer. Mr Wijsenbeek raised important questions about the failure of Member States to apply Community law and about the action which the Commission should take in that respect. We have only had three occasions when the Commission felt obliged formally to warn Member States for failure to apply Community law. Two of these warnings were addressed to Germany and one last year to France. We have never had recourse to Article 177, paragraph 3, in that context.

Mrs Boot raised a question about following up Court of Justice judgments. There is a table setting out judgments which have not been followed up, and I would refer her to page 28 and succeeding pages.

Mrs Dury raised questions about whether sanctions might be imposed against Member States. Well there is a possibility, of course, as far as the Coal and Steel Treaty is concerned, to impose financial sanctions. But the reality is that these powers have never been used because of the need to go through the Council. We have strong doubts that Member States would agree to include sanctions in the EEC Treaty. Mrs Dury also referred to the *Gravier* case, an important observation. The Commission acted very swiftly in that instance. Urgent proceedings were started in June and the Court was seized of this matter this month. The Commission has also asked the Court to order a suspensive action, in other words, that interim measures against Belgium should be taken pending the outcome of the case. I think that was an important development and one which I think will have satisfied her.

I cannot possibly deal with all the points raised during the course of the debate, but I have tried to select the

main issues and to take up some of the other essential points underlined by Honourable Members.

Mr President, we shall continue to keep the House informed as fully as possible of infringements against which we have proceeded and we hope that this Parliament will, for its part, use its influence, its political will, its political power and the public esteem in which Parliament is held to ensure that the Community, which is a Community of law, as was stated at the very beginning of the debate, is able to live up to the hopes reposed in it.

(Applause)

President. — The debate is closed.

We shall now proceed to the vote.

Explanation of vote

Miss Tongue (S). — Mr President, I welcome the report of Mrs Vayssade with certain reservations. I will be abstaining, although I agree with many of the suggestions for correcting procedures that she made in her speech. I also would give a cautious welcome to the Commission's reports and praise particularly their underlining of the need to improve legal redress, but I regret that they were not very specific and contained very insufficient references to equal treatment between men and women.

The United Kingdom Government was found to have infringed the equal pay directive and has since made the law even more unintelligible and made it more difficult for women to seek redress under it. I trust the Commission will in future expose this kind of practice. Law should be a vehicle for change, not a roadblock to it. The United Kingdom Government was again found guilty on 8 November 1983 of failure to apply the EEC Directive on equal treatment. There have been no changes made since 1983 in the United Kingdom law and there is insufficient mention of this in the Commission's report. And there is no reference to breaches of the social security directive where again the United Kingdom Government is in breach, particularly as regards the invalidity care allowance in operation in the United Kingdom.

I trust that the Commission will also in future make more of the indirect discrimination which still continues to contravene EEC laws. The EEC directives on equal treatment are the jewel in the Community crown and I hope the Commission will, in future, do more to ensure their full application.

(Applause from the left)

(Parliament adopted the resolution)

4. *Harmonization of the age of majority under civil law*

President. — The next item is the report (Doc. A 2-113/85), by Mrs Fontaine, on behalf of the Committee on Legal Affairs and Citizens' Rights, on the harmonization of the age of majority under civil law and the legal capacity of young people in the Community.

Mrs Fontaine (PPE), rapporteur. — (FR) Mr President, ladies and gentlemen, the International Youth Year has almost run its course. It was the wish of our Assembly that something worthwhile should be done for young Europeans to mark this special year. Some measures were adopted in Luxembourg last July. The report which the Committee on Legal Affairs and Citizens' Rights submits today for your approval, on the basis of a motion for a resolution tabled by Mrs Van Hemeldonck on 11 September 1984, draws its inspiration from the same source.

Mrs Van Hemeldonck found that when young people within the Community wanted to work in a Member State other than that of which they were citizens, they found themselves up against various difficulties arising from the differences in national legislation relating to them. The first problem of all was that the age of majority under civil law, which is surely a central factor, has not yet been uniformly fixed at 18 years of age throughout the entire Community. The Committee on Legal Affairs and Citizens' Rights felt therefore that the first thing that needed to be done was to bring about uniformity in this matter. All that is needed is a simple measure which would nevertheless constitute the essential prerequisite for forging a consistent and unified charter for young people within the Community. The report before you is the first attempt to blaze a trail towards a charter of this kind and concentrates mainly on access to work for young people and on all the related measures calculated to achieve this objective.

There is no point in all Member States jointly fixing the age of civil majority at 18 if the rights and duties attached to majority differ appreciably from one Member State to another or if the attainment of majority is hedged about by all manner of unjustified restrictions, as is sometimes still the case. When a young person attains his majority, he should be in a position to enjoy it fully; the responsibility given to him with one hand should not be taken away with the other.

In order to be as clear as possible about all this, ladies and gentlemen, let me give you very briefly three examples out of the many that could be given to illustrate what we have been trying to do.

An 18-year-old Luxembourger living in Luxembourg is recognized in his own country as having reached the age of majority. He is empowered to engage in all the

legal acts pertaining to civil life and may enter into contracts and undertakings in his own name. However, if he decides to cross the frontier to go to work in Belgium, he is regarded there as a minor and will have to go to all kinds of trouble to secure recognition for the majority rights which he enjoys by virtue of his nationality. Why is this? Quite simply because in Belgium the age of majority is still fixed at 21 years of age.

In the case of a 20-year-old Belgian who goes to Luxembourg, the position is reversed and he too will find himself having to overcome all kinds of legal and administrative obstacles.

To give a further example, in Spain both boys and girls can marry at 14 provided they have their parents' consent. If they were Danes or Luxembourgers, 15 would be the minimum age limit. They would have to be 16 if they were Irish, Portuguese or English and 18 if they were Greeks. In France and Belgium the minimum age is 15 for girls but 18 for boys. In the German Federal Republic one of the two spouses may be 15 provided the other is 18.

The question I would put to you then, ladies and gentlemen, is this: Are some people, solely by virtue of their nationality, better fitted or less well-fitted than others to take on the responsibility of marriage and the contractual commitments that flow therefrom? Can such differences in the lower age limit be justified? Certainly not! On the contrary, of their very nature they considerably hamper the free movement of young people throughout the Community.

One last example: this is the time of year when young and old converge on the vineyards of Beaujolais to find seasonal employment picking grapes. An English, Greek or German 20-year-old may get a very unpleasant surprise when he finds that his wage is 20% less than that of an adult worker. The young Frenchman, however, will already be two years into his majority at 20 years of age.

The work done by these young people requires neither training, experience nor particular physical strength to justify such inequality. The fact is that it is the law that permits the young foreigner to be penalized. The employer is perfectly within his rights in making a deduction in his wages on the pretext that he is not yet 21 years of age.

These three examples are very revealing. Since the Community was set up, customs barriers have been broken down, trade has been opened up and various kinds of discrimination based on sex or nationality have happily been proscribed, even if in the latter area much remains to be done by way of implementation. As far as young people are concerned, however, national legislations continue to be too divergent, too compartmentalized and sometimes actually discriminatory. The wide-ranging but cohesive spread of propo-

Fontaine

sals being put before you today by the Committee on Legal Affairs and Citizens' Rights aims at correcting this state of affairs. In setting about this, we are naturally concerned that whatever is done should be founded on a proper legal base, and it seems to us that the Treaties are solid in their support, independently altogether of the incontestable legal base afforded by Article 235.

The main principles at the heart of the matter we are considering today are as follows: the free movement of persons within the Community, no discrimination based on nationality, but even more than that the harmonization of social systems and the approximation of social policy provisions laid down by law, regulation or administrative action, as set out in Articles 117 and 118 of the Treaty. Along the same line of thinking, the task entrusted to the European Social Fund is to promote the geographical and occupational mobility of workers.

By analogy with the provisions of Article 119 of the Treaty concerning discrimination based on sex, we would hope to see a parallel proposal for a directive aimed at eliminating forms of discrimination based on age, where such forms of discrimination do not rest on any objective basis. Thus the capacity of the Community institutions to take our proposals on board is sufficiently well established. In this connection I would add one last remark. It would seem that the national legislations of the Community's Member States are so far apart as to make these harmonization measures necessary and yet, at the same time, in principle sufficiently close or parallel to one another as to pose no insurmountable problems in bringing about this harmonization, provided there is a shared resolve to do so.

In order to enable this shared political will to be translated into something positive and practical, the Committee on Legal Affairs and Citizens' Rights suggests action that is at once realistic and yet respects the principle of voluntarism. The motion for a resolution submitted for your approval distinguishes two kinds of measures to be put in train by different legal means and implemented in successive stages.

First of all, there is a directive which could be adopted quite quickly and which concerns the attainment of civil majority and the rights deriving therefrom, with particular reference to remuneration for work done by young people as well as the exercise of their rights to freedom of expression and their right to vote in and stand as candidates in professional and political elections.

Secondly, there is a recommendation designed to clarify, harmonize and protect the position of minors. This recommendation covers two stages of youth. The first is the period extending from the end of compulsory education to the attainment of civil majority. This is a particularly difficult time for the young person,

who must be guided safely through the transition from the minor's dependence on his parents to the personal independence of the young person who has attained his majority. The proposed harmonization would centre around certain aspects of the work or business affairs of young people: definition of the kinds of work from which young people are barred, their capacity to conclude a contract of employment, conditions of work and holidays, salaries, freedom to dispose of work earnings, medical protection, the ability to marry with the consent of the parents.

Action in all these areas would do several things at once. It would furnish young people and employers who might be inclined to give them work with clearcut information, promote the free movement of young people throughout all the Member States and obviate the present uncertainties with regard to the legal validity of contractual engagements entered into by young people, where the age limit for entering into such contracts varies between the country of origin, the country where the young person goes to work and the country where he has his main place of residence.

The second stage is the period preceding the end of compulsory education. During this period young people may occasionally do paid work. Uniformity would be essential also in this area.

In conclusion, ladies and gentlemen, I would hope that we would all broaden our horizons to look well beyond the particular measures that are being proposed here. The all-important thing is that we should demonstrate that we really do want to take new and meaningful steps towards European unity, that we want to make the People's Europe something really worthwhile, that we want our young people to believe in the building up of Europe and to be associated with this process in an active and responsible manner. They are the future of this outward-looking united Europe that we all want to bring to fruition. They are mobile and they are ready for anything. The motion for a resolution tabled by the Committee on Legal Affairs and Citizens' Rights reflects the special attention we are giving to the positive image that Europe must project in their daily lives, the *practical* interest it must awaken in them, the way it can respond to their professional aspirations, the ideal of freedom and of human, economic and cultural interrelationships that it must represent for them, the opportunities for initiative and responsibility that it will open up to them.

On behalf of our committee, I would express the wish that this common political resolve which, I am quite sure, is shared by all of us will be reflected in the kind of overwhelming approval — indeed why should one not hope that it will be unanimous? — that such a bold venture as this for the future and the onward march of Europe undoubtedly calls for . . .

President — Mrs Fontaine, you have gone well over your time and it does not sound to me as though you

President

are winding up. I really must ask you to sit down so that I can call the next speaker.

Mrs Van Hemeldonck (S). — (NL) Mr President, ladies and gentlemen, I should like to thank Mrs Fontaine on behalf of my group for the particularly thorough and balanced report she has drawn up on the basis of my motion for a resolution. In all major respects this report meets a number of fundamental requirements that must be satisfied if a People's Europe is to be extended to include the young people of Europe. In International Youth Year this may therefore be a significant achievement in the legal field, and I should also like to thank her for drawing up this report so quickly.

The rapporteur has taken up my proposal that something should now really be done about harmonizing the age of majority at political level, at economic level and possibly before the courts. Unfortunately, the situation in my own country is rather absurd: while the age of majority is 21, people have the right to vote from the age of 18 or 21 depending on the kind of election, local, national or European.

We hope that the adoption of this resolution by the European Parliament will prompt the Belgian legislature to implement the 1972 Council of Europe resolution, because its tardiness in other areas, such as natural parentage, where Belgium was condemned by the Court of Human Rights as long ago as 1979 and has still not made the necessary adjustments, and legislation on abortions, on which it is still dragging its feet, may continue for some time to come. We have no reason to be proud of the fact that one Member State of the Community still has no legislation on children born out of wedlock or even legislation that recognizes natural descent.

What makes Mrs Fontaine's report so attractive is that it focuses primarily on the way in which powers are progressively granted to minors in all the Member States. From the time of birth, when a child is utterly incapable of action and in need of total protection, to the age of majority, which we want to be 18, there is a whole period of evolution, which should be gradual. Young people gradually become independent, and they must have some protection in what they do, but they must also be able to assume full responsibility if society gives them the same opportunities and rights as any other inhabitant of the country.

What abstract legislation often overlooks is that strict rules sometimes fail to take account of reality. If we consider young artists, like Mozart, young inventors, young sports champions and stars, we realize we have no right to adopt a patronizing attitude towards talented young people. People under 18 also live in our culture. They spend more and more money, they play with computers as if they were toys — we say, but an adult couldn't — they sometimes succeed in penetrat-

ing secret data banks, they have their own ideas on what is good and bad in the world and they stand up for them.

I am thinking, for example, of the *'touche pas à mon pote'* campaign, with which young people showed that they are far less easily influenced by pernicious ideas from the past and that they can still save democracy in Europe.

One important aspect that the legislator in Europe usually does know what to do about is the problem of the sexuality of young people. It is evidently a subject the legislator does not want to consider. What is worse, he often acts as if sexuality was an evil that must be combated, especially among young people, as if this were an area in which requirements could be imposed on people. Some European countries still have a 'squealing law', which requires a doctor to inform the parents when a minor asks him for contraceptives. In another Community country the attempt has only recently been made to outlaw the prescription of contraceptives for minors. All that is achieved with such measures, of course, is an increase in the number of abortions among teenagers and the number of pregnancies. The law then provides for only one solution, and that is marriage, but only for women: girls of 15 are allowed to marry, but boys only when they are 18. Various countries have this age dispensation, which is completely outdated and absurd.

Mrs Fontaine, I should just like to draw your attention to the fact that you say in your report that in Belgium the *Procureur du Roi*...

(The President urged the speaker to conclude)

Mr President, when such absurd teenage marriages, which might be called 'shotgun marriages', fail, and sociologists and psychologists believe there is a causal link here, there are also minimum ages for divorce. In Belgium, for example, while you can get married at 15, you have to be 23 before you can get a divorce by mutual agreement. This is, of course, absurd. Many school-leavers are still minors when they start work, although starting work is in itself the act of someone who has reached the age of majority. This aspect is discussed at length and very clearly in Mrs Fontaine's report, but my group would like to point out that many school-leavers do not go into factories and offices: they join the dole queue.

Just one brief comment to conclude. In her explanatory statement the rapporteur says that, by analogy with the provisions on discrimination on the grounds of sex, there should be a directive prohibiting discrimination on the grounds of age without good reason. I welcome the principle, but what I find disturbing, of course, is the implication that discrimination against women would be allowed if there was a good reason. It is, for example, a fact that a woman can become

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pregnant, but in no way may this be seen as a reason for discriminating against her.

Mr Lambrias (PPE). — (GR) Mr President, ladies and gentlemen, I think we should both thank and congratulate our two distinguished colleagues, Mrs Van Hemeldonck and Mrs Fontaine, for their initiative and for their proposals which Parliament is called upon to approve. We are indebted to Mrs Van Hemeldonck for the motion for a resolution on the harmonization of directives relating to the age of majority within the Community's Member States. In the report by Mrs Fontaine that we are debating today, she broadens the scope of the proposed resolution and endows the directives relating to the age of majority and the legal capacity of young people with their true economic and social dimension.

The European Community, a group of countries aspiring to make up a single and undivided area of human activity — economic, social and cultural — and whose fundamental principles include freedom of movement for individuals, with special emphasis on freedom of settlement and the provision of services, this European Community will never fulfil its mission if it remains a complex of heterogeneous statutory islets, if each quasi-insular state insists, by virtue of force of habit and inertia, upon preserving national laws different from those of the other islets in sectors of particular relevance to European Integration.

Even in these times the European Community still insists on personifying Pascal's well-known saying: 'It is a strange justice that is imposed from the frontiers.' Truth from one side of the Pyrenees, error from the other. We must yet again grasp the point that harmonization of the national laws of Member States in sectors directly relevant to the functioning of the common market and the Community is a vital necessity. From this standpoint Mrs Fontaine's proposals for the harmonization of civil law relating to the age of majority should not merely attract our attention, but in particular the attention of the Commission and of the Council.

However, in my opinion the greatest contribution of the report we are debating lies in an extension of the scope of its subject-matter. The rapporteur does not only propose a uniform age of majority in all the Member States, something that has in any case largely been achieved by the definition of 18 years as the age of majority by most Member States. Mrs Fontaine also advocates the broadening and harmonization of social security for young people, both before and immediately after they attain their majority, with the abolition of discrimination on the grounds of age when assessing earnings and other social provisions. This supplements the civil sense of adulthood, which entails full legal capacity in civil law, with a kind of social coming of age that would entitle young working people to equal occupational and social treatment.

The report and its associated motion for a resolution contain fruitful ideas in the area of legislative initiative. It remains for the Commission and Council to make the most of these by being as courageous as the rapporteur in interpreting the manifold legal bases offered by the EEC Treaty. The political group to which I have the honour to belong adopts the rapporteur's views without reserve and will support them with its vote.

Mr Price (ED). — Mr President, the main reason why I support this excellent report is that it deals with how we enable young people to feel part of the European Community and to benefit from its existence. I regard the needs of young people as being central to the whole purpose of our Community.

Mrs Fontaine has prepared a very useful summary of how the position of young people in different Member States varies greatly. It shows how free movement is made more difficult for young people, who are the most mobile Europeans. I have tabled two amendments which I hope the House will support. The first adds experience as one of the objective factors which needs to be taken into account when assessing pay for young people. It is important to include this objective factor, since otherwise young people risk being priced out of the labour market.

The motion for a resolution calls for a programme of action. It will obviously take a long time to implement, and my second amendment draws attention to an issue which could be dealt with first. It concerns the right of young people under the age of majority to enter into contracts. This right is different in the various Member States. If a young person posts a contract from his home Member State to someone in another Member State concerning work in a third Member State, which national law applies? He may actually not be a minor under the law of one Member State, but he will be under another and even if he is a minor, his rights to enter into contracts will be quite different in each of the Member States concerned. This uncertainty could and should be removed by getting rid of these unnecessary differences and having a harmonized European law on the subject.

I understand that this amendment will be acceptable to the rapporteur if it is treated as a recital instead of an operative paragraph. I am happy to agree to that course. I hope the House will be able to accept the amendments. As I say, Mr President, I support this excellent report.

Mr Barzanti (COM). — (IT) Mr President, ladies and gentlemen, the problem raised by the Fontaine report is, in our opinion, rather more important than might appear at first glance.

With the exception of Belgium, which is on the point of changing its law anyway, the age of majority is

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apparently the same throughout the Member States. But behind this facade are serious anomalies and differences.

Any action, accompanied by the necessary flexibility and realism, to harmonize the basic elements which make up the rights attaching to the age of majority, or deriving from them, is in our opinion useful and positive, but also urgent. The anomalies and differences that at present characterize the status of young people in Europe, including their legal status, are in our view unjustifiable. There are important differences as to percentage reductions in pay; there are unacceptable anomalies in regard to freedom of movement in the Community.

As regards the right to vote and the right to stand for public office, this area is marked, again, by unacceptable discrimination. Take the right to marry, for instance, or the school-leaving age which varies within the Community from 14 to 18.

We believe, therefore, that one is bound to agree with what the report proposes: namely, a directive on the age of majority linked to the standardization of the corresponding fundamental rights and at the same time a recommendation, of a more flexible character, harmonizing the status of young people before the age of majority.

We should like to point out the need to underline forcefully the absolute necessity to adhere to the school-leaving age by scrapping the numerous and scandalous exceptions which are creating absolutely unacceptable situations.

If the Community can do all this, if on the basis of the report, with which we agree, it can give greater substance to the right of young Europeans to enjoy equal status among themselves, to be able to benefit from common principles on an equal footing, a step forward will have been taken in a struggle that cannot fail to deeply concern this Parliament.

Mr Donnez (L). — (*FR*) To the phrase in Mrs Fontaine's report 'Young people are the future of Europe' I would simply add, for my own part, that they are also its hope since they believe in Europe, perhaps because unlike their elders they have not experienced the divisions which affected our continent. It is possible to say, without fear of error, that all young Europeans have confidence in Europe. For my part I simply want to express the wish that this House will unite on the basis of Mrs Fontaine's report and show the same confidence in young people as young people show in us.

(*Applause*)

Mrs Lemass (RDE). — Mr President, I welcome Mrs Fontaine's report on the harmonization of the age of

majority under civil law and the legal capacity of young people in the Community. This motion for a resolution is particularly welcome during International Youth Year.

There is a bit of history attached to the determination of the age of majority over the centuries. In Northern Europe during the 9th, 10th and 11th centuries 15 years of age was generally regarded as the age of majority. There was a change when the mounted knight became important. For the past centuries the age of majority has been 21 years in most European countries. It had been supposed that it was raised to 21 because people were regarded as mature mentally and able to assume full responsibility for themselves at this age. But that does not seem to have been the real reason. The emergence of 21 years appears to have had less to do with mental maturity than with physical strength. When the mounted knight became important, a young man had to be strong enough to wear heavy armour and wield heavy weapons, and it was that fact that decided the age of majority.

In this day and age the capacity of young people to manage their own affairs is not decided by their ability to wear heavy armour or carry a heavy sword. In olden days women must really have been discriminated against if they had to prove that they could ride around like a knight in shining armour and carry heavy weapons.

There has been a general trend throughout Europe in recent years to reduce the age of majority from 21 to 18 years. Much of the legislation in Member States was originally implemented to protect young people. Whether that legislation affected their lives politically, educationally, employment-wise, financially or in whatever other way, much of it was good and for their good. But much is no longer necessary or justified and, in fact, sometimes works to the disadvantage of young people. There are very practical reasons why the age of majority has now been reduced to 18 years of age in most of the Member States. Our young men and women want independence. They want to make their own decisions. They wish to marry without having to obtain their parents' consent. They wish to jointly buy and own a home, obtain a mortgage, be able to buy and sell land and give valid receipts for the purchase of money without the intervention of a trustee or third person. They wish to make a valid will and enter into contracts of employment and to have the right of expression and representation at that work. They want to assume a full role in commercial and financial life. Our young people of 18 years of age are anxious and willing to take on the obligations of adulthood and should be given every opportunity to do so. Our young people with their sense of responsibility and new ideas and their determination to meet new challenges are our true wealth.

To a large extent earlier maturity has been the result of better education and a greater chance of equality of

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opportunity. The right to vote at 18 years of age in all elections should be implemented in all the Member States, and young adults who have reached the age of majority should have the right to seek election to national parliaments and local authorities. The views of youth should be reflected at every level of political life, and nobody can do that better than themselves.

Mr Tortora (NI). — (*FR*) Mr President, we the Italian Radicals welcome the report of the Legal Affairs Committee. Although she was cut off before she finished her speech, Mrs Fontaine explained to us very clearly the noble and somewhat difficult effort needed to find, in the jungle of national legislation, a principle, a cell, an embryo of common law — what our Greek colleagues call a *koiné* — where young people and their right to be regarded as adults, workers and equals on our continent are concerned. It is fully in keeping with the policy of the Radical Party to look to the law when campaigning for progress. We support Parliament's call to the Commission and the Council for a directive on what is a classical matter. We simply note with some bitterness that, with regard to conscientious objection — another subject of great interest to young people — we, the Radicals, called a few months ago for a uniform approach, based on the same principle and the same provisions in force, which should lead to the creation of a uniform right or at least force the Member States and the Council to work for the construction of a genuine citizen's Europe. It is meaningless, otherwise, to talk about a citizens' Europe.

The Legal Affairs Committee clearly recognized the obstacle of the specific legal codes of the countries we represent — penal code, family code, labour code, civil code, — which are often the source of Parliament's powerlessness. However, one day — and this is our hope — Parliament will have to ask itself if it has real powers. Unfortunately, to be young in Europe does not yet mean being a European. This is both disturbing and sad. We speak, we talk about a young people's Europe and of Youth Year, but in practice we are brought to a halt by old prejudices. This is not a good example for young people who see us in a way which is different from the way we see ourselves . . .

Mr Raftery (PPE). — Mr President, I welcome this report which advocates that the age of majority under civil law be rapidly standardized at 18 years in all Member States. In doing so, I would like to compliment Mrs Fontaine and indeed Mrs Van Hemeldonck for taking the initiative.

Young people are the future of this Europe that we are trying to build. As Europe progresses towards unity, it is only fitting that there should be harmonization of their rights and duties throughout the Community. It is fitting, too, that this recommendation should come in 1985, the designated International Youth Year, thus

giving tangible form to what we have been promoting in this Parliament — a People's Europe. Furthermore, the fixing of an age level for their rights and responsibilities can only be beneficial, I believe, for I have learned from 26 years of experience of dealing with young people that the most effective method of making people, and particularly young people, responsible is to give them responsibility. Conversely, they will behave irresponsibly if denied responsibility.

There are many other reasons too why this recognition of the rights and responsibilities of youth is important. Today Europe in general and my own country in particular is stagnating and suffering from pessimism, defeatism, cynicism and excessive reliance on others to solve our self-generated problems. Our society is now in urgent need of the courage we associate with youth as well as their idealism, energy and generosity, all of which, if properly harnessed, could do much to transform our decadent attitudes and bring back the spirit of self-reliance and sacrifice which was a vital ingredient in the building up of a war-torn Europe in the 1950s and 1960s. Giving them this kind of recognition and inviting them to participate fully in our society is the best way of tapping this invaluable human resource.

This report is particularly significant for my own country of Ireland, not because we are out of step with the majority at present, which we are not, but for the following reasons. We have by far the largest proportion of young people in the Community with almost 50% of our population under 25 years of age. This resource must get greater recognition and be more successfully harnessed to contribute towards correcting the many mistakes our politician and our electorate have made, particularly in recent years. It is important too for the reason that we are a relatively remote island nation of this Community with rather insular attitudes as a consequence of our remoteness. The harmonization called for in this report could help our young people immensely to travel, study and work throughout the Community.

Presently, not only is the age of majority under civil law not identical in all Community States, as this report points out, but the differences we see in the rights bestowed on our young people who have come of age, with regard to employment and remuneration, etc., show that even when young people have come of age the meaning of that concept varies from State to State. Consequently, the differences between the legislations of the Member States form a jungle of special provisions which, to their detriment, restrict the free movement of young people in the Community. In addition, this curbs their opportunities of taking the initiative to look for employment outside their country of origin and dissuades employers and craftsmen from taking them in and offering them useful employment, because their capacity to enter into the legal transactions involved appears too complex and uncertain.

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No country in this Community could benefit more from facilitating the free movement of young people to gain work and experience than my own country of Ireland, experience which, hopefully, they would put to work for the benefit of our economy on their return. For all these reasons and for many others besides, which I have not time to enumerate here, I am very happy to support this report and I hope it will get the support it deserves from this House.

Mr Ulburghs (NI). — (NL) Mr President, I should like to single out a few points in connection with Mrs Fontaine's fine report. Firstly, the laws in Belgium, my country, on the age of majority — 18 — must be adjusted to the pertinent Community directive as soon as possible.

Secondly, special attention should be paid to the counselling and educational opportunities of young people both at social and occupational level in the firm and at legal level. The legal aspect is particularly important in the case of the young unemployed and young workers who, because they lack experience and suitable assistance, are often severely punished. Assistance and prevention is preferable to punishment.

My third point concerns the right of young people to stand up for peace and their right to follow their conscience and refuse to do national service without suffering any disadvantages.

I also ask for special attention to be paid to the most vulnerable of young people: the young unemployed, apprentices, who are often used as cheap labour, and young immigrants, who are at a threefold disadvantage in that they are young, unemployed or poorly trained workers, and immigrants. I therefore call for the early implementation of the Marinaro report, which, among other things, proposes that migrant workers should have the right to vote, beginning at local level, which would do a great deal to encourage participation by young people.

And finally, I call on everyone to encourage the young in Europe, old Europe, to be dynamic since this is the only chance we have of making Europe itself younger and more dynamic.

Mr Clinton Davis, Member of the Commission. — Mr President, as in the previous debate I have been asked to reply on behalf of the President, for reasons which I gave in that earlier debate.

I would like to start by saying that this debate has been marked by a very justifiable concern on the part of every Member who has spoken to see that justice is done and seen to be done as far as the interests of young people are concerned. I think the whole House owes a debt of gratitude to the rapporteur and to Mrs Van Hemeldonck, not only for the extremely sensitive

speeches which they made on this issue but also for the very careful and interesting way in which the points made in the report and in their speeches were developed. It is right that we in the Community should seek to erase injustices, disparities and anomalies in the treatment of young people. What they are demanding and what they are entitled to is a square deal. There is no doubt that in this day and age, when so many young people are condemned to the misery of unemployment, often for many years, that a feeling of hopelessness and helplessness is endangering the Community itself. It is something we dare not neglect. The sense of rejection and isolation is already engulfing a number of our inner-city areas. We neglect that at our peril, because it is a lance which can be aimed at the very roots of parliamentary democracy itself.

So we have to take these matters very seriously indeed. I think that the report has done that. If there are any areas of disagreement between us, and I think there might be, one thing, it seems to me, is not as serious an issue as the speech of the rapporteur may have indicated, namely, the legalistic approach. In no way, having said that, do I wish to disparage the effort which the rapporteur has made.

I do make one little criticism — no, it is not little, but I hope it is a typographical error. It appears in paragraph 1, second indent, of the resolution, which refers only to men! I am actually talking about men and women. Having said that, and I am sure it is something which can be cleared up, I touch on the question of a slight difference in approach between the Commission and the parliamentary committee. I think it is a subject which surpasses in its significance purely legalistic questions. It is clear that consideration of the situation of young people has to place its main emphasis on the social and employment aspects of their situation. That is where I and the Commission would wish to focus our priorities. I will come to some of the legal arguments later.

Initially I would remind the House of a number of the measures which have already been taken in favour of young people, just to set the backcloth right. As long ago as 1967 the Commission adopted a recommendation to the Member States in which it made numerous suggestions concerning the types and hours of work permitted for young people, the length of their paid holidays, and so on. In 1966 it recommended the development by the Member States of their vocational guidance structures. The Commission has taken numerous further actions aimed at vocational preparation for school-leavers, assistance in finding jobs, and so on. In the field of the exchange of young workers within the Community, a third joint programme of encouragement was established in 1984, where financial assistance from the Community budget was also foreseen. A recommendation was issued by the Commission last year concerning *au pair* placements, and a host of other measures also exist in this field. I will

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not, of course, weary the House with a recital of them at this stage.

In addition to these existing measures, the European Council gave its unanimous approval in Milan to the development of work on a further series of measures. These were drawn from the second report of the Adonnino Committee on a People's Europe. The committee, like this House, felt it essential to involve and interest young people in the further development of Europe and, accordingly, made a number of detailed proposals in its Chapter V. The Commission is fully committed to following up this mandate. Accordingly, a proposal for a new four-year action programme for the development of youth exchanges is currently being finalized by the Commission; it will be known as 'The Europe Exchange Programme'. This follows up the resolution of Parliament on youth exchanges and on voluntary work abroad.

The aim of the new programme — which will be complementary to other Community activities in the area of youth exchanges, particularly exchanges of young workers — will be to improve both the quantity and quality of youth exchanges. I think that is wholly in accord with what was being argued by Mrs Fontaine. I think it will contribute to a more even balance between Member States as regards both receiving and sending young people on exchanges, and it should promote participation by young people from all kinds of social, economic and cultural backgrounds with an emphasis on the educational benefit of exchanges to the young people concerned.

The measures proposed would provide indirect infrastructural support for the development of exchanges — information, advice, training, and all those things that are essential to making this sort of programme worthwhile — as well as direct sponsorship of exchanges.

A word about language teaching. The Commission intends to put forward a first set of proposals around the turn of the year. Above all, these will concern the need to bring the living spoken language into the school by extending the scheme of language assistants and by ensuring that teachers and student teachers have adequate opportunity regularly during their careers to immerse themselves in the language that they teach.

I am sure that will have a major spin-off benefit as far as youngsters are concerned. I only wish that it had happened in my day and age, particularly as far as my ability to learn foreign tongues was concerned. There is also, of course, the insularity that has marked so much of past history, something which all of us of my generation deeply regret. We are determined that that sort of insularity must be eradicated.

Furthermore, the Commission is committed to the encouragement, as I have said before, of vocational training for a period of at least one if not two years for

each school-leaver. It is also taking steps to build on what has already been achieved in higher education.

I have referred to these points to remind the House of the volume of work already underway concerning young people. In view of this — I am sure the House will agree — it would be inconceivable to set aside existing priorities. So if the important topics raised by the report are to be accorded the wide discussion they merit, it is indispensable that their social and employment aspects should be studied in greater depth and that serious consideration should be given to the priority to be allocated as between measures.

That being said, the report does raise a number of issues of a legal nature and, as I have indicated previously, without going into the matter in any substance or detail, the Legal Service of the Commission would have considerable difficulty in agreeing with the arguments set out in the report concerning the legal basis for the binding actions proposed. Perhaps I can just briefly allude to that point, because the rapporteur did go into the matter in a little depth and I think that it is only fair that I should respond to the point she made.

First, Articles 7 and 48 provide for the abolition of discrimination in working conditions based on nationality. As the report often stresses, the discrimination in wages, union rights and so on are based solely on the grounds of the age of the person concerned and not his nationality. Therefore Articles 7 and 48 cannot be the basis for such a directive.

Article 50, dealing with workers' exchanges, does not foresee proposals for directives but rather a joint programme by Member States.

Article 119 prohibits discrimination in matters of pay based on sex. It is the only specific prohibition of discrimination in the Treaty based on grounds other than nationality, and the Commission does not believe that it can argue by analogy therefrom so as to force the elimination of discrimination based on age — an argument which the report seems to adopt.

Articles 117 and 118 essentially foresee Member States' cooperation in the social field. Although Article 118 does confer various powers on the Commission, it does not refer to Commission proposals for binding directives in this situation.

The report leaves as a final basis Article 235, but this Article only applies if it can be shown that the Treaty has not provided the necessary powers to attain one of the Community's objectives and that the Community action is necessary. The objective that the report has in mind is, of course, the free movement of persons. However, I have to ask these questions. Are the measures proposed necessary? Or are they simply desirable and beneficial rather than being essential? It seems to the Commission that the report does not prove that the measures are absolutely necessary to obtain free

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movement of persons. It rather gives expression to a simple desire to revise legislation which is felt to be obsolete, and perhaps justifiably so. Such revision could but not necessarily would have favourable effects on free movement. It does not therefore appear to us to be sufficient to fulfil the strict conditions of Article 235. However, as I said before, I do not think that the essence of the matter is to be found in a legalistic construction but in the political will to ensure that justice is done to the interests of young people.

I conclude by saying that we most certainly appreciate the importance of the subjects discussed in the report. We have digested them well, and it is right that people within the Community should digest them well. Although, as I say, we do not feel that it would be appropriate at this stage to modify the existing substantial work programme concerning young people, or to change the priorities within the legislative programme in favour of young people to which the Commission is already committed, none the less we very much welcome the tenor of the report and the contribution made by Honourable Members in this important debate this evening.

(Applause)

President — The debate is closed.

We shall now proceed to the vote.

Explanations of vote

Mr Elliott (S). — Mr President, this is a very worthy report and almost everybody spoke very strongly in support of it. I clearly want to give it my full support too.

The good thing about it and the reason why I am particularly inclined to support it is that it talks about the need to harmonize throughout the Member States the age of majority in relation to legal, marital and all sorts of other matters. This is, I believe, an example of

a type of harmonization that is clearly beneficial. It contrasts strongly with other examples of harmonization we are sometimes presented with, which seem to be harmonization for its own sake — like a standardized sausage, or standardized pint of beer, where clearly national diversity is desirable.

The report makes much of the question of employment. I must say I was surprised, though pleased, that Mr Price gave it his full endorsement. I only hope that he will pass it and its recommendations on to his political colleagues in the British Government. I have heard innumerable Conservative spokesmen in Britain in favour of a juvenile wage and of the need to get the wage levels for young people down. On page 17 of the explanatory statement there is a reference to the fact that sometimes young people looking for a job compare their first wage packet with what they can receive in unemployment benefits. Well, the British Conservative Government has got an answer to that: it is reduced wage levels for young people to a point where there isn't any advantage in working.

Mr Hutton (ED). — Mr President, I will vote for Mrs Fontaine's report, but I cannot cast my vote without pointing out one flaw in it. The table which my honourable and learned friend, Mr Price, praised is not quite complete in that it treats the United Kingdom as a single whole. It overlooks the fact that Scotland has its own separate legal system and that in some instances it has its own provisions for young people. These are touched on in the text of the explanatory statement, though not dealt with in detail.

Mr President, I hope you will be relieved to know that I do not believe the clans will rise and sweep through this House as a consequence of this omission, but I think it is important that honourable Members should be aware of the Scottish dimension of this matter as they vote on this important report.

(Parliament adopted the resolution)

(The sitting closed at 7.35 p.m.)¹

¹ *Agenda for the next sitting:* see Minutes.

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IN THE CHAIR: MR NORD

Vice-President

(The sitting opened at 9 a.m.)¹

1. Request for urgent procedure

President. — The next item is the request for urgent procedure with regard to the communication from the Commission to the Council, 'Progress towards a common transport policy: Maritime transport' (COM(85) 90 final — Doc. C 2-10/85).

Mr Anastassopoulos (PPE), Chairman of the Committee on Transport. — (GR) Mr President, I must express my surprise, and that of the Committee on Transport, whose chairman I have the honour to be, concerning this urgent summons by the Council of Ministers.

The President of Council, Mr Schlechter, in a letter he sent to the President of Parliament last August, had already requested that we should move quickly in considering four of the six proposals by the Commission concerning the Community's policy on merchant shipping. In Avignon, the Committee on Transport had decided to discuss the matter with Mr Schlechter, at a meeting to take place during our forthcoming session in Brussels, in one week's time.

¹ For items relating to the approval of the Minutes and the announcement of motions for the topical and urgent debate, see the Minutes of Proceedings of this sitting.

What can have happened in the meantime to bring about this second urgent request we are considering today? We have no idea. Personally, I would not wish to associate myself with the current of suspicion that links Council's haste with an attempt to create *faits accomplis* before the accession of Spain and Portugal, or even with the elections in the Netherlands. The reason given officially by Council is the crisis faced by Europe's merchant fleets. And there unfortunately is a crisis, indeed a most acute one, but it didn't happen yesterday, and I fear it will not be over tomorrow whatever the measures we adopt, no matter how effective. The problems faced by the Community's fleets today are the same as those which have been putting the Community's merchant shipping to the test since 1980, when worldwide recession first began to bite. Ever since then we have seen cut-throat competition, with illegitimate practices as pointed out in the Memorandum, ceaselessly applied by fleets sailing under the flags of countries with State-controlled trade (the Comecon group), the flags of certain Third World countries, or flags of convenience. Ever since then the Community's fleets, and those of other Member States of the OECD as well, have constantly shrunk at a rate of 21% within five years, so that our capacity in 1985 is about the same as it was in 1975. Since I come from a country with the largest merchant marine in the Community, a force already particularly badly affected by the last crisis, I suppose you can imagine my personal sensitivity in the matter. I think we all agree that the Community must act, indeed as soon as possible, to improve the situation. For years Parliament has been asking the Commission to submit proposals to deal globally with this great problem. The Commission took years to prepare its Memorandum No 3, but its proposals relate to shipping in a narrow sense and do not cover sectors such as shipyards, ports, safety at sea or pollution, and I fear that they are more relevant to yesterday's problems than to

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tomorrow's. These proposals took years to be worked out, and have provoked considerable reactions; can it be that Parliament is called upon to examine them in just a few weeks or months? Other colleagues of mine would say that Council's request is in the nature of a challenge. I limit myself to saying that it cannot be serious, it is a practical impossibility to ask Parliament to give an opinion within the next few days. Council cannot dictate the rate at which Parliament works. In other respects we have every wish to cooperate with Council, but as things have turned out I am compelled to ask my colleagues to reject this proposal in its entirety.

(Applause)

Mr Newton Dunn (ED). — Mr President, the Council is partly right in that this is an urgent and important matter. We do not dispute that. But to put in a request this week for our opinion this week is insulting, clumsy and inexplicable, I think. The Council knows that the Committee on Transport at its last meeting on 26 September made a decision to write to the Council asking whether it would be able to delay its decision beyond December. If not, our committee would make its decision and give it to the House in plenary sitting so that the Parliament could issue its opinion by December. The Council has not replied to that letter, unless this peculiar request for an opinion this week is its reply! We recognize in the committee — and I think in the Parliament too — that a speedy Parliament opinion is very important, not only because we want to influence the Council's deliberations but also because the Community's fleet is under pressure and in decline. The Council knows the situation perfectly well, and therefore, unless it is willing to withdraw its request right now, we should vote against it.

(Parliament rejected the request)

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Mr Ford (S). — On a point of order, Mr President. Could I refer you to Rule 83(1), on points of order, which allows a Member to speak for up to three minutes on the point he is trying to make, because it is quite a complex one.

I was told last night that it is planned for the enlarged Bureau today to recommend that in the November part-session there will be neither a Question-time in Parliament nor topical and urgent debates. Can I refer you to Rule 44(1) on Question-time, which states that

Question-time shall be held at each part-session at such times as may be decided by the Parliament on a proposal from the enlarged Bureau.

That is to say, it is not an optional provision and, in fact, it is not even something that can be overturned by

a majority of this House without going through the procedure for a rule change, because the Rules are there to protect minorities.

Further, Rule 55(3) states:

One or two periods, together totalling a maximum of three hours, shall be set aside in the draft agenda for debates on topical and urgent matters pursuant to Rule 48.

That equally applies to each and every part-session.

So, on the basis of Rule 44(1) and Rule 55(3), could I ask you, under Rule 83(2), to make an immediate ruling that it would be inadmissible for an agenda to be brought forward to this House that did not contain a Question-time and time for topical and urgent debates.

President. — Mr Ford, I cannot make an immediate ruling of the kind you request, because the Assembly will have to decide on a proposal for the order of business for November at the proper time. What I will do is to notify the Bureau of the Parliament — which meets this afternoon — of your intervention and, no doubt, an answer will be given to you immediately afterwards.

2. Implementation of the 1985 budget

President. — The next item is the oral question, with debate, by Mr Langes on behalf of the Group of the European People's Party, Mr Dankert on behalf of the Socialist Group, Mr Curry on behalf of the European Democratic Group, Mrs Barbarella on behalf of the Communist and Allies Group, Mrs Scrivener on behalf of the Liberal and Democratic Group, Mr Paisley on behalf of the Group of the European Democratic Alliance, Mr Cot on behalf of the Committee on Budgets, and Mr Aigner on behalf of the Committee on Budgetary Control, to the Commission, on the implementation of the budget of the Communities for the 1985 financial year (Doc. B 2-943/85).

Mr Langes (PPE). — *(DE)* Mr President, our honourable friend Mr Notenboom raised this question nearly 10 years ago, and the procedure has since become an established instrument of overall parliamentary business. I should thus like to thank my honourable friends from the other groups for the fact that all the groups have supported this debate with the Commission on the budget for the current year.

The questions, as I would remind Commissioner Christophersen, were put in writing. Yesterday evening we had a rather strenuous meeting of the Committee on Budgets from which it emerged that we shall not be able to give answers to a number of questions

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regarding 1986 until we know exactly what the progress of the budget for 1985 has been. I know, for example, that the Commission has found it difficult in 1985 — and indeed in previous years also — to see clearly whether available funds were going to be sufficient, since certain changes on the foreign exchange market may cause sizeable shifts. I also know that the Commission has difficulty in pushing through many a policy which is desired by Parliament, simply because the Council has not issued its directives or not yet reached its decisions. On the other hand I know, of course, that the Commission too repeatedly drags its feet on things. This complicated policy, perforce involving the three institutions of Parliament, Commission and Council, should nevertheless ultimately, as the Members of this House certainly understand it, reflect the will of the citizens of Europe.

In addition of these general questions which I have put to the Commissioner on behalf of my colleagues too, I should like to ask a few more special questions which reflect Parliament's political will as expressed in its 1985 budget stance. I would remind you of the question of aid to Poland, a matter of controversy here but subsequently upheld by a large majority in Parliament, which proposed to initiate a programme of agricultural development in Poland together with the Catholic church. Was that money spent? Are the measures currently under way and what is the true position regarding the problems of transporting food aid? Is it true what we have read and also heard in the Committee on Development and Cooperation, that some aid reaches the port but does not then get to the starving? And what has become of the structural plan agreed on by our foreign ministers in San José, which was to receive 120 million ECU, so that Europe can give tangible aid to the individual countries without discrimination? Has this aid started in 1985? Are there visible signs of European support? Or, to take another example: we have established that the Council still does not consider transport policy to be particularly important, but Parliament has been trying for years to show, by the provision of funds, that it sees a common transport policy as part of Community policy, a view in which the European Court of Justice has also upheld us by a four-fifths majority. Has the money set aside for this been used to good effect? Has it lapsed, perhaps, or is it perhaps being carried over? That would be the best solution for 1986.

There are a series of other questions. I would remind you that it is not by chance that we have designated 1985 as European Music Year. We were agreed that it is precisely music which expresses the community of artistic creativity and Parliament was thus in favour of aiding young musicians and composers. A mere 100 000 ECU were earmarked for this purpose, but has the money been used? Has this small aspect of the idea of common economic culture found expression, for example?

Mr Commissioner, sir, I have named these points simply as isolated examples from a long list. I know that

you are a conscientious, intelligent man and that you will give me a detailed answer right away. I have restated these points merely to make it clear to the House that budgetary policy is naturally part of general policy in the European Parliament as in any other parliament, though most especially here, and as our legislative powers are limited, approval or otherwise of the budget is for us *the* great instrument of policy-making. But we know only too well how this can be got round, particularly by the Council but sometimes by the Commission too, and so we must be very careful to ensure that the ideas and positions endorsed by Parliament and which constitute valid budgetary acts are also translated into policy.

I await the Commissioner's reply.

Mr Christophersen, Vice-President of the Commission. — (DA) Mr President, I am pleased to have this opportunity of explaining to Parliament how we see the implementation of the budget for 1985, and I have chosen to present the Commission's views in two different ways. I have taken the liberty of having distributed among the Members of Parliament a written presentation, in the form of a manuscript, which reviews the main problems under each chapter. But I should like to take this opportunity of drawing your attention to some of the more fundamental questions, so that we can have as broad a debate as possible. In that connection I will of course also try to answer Mr Langes' specific question. I would also point out that I am alive to the two points mentioned in the Discharge Resolution for 1985, *viz.* points 21 and 22, in which the Commission is called upon to evaluate or re-evaluate the budgetary requirements for the following year on the basis of the knowledge we have from the implementation of the budget for the current year. I mention this because I am aware that both the Committee on Budgetary Control and the Committee on Budgets have been concerned with the matter, and I can say the same thing to you here that I already said yesterday evening in the Committee on Budgets. I repeat that I will send a statement explaining how our wishes in respect of transfers at the close of the budget year affect our assessment of requirements for the coming budgetary year.

But if I may start with what I find the first interesting and new feature of the implementation of the 1985 budget, I would mention the high level of implementation to be seen in pretty well all areas. There are, of course, exceptions, but generally speaking we have a situation in which, in a number of areas, it is even possible to speak of underbudgeting. I pointed that out when we were finalizing the budget in the spring, but we can now see that it is a fact. In the structural fund sector in particular, the need for payments is considerably higher than is indicated in the budget. On the other hand, we shall not be faced with problems in the compulsory expenditure sector in 1985. If we take the entire EAGGF (Guarantee Section), for example, we

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can now see that short of entirely unforeseen spectacular occurrences — and we do not think that any such factors will enter the picture — we shall fully implement our budget for the EAGGF (Guarantee Section). But, while there will not be any further payment requirements, there will also not be any significant surpluses, and we therefore have a slightly different budgetary situation to that we have faced so many times in the past. We thus have an untroubled picture in the major compulsory expenditure sectors. On the other hand, we have clear underbudgeting in a number of the major non-compulsory expenditure sectors and a high level of implementation.

But this in itself is both a good thing and a problem. It is a good thing in that it shows that the Community's expenditure policy is a dynamic element. And one of the reasons for the fact that we have a very high level of implementation, that in some areas we even have a shortage of payment appropriations, is that some of the structural policies are being implemented at a faster rate than originally intended. It is also indicative of the fact that the Member States are now more prompt in making their calculations and in presenting their demands to the Community. There is thus a certain dynamic element. On the other hand, it is clear that it raises some problems for the coming budgetary years. I shall return to this.

If we now look at some of the major fields, the Regional Fund for example, we see that all the appropriations for commitment will be used this year, all the payment appropriations will be used, and there will therefore be a very large amount — some 300 million ECU — in unpaid commitments, which will have to be carried over to 1986.

Or take the integrated Mediterranean programmes. In this field we did not expect payment requirements this year, but we did anticipate that appropriations for commitment would be given, and this is how we expect things to go. For, now that the Council — I think it was on 23 July — has adopted the Regulation, we have begun to receive applications from the three Member States covered by the programme, so that we can give appropriations for commitment before the end of this year.

Or take the Social Fund, another major example of our over-implementation of the budget. Clearly in the sector referred to as 'specific measures' the appropriations have only been partially used, but in the large field of 'general measures' we have received applications for support far in excess of the appropriations available. Even if we endeavour to achieve a more balanced distribution between the two groups of arrangements, we shall be forced in 1985 to carry forward a payment requirement of some 200 million ECU, i.e., an amount we cannot cover this year but to which we have had to commit ourselves, because the applications in question meet the objective requirements of the Regulation.

Or, for a fourth example, take the EAGGF (Guidance Section): here, too, we can see that the Member States are calling for the support funds sooner than we expected in the Commission. There has been a distinct change in the normal pattern of implementation of the EAGGF structural arrangements, with the result that we are faced here with actual underbudgeting to the extent of about 150 million ECU. I would stress here that the limit the Council set in the spring decision on the structural policy for the next five years, a ceiling of slightly over 5 000 million ECU, will without any doubt be used to the full.

It is important therefore that there should be no underprovision for the EAGGF (Guidance Section) in the budget for 1986 and that the experience gained of the course of development we are observing in the current year should be drawn upon in the budgetary procedure.

A further sector which deserves mention and in which we see the same pattern is food aid. Here, too, there are, of course, problems — Mr Langes is absolutely right there; I can confirm that there are a number of technical and logistical problems. The areas in which the aid is needed are not as well served by transport and distribution facilities as we might wish. I can state that we on the Commission side have made an effort to see whether local conditions can be improved. I could give examples of how aid has lain stranded for weeks, but we are endeavouring through negotiations with national and local authorities to get these problems out of the way. Unfortunately, we do not always succeed in this, but that does not alter the fact that all the appropriations for commitment have been used and that we have to carry forward a significant amount on the payments side to the next budgetary year, unless we can even out the build-up by means of transfers, which I hope we can.

In the transport field, which has been a very critical one in relations between the institutions and in which we have recently seen a judgment from the Court of Justice which clearly conceded Parliament's view, we can hope for better implementation this year. It now rests with the Council, but if the Council at its November meeting takes a positive decision on the medium-term transport policy, it will be possible to use all the appropriations for commitment taken out for transport policy this year.

In these major sectors we are faced either with full utilization or with over-utilization, with the result I have drawn attention to that we shall be carrying forward the expenditure into 1986 — unpaid commitments — and it will therefore form an element in the 1986 budget. Speakers have referred to the burdens of the past — and the Commission is glad to hear this. I should like to draw your attention to the fact that 1985 is actually the first financial year in which this problem has made its appearance in earnest and in which we can see a real — I would almost say politi-

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cally ordained — underbudgeting on the payment appropriations side. It is therefore of the utmost importance that we take account of it in the 1986 budget.

To complete the picture, I would also mention the increased financial burden which exists. I would draw your attention to a single figure which is not in our budget but which nevertheless needs a mention in the 1985 context. It is the figure for the deficit carried forward from 1984 to 1985. It is quite a substantial sum — 231 million ECU — which, because of the factors I have mentioned, we are forced to carry over to 1986 and which we tried in vain last spring to persuade the Member States to cover by the intergovernmental agreement. They were not willing to do so, but it is a result from 1985 which is now being carried forward to 1986.

So there are exceptions, and clearly no budget can ever be implemented 100%, or at least I have never seen it happen. The legal or political preconditions may be lacking. If I may mention one political precondition, it concerns the support to Polish agriculture which Mr Langes spoke of. A sum of 2 million ECU was entered, quite correctly, for that item; the Council accepted it in its second reading and Parliament confirmed it, but our problem — I think that Mr De Clerq will be dealing with the question later in the week — is that there is no recipient's address. We have, quite simply, not been able to find an institution in Poland able to receive the money — clearly a political problem.

We also have a politico-legal precondition which is lacking. It is the 14 million ECU appropriation for hunger in the world, a constructive programme designed to increase self-sufficiency. The Council has so far not been willing to adopt the proposal which the Commission dutifully submitted to it. Even if the Council finally decided to adopt it tomorrow, we are so far through the year that the sum could not be used this year. It is the Commission's view that this money should be used to help finance the rapid increase in food-aid expenditure, but the Commission will, of course, continue to urge the Council to adopt it.

On the other hand, in the same connection, the question Mr Langes put on support to composers can be answered in the affirmative. The commitments entered into in connection with European Music Year have been used up. Agreements have been entered into under which the commitments have been used: all that remains is to make the payments.

There is another problem I would draw attention to — namely, the research and technological development area, in which we have had an unsatisfactory, long-drawn-out procedure in connection with consultation and the conclusion of contracts. In other words, we have overbudgeted here. That does not alter the general picture, but this is a field in which we need a more

effective and more rapid implementation of the budget, and this is something we appreciate in the Commission. There is an unused amount which we propose should be transferred to other chapters.

Despite these exceptions, the picture for the current year is quite clear: compulsory expenditure is being held to the anticipated levels, not least in the agricultural sector — there are no problems here in the current year. On the other hand, we are faced with definite underbudgeting on payment appropriations for the non-compulsory expenditure concentrated around the three structural funds, food aid plus a smaller amount for the non-associated developing countries. On that basis, we must also reflect on how the budget for the coming years is to be drawn up. It is in effect this course of development which is one of the reasons why the Commission attaches such great importance in the current budgetary procedure to warning the budgetary authority against further underestimation of the payment requirement, for we may then find that the structural funds simply cease to function as intended and that we have either to suspend utilization of the appropriations for commitment or to announce that payments can only be made with very long delays, with all the consequences this may have for a number of Member States and hence also for a number of aid recipients.

I hope that these remarks by way of a supplement to the written explanation I had distributed have conveyed the Commission's assessment of the 1985 budget implementation.

(Applause)

Mr Price (ED). — Mr President, the Notenboom question has proved very useful over a number of years in enabling us, before proceeding to the first reading of the draft budget for the following year, to look at the implementation of the current budget. But the weakness of our present procedure is that it involves asking for a great deal of detailed information to be given orally. Perhaps the speech is distributed in advance but, nevertheless, it is essentially an oral procedure. This debate could be improved if each year we had all the necessary information at least a fortnight in advance. That way we could consider matters of substance and use the debate, not just to get information, but actually to assess its impact.

It is for that reason that, when Parliament adopted the discharge report earlier this year, it included certain paragraphs on the utilization of funds which dealt with this particular problem. We called on the Commission to submit a written report on utilization to both arms of the budgetary authority by 30 September each year. We then resorted to a process of what you might call management by exception: drawing attention to the problem areas. The discharge report called for a 'listing of all lines where the Commission expects

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utilization of either commitment or payment appropriations to be less than 90%, and showing against each such line its estimate of probable utilization, brief reasons for the underutilization and its proposals as to how the balance should be dealt with'. It also called upon the Commission to reassess its needs for the following year's budget in the light of that report and to advise both arms of the budgetary authority.

The point is that we tend each year to operate on the basis of the Commission's preliminary draft based on the previous year's figures. We are like the man who seeks to catch a train on the basis of last year's timetable. The object of that discharge resolution was to give us this year's timetable just in time before we adopt the following budget. Now, the report which Parliament called for has not yet been distributed to everyone. I have what I think is a preliminary version, I hope that the report will be made available and widely distributed before the Committee on Budgets decides its position prior to the first reading of next year's budget. I think it will help enormously for this year, and I hope that the report will be available in future years by 30 September.

Mr Pasty (RDE). — *(FR)* Mr President, colleagues, following Mr Christophersen's very clear and detailed reply, I should like to return to the matter of the operation of the structural funds during the present financial year, since this will be one of the main problems which will concern us during the 1986 budgetary debates.

Mr Christophersen said just now that there had been a policy of under-budgetization — the word 'policy' is his — where the structural funds are concerned. In fact, and we can now verify this, there is an under-provision of 515 million ECU for the 1985 budgetary year alone, i.e., 299 million ECU for the Regional Fund and 216 million ECU for the Social Fund.

Parliament quite obviously cannot accept such a state of affairs, because that would negate any amendments which we vote within the framework of the structural policy. I am going to ask a question, but it is probably better addressed to the Council than to the Commission. If this problem is not settled in 1986, the structural funds will be completely paralysed. Not just that, they already are in 1985 — and I have been able to see this in my own region, when I enquired about the payment of a subsidy under the EAGGF (Guidance Section) on the modernization of a public slaughterhouse, and was told that the subsidy could not be paid before the beginning of the 1986 financial year as the provisions were inadequate.

That means that we are making it impossible for any structural fund intervention to be effective, because if contractors have to go on borrowing at considerable rates of interest against European aid which does not arrive, we might just as well amputate the aid which

comes from the structural funds; it also means that the policy of encouragement and incentives which we wish to apply at European level no longer has any significance.

In the same way, I should like to know why the credits which had been provided for pilot projects and projects leading towards the integrated programmes for the Mediterranean have not been fully utilized.

I think that some of the responsibility for this lies with the national administrations, which have not always done what they should for projects to be carried out at the proper time. However, I should like to have the Commission's opinion on this point.

Mr Elles (ED). — On a point of order, Mr President, I should simply like to draw everybody's attention to the absence of the Council from this discussion. The problem of under-budgetization stems from their own decisions, and I would ask that they be present to listen to this debate.

President. — The oral question is directed to the Commission, as you know.

Mr Lalor (RDE). — Mr President, I simply want to join with a number of my colleagues in complaining about the provision made this year in relation to the running of the Communities. We had the report just now from Mr Christophersen, and the important point he made clear was that, with the budget only being finally cleared in June of this year, it was impossible for the Commission to make the necessary provisions and ensure that the budget of the Communities is operated and administered properly. This in one of the lessons the Council ought to have learned after the under-provision of last year. In fact it should serve as a warning to the Council, who are in charge of this whole situation, not to make the same mistake again. Unfortunately, we now find ourselves facing exactly that position. We have been under-providing up to now, and the Committee on Budgets is having to burn the candle at both ends.

Last night, in an attempt to see if some plan could be worked out whereby the Council could be prevented from making the same mistakes, we had the Commission explaining to us that we have had, and still have, an insufficiency of resources in the Social Fund, the Regional Fund and the EAGGF. The cash we need to make this operation work and have the Community running properly is just not there. And this is the responsibility of the Council. I can only agree with the criticism already offered and join in the general appeal. I hope the Council will read this report and see how concerned Parliament is that the Council have refused to allocate the required amount of money.

Here we are, expanding from 1 January next, with no provision being made for that enlargement or, cer-

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tainly, insufficient provision. We are getting deeper and deeper into debt. Given the late provision, one of the things that most concern this Parliament is the food aid programme. The Commissioner had to say that because of the late arrangements made and the difficulties with the distribution of food aid for which provision was made, the programme could not be fulfilled as planned. On the other hand, he did say in connection with agriculture that Member States were able to use up what money was available, and I do not think there is any difficulty there. Certainly in my own country there is insufficient money for agriculture, owing mainly to weather conditions this year. That is something which has already been dealt with and I do not want to go into it, but I do feel we should use this occasion to remind Council of its responsibilities.

Mr Aigner (PPE), Chairman of the Committee on Budgetary Control. — (DE) Mr President, ladies and gentlemen. I should like to begin by thanking Mr Christophersen most warmly not only for his clear statements but also, and I think I can speak for the entire Committee on Budgetary Control here, for the quality of the cooperation with the Commission which we have seen in the last few months under his vice-presidency. We have the feeling that the atmosphere has never been as good as it has in our dealings with you, Sir.

As regards the procedure itself I would not wish to repeat what Mr Price has said. We need to achieve an intensive dialogue. Our main opponent is of course the Council which, although a Community body, has in reality deteriorated into a body representing a cluster of national interests, to a degree which has become virtually intolerable.

Regarding individual positions: I would say to Mr Christophersen that we have held a preliminary discussion on this debate in our Committee. I myself have prepared a working paper analysing the implementation of the budget and I shall refer to it. We agree in principle with what has been said here, but I should like to add a few points. Would it not be possible, Sir, to increase and coordinate staff allocations to programmes which have reached an impasse in certain directorates-general? We cannot judge the details from here, the requisite changes are a matter for the Commission, but the question is not always one of staff but often of organization.

I can give an example of what I mean: Parliament has piled up funds for the non-governmental organizations each year. But the flow of funds is conditioned not by the speed at which the projects are processed, but by the impasse reached over the checking of projects. Surely it should be possible here to allocate additional staff on a short-term *ad hoc* basis, and draw on them later for any further jobs which may be required. A second observation as regards food aid: much has already been said about this, but for us there is a parti-

cular problem. I would remind you of my correspondence with the Commission on the transportation of food aid. For me and my Committee it is unacceptable that Community food aid should be carried to the famine areas by Soviet aircraft. People then think the supplies come from the Soviet Union, when of course they come from the Community. In private life the rule is 'do good, and keep quiet about it', but in the Community the opposite should apply 'do good, and tell as many people as you can'! The rule for the Community is somewhat different from that which applies to the individual.

We are most concerned by the question of the flow of funds given that the Council says there is no legal basis for it but then fails itself to provide that legal basis. I would repeat the plea I have already made before our Committee. The Commission, with the backing of Parliament, must have the courage where possible to accept the budget itself as a legal basis and, as the budgetary authority has decreed, to use the funds even if the Council disapproves. This may lead to conflict with the Council, but in that event let the Council take the matter to the Court of Justice. I am convinced that in the question of Parliament's budgetary powers versus the Council's legislative powers, if the Court rules that the Council is at fault then the legal position of Parliament would be strengthened. Hence my plea for a little more courage than has been shown in the past!

Mr Christophersen, Vice-President of the Commission. — (DA) Mr President, I have not many things to say, but I should like to begin by thanking Mr Aigner for his kind comments of a more personal nature. If we have to be subjected to scrutiny — and a Commission and a Commissioner responsible for budgets certainly should be — it is of course nice if the scrutiny is carried out in a relaxed and human manner. On that basis I am happy to continue coming to the committee, and I hope that we can solve the problems which are our common concern.

I must say that one of the major problems is, of course, that reiterated by Mr Pasty: politically ordained underbudgeting. I already pointed out what was needed in the spring, when the intergovernmental agreement was debated. So no one can come back and say they did not realize that there would be underbudgeting for the current year. But it is, of course, dangerous to recognize the principle that it is politically possible to permit underbudgeting in the Community, while at the same time it is not permitted to have an unbalanced budget. The natural consequence of the need to balance the annual budget should be that there was no underbudgeting to start with, and for that reason I think it is important we get across the untenable nature of the situation.

Mr Aigner raised the question how the Commission's internal administrative arrangements could be strengthened. I should like to mention two examples

Christophersen

of what the Commission is at present undertaking here. One is the decision to set up a special task-force for coordinating the operation of the structural funds. This task-force will have started working before the end of this year. I anticipate that it will start to function as an administrative unit from about 1 November. The intention in setting it up was precisely to try to remove some of the bottleneck problems. Another example concerns the studies we have launched into the administration of resources by certain departments, by which we are endeavouring to find out how we can strengthen the entire administrative effort through better reporting systems, better monitoring of operations, better multiannual planning, continuous adjustment of programmes and many other expedients which experience elsewhere has shown can solve bottleneck problems. Thus we are attentive to the problem raised by Mr Aigner, although it is something which will take years to function properly, because the Commission's tasks and the scope of the budget are such that it is not possible to get things working on a broad front overnight. But we are fully aware of the problem.

Mr Price raised the question of how it was possible to ensure that this debate and Parliament's first reading of the budget in general can take place with all the available information to hand. I wish we could have presented this report, which I am pleased Mr Price has been able to read. It always impresses me how things of this nature always manage to get to the people who need them, without any initiative on my part. But I can inform him that it will be available in all 7 languages in the course of the next 10 days, so that Parliament will have it before the first reading of the budget. But I shall do my best to ensure that we get it earlier in future years. It is merely a question of timing: on our side we want to be able to go as far into the year as possible in order to make a realistic assessment of how the year will end, while Parliament for its part wants the information as early as possible. It is a balancing act, but I believe we can improve it. Now we are sending out the actual report, and on that basis it will be possible to continue the discussion of the draft budget for 1986 as well.

(Applause)

President. — The debate is closed.

3. *Development aid (EIB)*

President. — The next item is the report by Mr Dimitriadis, on behalf of the Committee on Budgetary Control, on the budgetary-control aspects of the management of Community development aid funds by the European Investment Bank (Doc. A 2-95/85).

Mr Dimitriadis (DR), rapporteur. — *(GR)* Mr President, the Committee on Budgetary Control, in its

report to be debated today, deals with a range of problems concerning the management of Community development aid funds by the European Investment Bank.

It should be recalled that our Parliament has repeatedly considered these problems in the past, so that in a way the present report is an outcome of the resolutions of 13 October 1981, 20 April 1982, 15 April 1983 and 10 April 1984.

In its report of May 1984 on the management of development aid funds, the Court of Auditors analyses the problems it encountered during the audit, which can be summarized as follows:

First, the Court of Auditors' inability, on the basis of the information supplied to it from the Commission's files, to comprehend fully and in depth the details of how the European Investment Bank managed the development aid funds.

Secondly, it was only possible in a limited number of cases to effect substantial supervision of the Commission's instructions to the European Investment Bank.

Thirdly, the need to balance the costs associated with the European Investment Bank's implementation of the development aid programmes with the relevant expenditure incurred by the Bank for this purpose.

Fourthly, the need for some assessment of the degree of efficacy of finance provided for development aid, always within the scope of the Community's policy in force.

The central issue in this entire matter, however, is to secure the prerequisites to enable the European Parliament fully and consistently to exercise its responsibilities and policies in this sector.

The Committee on Budgetary Control believes that its present report opens the way towards dealing with and solving these problems, after clarifying the legal status of the audit powers of the Court of Auditors while at the same time recognizing that the EIB is an autonomous Community institution established under the terms of the Treaty of Rome.

In other words, it is made clear that the Court of Auditors has unrestricted powers of audit over the development aid management operations of the EIB, and that the effective exercise of those powers must be ensured by exchange of information and liaison between the parties involved, to provide a complete picture of the Bank's operations in this sector of aid. The development of the various programmes should be monitored and their success evaluated; in other words, there should be some assessment of the efficacy of the Community's policy on development aid.

At the same time, the report outlines a basis for balancing the EIB's expenditure and earnings in respect

Dimitriadis

of its management of development aid funds, while account is also taken of the special problems and interests of all the interested bodies of the Community.

(Applause)

Mrs Schmit (S), *draftsman of the opinion of the Committee on Development and Cooperation*. — (FR) Mr President, ladies and gentlemen, as regards the report on the management of Community development aid funds by the European Investment Bank, the rapporteur, Mr Chrysanthos Dimitriadis, and the draftsman of the opinion — that is, myself — would like firstly to remind you of the reports, resolutions, definitions, explanations which preceded it; secondly, to establish a nice distinction between the budgetary control applied to the ACP countries, the Maghreb and Mashreq countries, the EDF, which is necessary because institutions are unsuited to the realities of development; thirdly, to manifest — perhaps — some sympathy for the Court of Auditors, some firmness towards the Commission and a measure of suspicion where the EIB and the Ministers for Finance of the Member States are concerned! All this in a vocabulary — with apologies to the rapporteur, because I have fallen into the same trap as he — which is inhumanly technical, technocratic, officialese, whereas our *ad hoc* speeches are concerned mainly with development, which as Edgar Pisani said, is not a matter for negotiation, but for thinking, wanting, doing, living.

In actual fact, behind the tables and statistics, the figures and percentages, there are burning problems of hunger, poverty, indebtedness, of the conflict between North and South, of agriculture being ruined by desertification, drought and monoculture and of incipient, stumbling industrialization which never contrives to make any positive progress, even if there is a wealth of natural resources and raw materials on the spot. Hence — and I am also speaking on behalf of the Committee for Development and Cooperation — my reference to budgetary treatment of the EDF, and also my exhortation to the EIB to create a better balance between receipts and development expenditure, so that as the embodiment of a European Community which is humanitarian rather than commercial, it cannot unworthily be suspected of profiting from its role of development bank.

I call upon the EIB to make its actions and transactions as transparent as the glazing of its headquarters in Luxembourg, not only to the Commission, but also and more directly to the Court of Auditors and, therefore, indirectly to the European Parliament.

My final exhortation is to the Members of this Parliament — and to their electors — to take a greater interest in the functioning of a banking system which has to be rational and orderly, not just for the sake of orderliness, but for the idea of a European policy which is continually improving, in the service not just

of a better Europe, but of a better world, a better third world.

Mrs Boserup (COM). — (DA) Mr President, this topic of debate is not a major attraction, though it borders on that area which is very popular in this Chamber called development policy. When it is boiled down into an auditing matter, interest disappears, perhaps because of the many technical aspects which are involved.

What we are dealing with here is an old issue; the Court of Auditors stated in the annual reports for 1980, 1981 and 1982 that there was too little information from the Investment Bank. That led to some small improvements and to some exchange of correspondence, but real improvements are not to be expected in this field. It is like rowing in treacle if you want to achieve anything here.

We deplore the fact — and I thank the rapporteur for an excellent piece of work — that the Investment Bank operates as a commercial bank where projects in the developing countries are concerned. This is quite meaningless; it is indeed meaningless that the Investment Bank should operate as a commercial bank at all — we have enough of those already. It is not the role of this system after all to take on the interests of private business and seek to do things better. I would like to see the Investment Bank concentrating on its role as a development bank and leaving commercial business alone. It is distasteful, to put it mildly, when money is found to administer projects in the developing countries and in the Mediterranean countries, only to be used to support various commercial interests in the Member States which, compared with those countries, have no need of any support whatsoever. This is an absurdity which we urgently demand be brought to an end; I do not cherish the hope that it will be done this year or next year, but we might at least see it happen in about five years' time. The rapporteur will thus have achieved something worthwhile with this excellent piece of work.

Mr Aigner (PPE), *Chairman of the Committee on Budgetary Control*. — (DE) Mr President, firstly we should acknowledge that the European Investment Bank is one of the Community's most successful institutions. As Mrs Boserup has already said, many years of work have gone into the report, for which I thank the rapporteur very warmly on behalf of my Committee. We have been working on these matters for four years now.

The Bank has become the second biggest lending institution after the World Bank, and has its own structures and responsibilities. If you study in the report the volume of loans and disbursements you will see the huge scale of the economic activity which this Bank has developed. The problems, Mrs Boserup, really

Aigner

only arose when the Bank's EC funds were carried over for a very specific purpose. But I would say that in the course of these four years my Committee has achieved some successes, in some cases after a hard struggle. We have secured agreement for a reduction in charges, which is no mean matter for a bank, since banks after all have to make profits.

We have also managed to get operations geared more intensively towards development. That too is an important change of emphasis, and I thank the Bank for the promises it has made to us in this regard.

I would remind Mrs Boserup of a third area in which we have made progress: the relations between the European Court of Auditors, Bank and Parliamentary control are now so smoothly established and so institutionalized that areas of friction now no longer exist, or at least not on the same scale as before. I trust that this troika will be able to pull together in harmony in future. Our work, and parliamentary control, have been a valuable instrument here and have been worthwhile.

Mr Christophersen, Vice-President of the Commission. — (DA) Mr President, I should like on behalf of the Commission to express my appreciation of the work done by Mr Dimitriadis in his report. It shows very clearly the difficulties which arise in reconciling the responsibilities borne by the different Community institutions in the matter of vetting Community expenditure on development aid, expenditure which is administered by the Bank.

I have four comments to make. To begin with, the Commission fully accepts that the vetting prerogatives of Parliament and the Court of Auditors should be respected. We share the view of Parliament and indeed the Court of Auditors that we should have access to as complete a set of information as possible on the development measures administered by the Investment Bank, and we in the Commission have already noted on past occasions that we sometimes get quite unsatisfactory information from the Bank. We have therefore undertaken to look at what could be done to change this situation. Against that background — which is also referred to in paragraph 5 of the Dimitriadis report — an agreement has been reached between the Commission and the Investment Bank on an arrangement under which the Bank is to supply complete information on all implementation phases, which will then be made available to the Court of Auditors. I hope that it will be possible for the system to function. I can also tell you that the President of the Investment Bank recently stated that he was prepared, together with the Commission and the Court of Auditors, to draw up rules for the exchange of information on the Bank's administration of development projects, and that seems to indicate that the Bank itself realizes there is an information problem.

The second point I would mention is that the Bank's autonomy must of course be accepted within the limits of the legal basis for its activity, i.e., that the arrangements financed from EDF funds and administered by the Bank should be subject to the vetting and discharge procedures laid down in the Bank's Statute, which apply to all its transactions, in the same way that the Bank is bound in the execution of its tasks by the normal limitations which apply to development banks in respect of the confidentiality of clients' affairs and in respect of financial administration.

My third comment concerns the report itself. The Commission can go along with all its points except point 15. Here we cannot agree with Mr Dimitriadis. He says that the Investment Bank and the Court of Auditors have concurrent powers with regard to the control of the development aid administered by the Bank. This is a view the Commission does not share. We think that the two institutions — the Investment Bank and the Court of Auditors — have separate powers, each having its own sphere of control. I just wanted to mention that as an isolated point with which we do not agree; we can go along with all the other points.

Fourthly, there is the question of the Bank's administrative and financial arrangements. There has been some discussion on this, and I can indicate that the Bank has now found it possible to reduce its discounting rate to 0.4% of the loan interest. The reason for the discounting rate discussed is not that the Bank should earn money from these transactions but that it should be sure of compensation for the exchange-rate risk it runs in a number of its commitments. But it has now proved possible to reduce this discounting rate, and the reason for this is that the Bank is now able more often to make payments on its interest subsidies.

There was also some discussion as to whether the Bank's administration commission was too high. The Bank has in fact been able to show by a series of calculations that its administration costs and its revenue from the European Development Fund do not balance. By the beginning of this decade the Bank had in fact accumulated a deficit of over 3 million ECU and, even with the efforts made to curb it, there is still an imbalance between expenditure and revenue. There is reason to mention this here, since we expect the Bank to balance its books and, with that in mind, we think that the administration commission is reasonable.

I think these were the comments I wished to present on behalf of the Commission in conjunction with the debate on the Dimitriadis report.

President. — The debate is closed. The vote will take place at the next voting-time.

President

The next item is the second report by Mrs Van den Heuvel, on behalf of the Political Affairs Committee, on human rights in the world in 1984 and Community policy on human rights (Doc. A 2-121/85).

Mrs Van den Heuvel (S), rapporteur. — (NL) Mr President, the adoption of the annual report on human rights in the world has again shown that Parliament does not take the discussion of this subject lightly. In itself this might be called a strange phenomenon, because all of us have probably had the feeling at some time during the urgent debates on human rights issues that the preparations should have been more thorough. But each time an annual report is discussed, greater care seems to be taken over the decision-making, probably because the overall picture presented makes it possible to weigh up the various cases. The call for thoroughness certainly does not make a rapporteur's task any easier, but that will not induce this rapporteur to call for the adoption of the urgency procedure for the annual reports in future. On the contrary.

This report has undoubtedly not said the last word on human rights policy. The most important question is how far interests other than those of the people directly concerned, the people who suffer as a result of the violation of human rights, should be considered. It should also be asked, of course, what means are most likely to lead to the achievement of the goal we set ourselves.

As regards the central question, I feel it should be made absolutely clear today that, however understandable it may be for politicians to be guided by economic interests and by the political view taken of the regime being criticized, such interests and views and personal and political relations with the countries concerned must never, in the final analysis, be seen as determining factors. As politicians working in democratic systems we have quite a number of principles, standards and values to live up to, and if at decisive moments we fail those of our fellow men who are suffering, we shall cease to be taken seriously. If we abandon that fundamental premise, we shall do better in the future to say nothing about our high ethical principles and certainly refrain from formulating a human rights policy, whatever form it may take.

That we should produce a report on human rights in the world without criticizing ourselves is seen — as certain amendments show — as a failing. But under the agreements reached during the life of the last Parliament this aspect does not fall within the Political Affairs Committee's terms of reference. If the Assembly as a whole believes a report on this aspect is necessary, it could instruct the committee accordingly.

Mr President, agreement on the goal of the human rights policy does not in itself signify agreement on the means to be applied. It may after all be in the interests

of the victims for our protests to be made not in public but by other means. We cannot lay down a generally applicable rule on this. Each case must be judged individually to see what the best method is. Vigilance will always be needed. Those who put their own interests first will be less ready to opt for a public protest and will call for silent diplomacy allegedly in the victims' interests, perhaps — or even primarily — because action taken by means of diplomatic contacts cannot by definition be monitored.

In this connection, it is particularly important for the body making the decision to be impartial. Experience has shown that governments or bodies affiliated to governments are more likely to be guided by self-interest than elected representatives of the people. The European Parliament, consisting as it does of elected representatives of the European peoples, is, in my view, eminently suited to the task of expressing an impartial opinion. We like to think that that is what we have done with this report. An attempt was at least made to express as objective an opinion as possible, based exclusively on reports and studies received. With the limited resources available to the Political Affairs Committee, it was unfortunately impossible to draw up a detailed report on the situation in countries where there are serious violations of human rights. But the report does include an annex listing all the documents and sources that have been consulted, which will enable everyone to check whether the right conclusions have been drawn from the material available. It is my dearest wish that in the opinion it ultimately delivers this Parliament will be influenced not by political preference but solely by the facts.

The problem I referred to just now, regarding a possible conflict between what is morally necessary and what self-interest dictates, partly because of possible counteraction, would be greatly alleviated if the Member States of the Community developed a common policy on human rights. Bilateral relations between a Member State and a third country would then be less easily jeopardized. Parliament has repeatedly called on the Ten to pursue a consistent human rights policy. It did so, for example, in Mr Israël's 1982 annual report and Lord Bethell's 1983 annual report, which made a number of requests in this connection. The Commission's and Council's reactions have been totally inadequate. There have, of course, been fine declarations of intent, but they have failed to respond to Parliament's call for a cohesive policy. The resolution now before us therefore reiterates some of these requests. It is absolutely essential for there to be an intensive dialogue in the coming months with both the Commission and the President-in-Office of the Foreign Ministers meeting in political cooperation, with the goal of putting forward joint proposals for the improvement of the policy. The European Parliament is prepared for this dialogue, and we should like to hear from the Commission and the President-in-Office of the Council — today, I hope — whether they, too, are willing to join in consultations at an early date.

Van den Heuvel

Mr President, the worldwide reaction to which this report gave rise even before the plenary debate shows how much importance is attached to Parliament's opinions. But we cannot please all the people all the time. Countries that come in for criticism are bound to react fairly negatively, and they have done so, and each of us will have been questioned about this criticism by representatives of these countries in recent months. But that, Mr President, is a burden that has to be borne by anyone who is concerned about human rights and tries to formulate requirements with respect to human rights impartially, on the basis of justifiable criteria and without prejudice. All we can hope is that our activities, as revealed by this report, but certainly not only by this report, will provide a small ray of hope for people who live under oppression. If we can achieve that, our work will not have been in vain, because I can assure you, Mr President, that I have yet to come across anyone who can prove to me that it makes any difference to the victim whether the torturers who cause his pain and suffering are appointed by a left-wing or a right-wing regime. We must bear this in mind when we vote on this report shortly.

(Applause)

Mrs Focke (S), *draftsman of the opinion of the Committee on Development and Cooperation.* — (DE) Mr President, ladies and gentlemen. I speak as draftsman of the opinion of the Committee on Development and Cooperation, taking over from Mrs Colette Flesch who sadly is now no longer a member of this House. I should like to take this opportunity of saying on behalf of the Committee and, I hope, of all our honourable friends, how sad we are that she is no longer with us to fight to the finish those battles in which, as my predecessor and as chairman of our Committee, she was for many years a leading campaigner. Her authority, her talent for integrated, clear and precisely-targeted thought are also very clearly apparent in this opinion on Mrs Van den Heuvel's report, and in the report on human rights which she drew up for the ACP/EEC Joint Assembly.

The opinion she has given us is a critical one, concerned not so much with details as with the overall concept and method, with aspects of the report which in the Committee's unanimous view of Mrs Flesch's report threaten to work against the Committee's aims. This applies particularly to the section dealing with human rights in the ACP States.

I would stress that this criticism is levelled not so much against the rapporteur as against the terms of reference and method prescribed by the Political Affairs Committee, by Parliament. Grounds for criticism of the drafting of the report which, after being voted by the Political Affairs Committee came before the plenary sitting, have naturally increased. But the Committee on Development and Cooperation has decided not to make any further attempt to improve things by

means of amendments, because it does not think under the prescribed terms that this can be done, particularly as regards the section on ACPs.

Mrs Flesch's opinion for the Committee — I will pick out only the most important points — stresses the urgent need to reconsider the nature of human rights and the criteria applying to them, that is to say the need to adopt a broader, more closely encompassing approach which makes a firm connection between development and human rights. She stresses the need to follow up the very important work done towards this end in the ACP/EEC Joint Assembly and which culminated in a unanimous resolution. The taboo against even mentioning human rights was broken as a result, and, as you also know, this led to the formal embodiment of human rights in the third Lomé Convention.

Mrs Flesch recommends, secondly, that the starting point ought to be not so much instant pictures of the situation in specific selected countries, but rather an examination of changes for the better or worse in the development of human rights, with special reference to multilateral international obligations, further evolution of the concepts involved and the inclusion in assessments of historical developments particularly where the ACP countries are concerned, since the colonial legacy is more immediately discernible here than in any other continent.

Thirdly, Mrs Flesch warns against a series of generalizations, which I cannot go into in more detail here. Finally, she and the Committee warn the European Parliament against trying to use its subcommittee to try and imitate existing human rights organizations. They recommend instead a determined attempt to use the means open to the European Parliament whereby — and I quote Mrs Flesch — *Parliament may develop an effective role on human rights, their promotion and their preservation particularly in the context of the relationship between the European Community and the ACP States.* I trust I have convinced you that constructive criticism has been taken note of here which will have an influence, if not on this report, then hopefully on future reports of the European Parliament.

IN THE CHAIR: MR MØLLER

Vice-President

Mr Seefeld (S). — (DE) Mr President, ladies and gentlemen. If every treaty concluded in the world were also adhered to, we could all rest content and live in peace. But unfortunately treaties are all too often nothing more than intentions clothed in words which — and again I say unfortunately — are not followed up by deeds.

Seefeld

On today's topic I could quote many treaties, but I will name just a few, for example the United Nations Universal Declaration on Human Rights, the International Pact on civil and political rights, also a UN initiative, the preamble to the Treaty of Rome, the OAU Charter, the Council of Europe's European Convention for the Protection of Human Rights and Fundamental Freedoms, and lastly the final act of the Helsinki conference on security and cooperation.

This list is not exhaustive but it shows that human rights have for a long time been extremely important to those in positions of responsibility in this world. But I fear that human rights will probably continue to give us frequent cause for concern in the future also. For what we and others advocate and what we want is not yet reality everywhere. Perhaps views on the nature of human rights are also unclear. And so I would like to quote Article 1 of the Universal Declaration on Human Rights to my fellow politicians. It says that all men are born free and equal in dignity and rights. They are endowed with reason and conscience and should treat with each other in a spirit of brotherly love. Article 3 says that every man has the right to life, liberty and physical integrity. These clear formulations are the yardsticks we must follow. Nevertheless these human rights are infringed everywhere. It is depressing for us to know that only a third of the world's population lives in countries where the internationally acknowledged standards for human rights and fundamental freedoms are generally respected, as our rapporteur has pointed out in her comprehensive report for 1984.

We all know which human rights are violated, and we know where. My Group is thus glad that Mrs Van den Heuvel's report makes no bones about naming countries and names, whether in East, West or South of our world. Ought we not really to cry out in horror when we see, read and hear how human dignity is held in contempt? How murder, persecution and torture are done in the name of the State?

As the only freely elected parliament comprising members from 10 and soon 12 democratic States we are in my view an eminently suitable forum to spearhead the battle for human rights. It is our job, and our duty, to make our voice heard loudly and indefatigably, using political pressures too, and to throw our weight into this battle. We must work for the abolition of all discrimination on the basis of race, colour, origin, nationality, religion, language or sex. We abominate apartheid, and violence against minorities or war against the defenceless. And we know that we stand united in our efforts with the citizens of the European Community, with many non-governmental organizations, with Amnesty International, with the oppressed, persecuted, the victims of injustice and terror and with millions of people throughout the world, whether they be workers or scientists.

In the past the European Parliament has taken seriously all appeals, letters and petitions addressed to it.

It has verified them and in many debates on topics of urgency we have stated our position clearly. This must and, I trust, will continue to be the case. The seriousness with which this House regards these matters is reflected in the fact that we have established a special subcommittee to deal intensively with violations of human rights. Mrs Van den Heuvel heads this body and the report now before us is one of the fruits of the subcommittee's deliberations.

My Group is broadly in agreement with the report. We have submitted a number of minor amendments and ask that these be upheld. Parliament will have to consider how its annual reports on human rights should be presented in future. But that is not a matter for today's debate.

Let us all show ourselves to our electors, the citizens of the European Community, but also to the world as the great forum in which violations of human rights are taken up and utterly condemned. But above all our governments should accept this and translate our resolutions into practical policy, not only in this area. I thank Mrs Van den Heuvel for her report.

Mrs Lenz (PPE). — (*DE*) Mr President, ladies and gentlemen. The European Parliament is today once again debating a report on human rights, the form of which has been intensively debated in the groups and in the Political Affairs Committee. Nobody is happy with the form of this report. We have repeatedly stressed that we cannot shut the door on appeals for help from outside — and the countless petitions and draft resolutions on human rights throughout the world prove that this help is being sought and that we are also expected to provide it. Nevertheless, if we go on as we have done so far, we run the risk of making ourselves judges over the whole world.

The European Parliament is not the extended arm of Amnesty International, nor its parliamentary voice, nor that of the other human rights organizations whose help and support we nevertheless welcome. Nor are we the sole arbiter of truth, though we try to be as well informed as possible. But we do have to bear in mind that our resolutions will have long-term effects which we must take into account. The European People's Party has from the beginning advocated a considerably shorter report on human rights. We can only repeat this recommendation.

As on many previous occasions Parliament has produced a comprehensive list. It also repeats its admonitions to the European Commission, the Council of Ministers and the foreign ministers within the framework of political cooperation. We believe it would be enough in future, on the basis of earlier resolutions, to draw attention to or to stress those areas in which positive or very negative results have been recorded. I should like to reiterate very clearly my Group's wish that future work should take this form. Only on this

Lenz

condition has my Group been prepared to vote today on this report, which has already been dropped once by the plenary sitting.

As regards the substance of the report: we shall oppose any amendments which seek to expand the scope of the report on human rights to include opinions on events in the European Community. In the European Community — the Ten of today, and the Twelve of tomorrow — the legal system gives every citizen the right to seek justice and obtain justice. In addition, every citizen can appeal to the European Court of Human Rights, or the Court of Justice of the European Community if Community law has been infringed. We have successfully established legal bases — and they can be appealed against — so we are not concerned with this today.

We have before us a list which sadly is still extremely long and bad. We shall try not to judge the cases in it from a one-sided political viewpoint. Mass murder is mass murder, and the number of murder victims should be a factor in our assessment, wherever the murders occur. Acts of terrorism which cause deaths and destroy economic systems, kidnappings as instruments of political blackmail — as in the case of President Duarte's daughter — cannot be condemned in one country and acclaimed or presented as justifiable popular anger in another. Confinement in psychiatric hospitals, exile for speaking uncomfortable truths, deprivation of work and arrest simply for wishing to leave the country peacefully — all these are violations of human rights, wherever they occur.

We all know how hard it is to assess these matters in given situations. But human rights are indivisible. Here we are in the European Parliament. For us Europeans, but particularly for us Christian Democrats, human rights are an essential part of democracy, and in our view they can only exist and flourish where there is peace, freedom, respect for the dignity of the individual, freedom of information, freedom of the individual to travel, freedom of assembly and freedom of religious expression — for everyone irrespective of race and sex. We must thus not allow ourselves to be dissuaded from pressing for these human rights in the world, even if other nations try to claim that human rights are 'constitutional popular rights' to be manipulated by the State at will. We should have the courage to say this clearly, also to nations which, on the basis of other religions, adduce other principles which they visibly make use of as instruments of power politics. Those of us who still put a very high price on free democracy and the rule of law must back this conviction worldwide.

We can endorse here the ideas expressed on democracy in the new memorandum of the Council of the German Evangelical Church (EKD). Obedience to the law can only be required if every abuse is punished — irrespective of who the individual is — and if all grey areas are eliminated. The yardstick is fundamental

rights, human rights. They must be served by the repudiation of violence, a time limit on party control, the principle of representation and parliamentary majority voting. This is what the EKD memorandum says.

We should state this conviction of ours much more emphatically, and in international institutions such as the United Nations. The UN universal charter of human rights was doubtless a laudable declaration of will forty years ago. But over the decades, as the number of Member States has trebled and many differing political systems are now represented, it has proved too elastic and too open to variation, if not misinterpretation. This is very clearly illustrated by the question of women's rights which are accorded an arbitrary degree of priority everywhere in the world. It was also apparent in Nairobi at the world women's conference, in the lip service paid by the national delegations. Less time was spent on the rights and living conditions of women than on questions which other UN conferences too have so far failed to solve. In our own continent our rights as women can be demonstrated and obtained by legal redress.

But let it be said once again: no one who advocates violence, murder, terror, who tortures or condones mental torture or rigged trials will ever succeed in making justice out of injustice. Violence always engenders violence. Violence against property quickly turns into violence against people. No one who calls for the destruction of a country's internal economic and social structures and refuses to engage in dialogue can claim that he is waging an honest war and seeking freedom and peace for his own people.

When the mayor of Jerusalem, Ted Kollek, was awarded the German book trade's peace prize he said in his address:

'Only understanding can break the chain of violence, only understanding can prevent wars today and make violence impossible. Only understanding, only respect for the dignity of each individual can guarantee human rights.'

Otherwise, wherever human rights are violated, this means suffering for the entire people, for the poorest of the poor, for families, women and children who have done nothing wrong. It must be our duty in the European Parliament to prevent this, by defending and working for human rights all over the world. Only if this idea and this call are clearly expressed in the resolution can my Group vote for it.

(Applause)

IN THE CHAIR: MR SEEFELD

Vice-President

Mr Price (ED). — Mr President, I think Mrs Van den Heuvel has done an excellent job as rapporteur in pre-

Price

paring this report, but I have some reservations about the task which Parliament has set her. She mentioned in her opening remarks that the Political Affairs Committee had very limited resources available to it. Yet the task we set Mrs Van den Heuvel is really to look at human rights in country after country, across all the continents of the world, with the exception of the Community. That, I think, was to set her the impossible task of trying to review the situation in so many different circumstances in so many different countries. The effect is that on this very important topic we actually helped the countries which are the greatest abusers of human rights, because their misdoings have been lost in the wealth of detail about what is going on in so many other countries. If we were, in this annual report, to make it our main object to highlight the countries where the worst abuses of human rights occur, we should be much more likely to achieve that object. However, instead of that, we set the rapporteur annually a task which makes it impossible to show up the light and shade between one country and another. What we very often do as a result is to draw attention to democratic countries where the activities of some local secessionist group has led to official or unofficial overaction by the authorities and to put them on a par with a country where the government has absolutely no concern for human rights.

A part of the world in which I am particularly interested is the Indian sub-continent, because I have twice been there during the last five years as a member of the European Parliament's delegation. I notice that two paragraphs in Section D of the motion for a resolution concerning Sri Lanka talk about extra-judicial killings there as if the government approved of them. Now Sri Lanka is a country which has a history of universal adult suffrage going back more than 50 years, almost 40 of them as an independent country. Manifestly, anybody who has visited Sri Lanka would say that this is a country where government is based on parliamentary democracy and respect for the rule of law. Now that does not come out in our resolution as it is at present drafted. I hope that the House will support Amendment No 53, put down by our group, which seeks to make clear, first of all, the democratic basis in Sri Lanka, and secondly, to comment on what is happening there in a factual way and reflect more accurately the position.

There is a simpler situation in respect of India which is dealt with in the following sub-paragraph of Section D. There there is a broad statement at the end of that paragraph which talks about other violations of human rights in India, including arbitrary arrest, police brutality, torture and censorship. This really does not accurately reflect the situation there, and I hope that the House will delete those final words and thereby make the paragraph more accurate. Our Amendment No 57 seeks to do that.

Mr Novelli (COM). — (IT) Mr President, ladies and gentlemen, we Italian Communists regard the defence

of human rights in every part of the world as imperative. Unfortunately, the violation of human rights is a tragic reality which cannot fail to stir the conscience of every individual, particularly those who enjoy such rights themselves.

The third annual report on human rights has now appeared, and I believe that it is possible and proper, in the light of the experience thus gained, to attempt a general appraisal of this important initiative by our Parliament. May I begin by saying how much we appreciate the work of our colleague Mrs Van den Heuvel, who, considering the practical conditions in which she had to operate, took on a formidable task.

This does not prevent us, however, from expressing reservations concerning the method adopted up to now, and hoping that it might be radically altered by decisions taken within the Political Affairs Committee. I do not believe that we need to dwell on the importance of investigative research into abuses of human rights. Parliament has the duty and the right to consider this important problem, which, as has already been pointed out, exists throughout the world, whether in the East, the West, the North or the South. We do not take a distorted or one-sided view of the vitally important matters which are the subject of this report. It is precisely because we recognize their importance that we cannot draw a veil of silence over the limits and deficiencies of this kind of report: limits and deficiencies which are no reflection on the diligence of the rapporteur.

The annual report on human rights has developed, over the years, into a bald list of violations, a kind of annual bulletin whereby the Members of the European Parliament announce to the world that they have done their duty and thereby saved their immortal souls. But we are not here to seek our own salvation; we have been sent here on a mandate from the people to consider the possibilities for action in various fields, including this very important one, to find out the facts of the situation and to attempt to rectify it. We should ask ourselves in all honesty whether we can achieve tangible results by reports of the kind into which these have developed over the years. Despite the fact that this report has been sent back to the committee already to be duly reconsidered, there are no fewer than 128 amendments down on today's agenda, which shows that there is something wrong somewhere. We must not split into 'good guys' and 'bad guys', full-time *versus* half-hearted champions of human rights. We must be unanimous in our demand for an initiative by Parliament capable of ensuring decisive action both with regard to condemning the abuses which occur and with regard to any political measures proposed.

We Italian Communists will do our best to ensure that Parliament can carry out this important task in such a way as to meet the needs which I have attempted to describe without equivocation or partiality towards any region of the world. All those who live in circum-

Novelli

stances in which their rights are being violated can rely not only on our solidarity, but also on our efforts and policies being directed towards ensuring that such abuses are brought to an end.

(Applause from the Communist and Allies Group)

Mr Gawronski (L). — *(IT)* Mr President, ladies and gentlemen, from the speeches we have heard so far it seems that we can deduce that there is broad agreement between the representatives of the various political groups on the importance of the problem of human rights, but less consensus on how to approach this problem and seek to remedy it.

The fact is that, as Members of a Parliament directly elected by the citizens of Europe, we cannot ignore the interest of public opinion in our countries in encouraging respect for fundamental rights in a world in which political democracy and civil rights are, unfortunately, the birthright of only a minority of nations, as the rapporteur pointed out in her report.

The number of resolutions adopted every month in this place — particularly in connection with our Thursday morning debates on topical and urgent subjects — on questions arising from respect for, or violations of, human rights in this or that country of the world gives tangible and practical proof of the political importance attached by our Parliament, the symbol of European democracy, to the vital struggle for civil rights.

It is because this subject is so important and politically sensitive that I believe we must endeavour to make our action on behalf of human rights more effective and consistent.

For if we continue to follow the approach adopted so far, which combines an annual report resembling a catalogue of infringements of human rights committed in almost every corner of the world with a mass of specific resolutions adopted — often without any politically significant accompanying discussion — at every part-session, we run the risk of devaluing and increasingly simplifying our attempts at intervention, reducing them to a kind of periodic exercise in rhetoric with decreasingly significant and effective practical results.

Of course, European public opinion is sensitive to the question of human rights, but I have frequently heard criticisms of the rhetorical, abstract and superficial manner in which the European Parliament has, too often, treated this problem.

The European Community, despite being the greatest commercial power in the world and bearing within it the seeds of a genuine political union of free peoples, does not possess at present a consistent policy for the defence of human rights in its external relations.

It is all too easy for our Parliament, which unfortunately still lacks the necessary powers to enable it to orientate the Community's policies in the direction we should wish, to assert itself by adopting resolutions condemning this or that far-away country over which our practical influence is negligible.

As the only directly-elected supranational parliamentary body in the world, we are — as has already been pointed out — better qualified than any other institution to campaign for democracy and respect for civil rights regardless of national frontiers, and therefore we enjoy a moral and political prestige which we must take care not to fritter away by, let me repeat, devaluing our efforts at intervention.

The idea of an annual report on human rights throughout the world is certainly worth pursuing, because a document of that kind can be a useful benchmark in determining the Community's external relations. However, if we attempt to analyse and describe these inevitably complex problems and situations in a mere thirty-page report for annual submission to the vote in Parliament, it is likely that we shall continue to produce a sketchy and imprecise catalogue of political crimes committed in the four corners of the earth, a document which serves no political purpose and is ultimately simply a copy of the annual report of Amnesty International.

But, on the other hand, how can a Parliament like ours, which receives information about developments in the political situation of third countries only indirectly, produce a fuller and more meaningful document?

My personal suggestion is to concentrate each year on three countries, one with a left-wing dictatorship, one with a right-wing dictatorship, and one with a neutral regime, consider those countries in depth, and succeed in discovering something new by seeking to remedy some problem or address some specific case.

Alternatively, I wonder if it might not be preferable, in this field, to follow the example of the United States, whose State Department draws on the information provided by its research centres and diplomatic representatives overseas to produce a voluminous annual report on the human rights situation in the various countries of the world for submission to Congress, which in turn examines and, if it finds the document inaccurate or incomplete, criticizes it.

In that event, it would fall to the Commission and the Council meeting in political cooperation to inform Parliament periodically on developments in the field of fundamental human rights and the policy which the Community intended to follow while leaving Parliament the task of evaluating and, if necessary, criticizing that policy, while indicating to the Council and the Commission the approach to be adopted in this or that particular case.

Gawronski

This is why I wish to express my support for the proposal made to that effect in the Van den Heuvel report, which calls on the Commission and the Council to submit an annual report to the European Parliament on the policy pursued in the field of human rights.

It is only by progressing towards the achievement of more dynamic and consistent political action by the Community in defence of human rights through the process of creating the European Union, and thereby strengthening the Community's political dimension and introducing a genuine common external policy for Europe, that we shall be able to abandon abstract and pretentious rhetoric in favour of consistent and effective action in defence of democracy and fundamental human rights.

The resolutions adopted by Parliament at the close of topical and urgent debates are, however, an important means for us to express our opinion on specific problems which need to be dealt with promptly.

Moreover, in the case of specific appeals for the release of particular prisoners or reductions in their sentences, there is never any need to abandon the selective approach which is necessary to ensure their success.

The condemnation of violations of fundamental rights is definitely the first step towards ensuring that such abuses cease, and many governments are often forced to modify their behaviour as a result of the pressure of international public opinion.

In other cases, however, as the rapporteur has noted, international pressure eventually forces the government of the third country in question into a situation in which it cannot relent without an obvious display of weakness or implicitly admitting its own misdeeds, and is therefore less effective than a firm but discreet approach through diplomatic channels.

Even in the case of urgent resolutions, therefore, we must be more selective if we wish to enhance the efficacy of our actions. An amendment of Rule 48 of the Rules of Procedure to reduce to more sensible limits the present excessive number of resolutions which we are called upon to debate and vote on during the Thursday of each part-session would certainly help make the European Parliament's acts of intervention in support of human rights more significant in political terms.

(Applause from the centre and right)

IN THE CHAIR: MRS CASSANMAGNAGO
CERRETTI

Vice-President

Mr Coste-Floret (RDE). — *(FR)* Madam President, colleagues, the Group of the European Democratic

Alliance has examined Mrs Van den Heuvel's report and the problem of violations of human rights in the lights of four principles.

The first principle: the defence of human rights is indivisible and any violation of human rights must be condemned as soon as it is confirmed, irrespective of the nature of the government in the country in which it occurs, whether in Nicaragua, Chile, Poland, Turkey, the Soviet Union, Afghanistan or South Africa. On this point Mrs Van den Heuvel's report is fair, whereas we do have reservations about the claimed violation of human rights in those States of the United States of America which have retained the death penalty. We do not think that the problem of the abolition of the death penalty, a serious problem and one which affects everyone's conscience, can be placed on the same level as torture, cruelty, or the *gulags*, because, in our view, the mere violation of respect for innocent life — of respect for innocent life — is a violation of human rights.

Second principle: before they can be condemned, violations of human rights must be confirmed, proved by reliable documentation, by precise documentation.

Third rule: when a violation of human rights has been established, the State which has committed that violation is to be blacklisted by civilized nations. It is therefore the duty of the European Community to break off all relations with it, to give it neither aid nor cooperation, except, of course, for emergency aid where necessary, and food aid.

Finally, the fourth principle: we consider the concept of human rights to be a universal concept. We cannot subscribe to certain ideas, such as those developed by Ambassador Schaal, for example, who has the Western conception of human rights, a rigid conception and also a more lenient one, one which would leave things as they are. No, the concept of human rights is a universal concept and is defined in the Universal Declaration to which we refer, because human rights stem from the innate dignity of the human being, the respect for human beings, whose natures are everywhere the same, whether black, white or yellow.

In the light of these considerations and, of course, subject to any amendments which might alter the report and could therefore alter the verdict, my group will vote for Mrs Van den Heuvel's report.

(Applause)

Mrs Heinrich (ARC). — *(DE)* Madam President, ladies and gentlemen. We find the present version of the report on human rights in the world for the year 1984 acceptable. The many amendments imposed by the conservative majority in the Political Affairs Committee show very clearly how human rights are misused as weapons in a political and ideological dispute.

Heinrich

In the face of all the facts, for example, Nicaragua is dealt with in the same terms as El Salvador. Investigations by international and independent organizations are virtually ignored. Politicians and parties who have remained silent for decades about tyranny by the likes of Somoza, who are still silent about the crimes of Marcos, Stroessner and Pinochet, who pooh-poohed the crimes of the earlier military dictatorship in Argentina and are still finding excuses for the situation in Turkey and the policy of apartheid in South Africa, these very same members of Parliament presume to judge a small nation which is desperately fighting for its freedom and trying to defend itself against sabotage instigated from abroad, against acts of terrorism and military aggression. In our view the usurping of human rights for politically motivated propaganda is a quite unsurpassed abuse of human rights and an insult to the victims of human rights violations.

A further serious shortcoming in our view lies in an omission which reflects a typical and embarrassing arrogance on the part of Parliament. The report deals only with human rights violations in other countries, as if it were not the prime duty of this Parliament to keep its own nose clean and examine human rights within the Community. The Federal Republic of Germany, supposedly so freedom-loving, remains a State in which certain professions are closed to those of certain political persuasions, remains a State in which old and new Nazis are so remarkably often treated with consideration and can attain highest government office, whilst anti-fascists so remarkably often are pitilessly persecuted. Just recently the Federal Government announced that it would not be signing the Council of Europe's convention against torture.

The third fundamental shortcoming of the report is a further omission. The report does not investigate causes and responsibilities. Anyone who invests in a developing country, makes profits and transfers these abroad, benefits from the political climate and its effects on investment, and also does so when this investment climate is kept favourable only by means of State repression and violations of human rights.

Mr Pordea (DR). — (FR) Madam President, from the famous lines in Sophocles' 'Antigone' which formulated the concept of natural justice, down to the charters, agreements and pacts of this twentieth century, it is possible to follow through the theory of human rights a single thread uniting and reconciling the human condition in its primeval requirements with the values which are the hallmark of our civilization. This evolution, which led to the idea of the individual as endowed with inalienable rights, was turned aside somewhat by the Marxist-Leninist diversion. The rights and freedoms of the individual were thus metamorphosed into prohibitions laid down by an all-powerful State, whose rigorous surveillance is supposed to guarantee the collective well-being of its so-called *protégés* for ever. — An absurd construction of the intel-

lect which in reality, as we know, finds its expression in the systematic large-scale violation of all rights and freedoms.

We tried to reconcile these two diametrically opposed conceptions at Helsinki. Nevertheless, the fundamental concept of human rights, the logical content and nature of them, and the exercise of them — even the idea of humanitarian intervention with the aim of safeguarding them — is still perverted, completely denied even, by the Soviet Union. The extensions of Helsinki in Belgrade, Madrid and Ottawa have served only to confirm this state of affairs, which is one of the most disturbing aspects of the present world situation.

If one takes the trouble to reflect on the vast expanses of the planet over which the Soviets have become masters by the force of solemn formulae, of a hypothetical promotion of human rights and fundamental freedoms, we are in reality very far from evolving any kind of action programme capable of recognizing and enforcing them. Faced with the terrifying reality of this vast, intolerant and cynical Red empire, it is risible to enumerate by way of justification no less than some sixty charters, agreements, pacts, declarations, protocols and conventions, so many instruments platonically, ingenuously, pointing out the existence of man and his rights.

The report which has been submitted to us is a document which is, by and large, honest in its outlines. Nevertheless, it follows the rules of a little game which consists of pretending not to notice that the rules of the big game are not being observed at all by certain States.

There are, admittedly, some omissions in the text, on the subject of ethnic minorities, for instance, the principle of non-interference, reliable information, on public hearings on human rights attended by the media, which show, unfortunately that one is right to be cautious; but, happily, the document laid before us also demonstrates a desire to see the European Community undertake appropriate long-term research on the subject of human rights.

It also highlights the problem of establishing a link between trade, aid and cooperation agreements on the one hand and a modicum of respect for human rights on the other, as well as the need for a coherent Community policy on the subject.

The report considers that in the event of gross violations of human rights the European Community should consider ending all cooperation with offending governments. Does this wish apply equally to the USSR, since that is what all human rights problems come back to? The Soviet Union, the States which it has subjugated by force and Communist regimes in general are the principal offenders, because the negation of the human person is at the basis of their ideologies and systems. Moreover, human rights are less

Pordea

rigorously respected than they should be by those States which are desperately trying to ward off the Communist threat in Turkey, South Africa, Chile, the Philippines, just as, formerly, Franco rose up against the horrors of a civil war which Moscow had started south of the Pyrenees in an attempt to take over Western Europe.

Today's ostrich policy harms the cause of enslaved peoples, the cause of worldwide triumph for respect of the human person. Of course political realism requires a dialogue with Moscow and its satellites, and the free world must participate in that dialogue from a position of strength, not of weakness. We are weak if we shut our eyes to Communist demands; we show strength by denouncing them firmly and tirelessly. For how can there be any question of a European order, a new one as well, so long as the imperialism of a superpower and its base despotic acts, its political terrorism and its disregard of the elementary rights of nations and individuals, after sporadic faltering protests, are finally approved by the great free powers and by the European Community in concert?

It is time to denounce Communism and all its transgressions of human rights.

From this point of view the report which we are considering is an approximate statement which concludes by expressing pious wishes. We shall not boycott it, but we hope for other things in this field which is so important for humanity. Europe's major concern must be concentrated on the aspects which I have just discussed: it is in this direction that the most important moral duty of our Parliament lies.

Mr Van der Waal (NI). — (NL) Madam President, Mrs Van den Heuvel's extensive report is not only a dismal inventory of the violations of human rights in the world: it also seeks to provide an impulse for the development of a human rights policy. It is therefore a shame that it could not run to a description of the situation in countries where human rights are violated and particularly of their political systems. At first glance, this may seem to be of no more than theoretical importance for the question of human rights. After all, there is little to choose between the various dictatorial systems when it comes to the human suffering they cause. And yet there is a basic difference underlying injustice which cannot be ignored in the development of a policy designed to combat the violation of human rights.

We can illustrate this by referring to the difference between Communist dictatorship on the model of the Soviet Union and authoritarian systems run primarily by military autocrats. Where the Soviet Union is concerned, we should realize that the ideology governing this country is considered to be the only true ideology and that everyone is by definition subject to it. The people are systematically indoctrinated with this ideol-

ogy by the government and monitored to ensure that they abide by it.

It leaves no room for the recognition of the individual's freedom to act in accordance with his conscience or religious beliefs or for a distinction between policy and personal philosophy. The State in fact equates religious beliefs with pro-Western views, meaning anti-Soviet ideology. The problem is not, therefore, that the political system is Communist but that it is intellectually totalitarian. That is what distinguishes it from the so-called right-wing, for the most part military, dictatorships, under which serious oppression and violations of human rights occur, not because of a pseudo-scientifically elaborated conception of government, as in the Soviet Union, but as a result of a legal arbitrariness that is usually linked to one person or a small group in power.

As I have said, atrocious violations of human rights occur under both political systems, but if this injustice is to be combated, it is important to expose the roots of the different forms of evil. We feel Mrs Van den Heuvel's report would have been more profound if this aspect had been considered.

We were also surprised to see that the report places the use of the death penalty in the United States as the ultimate penalty in a democratic judicial process on a par with situations in countries where people are denied the most elementary rights. It is our conviction that no man has the right to take another's life. But governments have been given the right to use this penalty in extreme cases. What we now find is that, while governments are denied this right on humanitarian grounds, it is common for individuals to be permitted to violate the fundamental right of unborn children to live.

Finally, reports reach us almost daily of violations of human rights throughout the world. Many of the countries concerned are members of the United Nations and as such have endorsed the Universal Declaration of Human Rights. It must be asked what practical significance this has when there is so wide a gap between the recognition of human rights in theory and their attainment in practice. Should every country not take its signing of the Universal Declaration seriously and incorporate it in its national legislation and policy?

(Applause)

Mr Schmit (S). — (DE) Madam President, I cannot deny it, I am having great difficulties, not so much with the rapporteur, who is not to blame for prescribed procedures and conservative majority decisions, but rather with the report itself and § 11 in particular. As previously indicated, a number of its equations are also unacceptable, and the attempt to venture into detail and get lost in it.

Schmit

So much has been said so far about the Soviet Union. Certainly there is religious persecution — though whether it is systematic I do not presume to say — and it is inexcusable. But no one has mentioned that persecution also occurs on ideological grounds in the USA. Just apply here in Europe for a job with an American firm and you will see how they sniff round in your past for any signs of a socialist or communist taint.

There are many other imbalances. Anyone who talks about the position of women in Iran, for example, should also mention sexual mutilations elsewhere. Anyone who talks of Afghanistan and its fight for freedom should also consider the implications, for example of the Islamic revival, for women there. Anyway — I cannot and do not wish to go into everything here.

But it worries me too that we as western Europeans are to some extent setting ourselves up here as judges over the whole world and are also forgetting to keep our own doorstep clean. I propose that in future the report of the Political Affairs Committee should appear in tandem with a report by the Committee on Legal Affairs and Citizens' Rights on the situation in the EC States. And in both cases less reliance should be placed on outside sources of information — mainly Amnesty International — than on experience and investigations gained and conducted by the European Parliament itself. The report would perhaps then be more balanced, would take greater account of cultural and historical developments and of economic considerations which do not excuse but do help to explain. I say this as a member of the Committee on Development and Cooperation, and particularly with regard to the ACP states. And I suggest that it is somewhat facile, along the lines of the 1789 French Revolution, to place citizens' rights claims above economic and social ones. When the demand is not only for the right to life but to a *decent* life, when the demand is not just freedom for the individual and for minorities, but also bread *for all*, something is wrong.

We must battle for human rights and not separate them out into freedom and bread.

Mr Vergeer (PPE). — (NL) Madam President, ladies and gentlemen, in the time available to me I should like to concentrate on the place human rights occupy in our development policy, particularly under the Lomé Convention. I realize that the complexity of the subject makes it difficult to draw up a balanced report.

The rapporteur — and I should like to make this quite clear — has certainly tried, and I am grateful to her for this, but she has not been completely successful in my opinion. I do not think the report is sufficiently balanced, it focuses too much on the details and not enough on the background and hardly at all on criteria. I believe Parliament had good reason to decide recently to send it back to the Political Affairs Com-

mittee, and I feel this committee has done its homework badly. It has not in fact done anything to the report. We are again confronted with over a hundred amendments.

Madam President, publishing details of violations of human rights, talking about them, naming names is perhaps the best way of combating them. Those who torture, who forget detainees, all too quickly become accustomed to the obscure standards they themselves have imposed. They must be constantly reminded that their activities are unacceptable. The European Parliament and its Members have a distinct role to play in this respect. But they should play this role by concentrating their attention on central issues rather than scattering their fire far and wide. The European Parliament does not need just a list of violations: there are plenty of organizations in the world that are only too willing to let us have that kind of information.

In the short time available to me, I want to talk about human rights in the ACP countries. Not that I consider other rights less important, but I do not believe they are safeguarded when the individual citizen is under constant threat of arbitrary imprisonment, detention, torture and so on. And we should be concerned about the individual citizen. Mrs Van den Heuvel's report and the opinion of the Committee on Development and Cooperation make it clear that a major qualitative aspect has been added to our relations with the ACP countries. The signatories are to protect the rights of individuals and peoples. It is vital that these words should now be translated into deeds. We were able to take a step in this direction at the meeting of the Joint Committee in Burundi, where it was decided by a large majority that every country must make it possible for its citizens to resist what they regard as violations of their rights. Then there is the resolution on South Africa adopted by the Joint Committee by a fairly large majority at its last meeting in Inverness in September, which unequivocally condemns violations of human rights.

Madam President, I regret to say that in general the protection of human rights is not ideal in the ACP countries, as subparagraphs (v) and (vi) of section E of paragraph 11 of the motion for a resolution clearly state. A specific case in point is Uganda. Nor can we ignore the horrors of Ethiopia, which are certainly not all due to natural disasters. Otherwise, I feel we would do better not to single out instances of violations of human rights in Africa. That is what the report does, and it is arbitrary in its choice. I am referring here to subparagraph (ii) of section E of paragraph 11. I will resist the temptation to name a number of countries which the report wrongly names or fails to name. We believe this subparagraph should be deleted and look forward with interest to seeing what happens to the amendment we have tabled calling for its deletion.

I come finally to the role played by Parliament and its Members. Whenever we meet our ACP partners indi-

Vergeer

vidually, as political groups, as committees or within the Lomé institutions, we should make it clear that we are concerned about respect for fundamental human rights. As I recently said, we can and should no longer accept a refusal to discuss this subject on the grounds that it constitutes interference in the internal affairs of other countries. This viewpoint can be extended to include, but not be replaced by, concern for a 'right to development'. Mrs Flesch rightly says in her opinion that there is no widely accepted definition of this term. I agree with her that we must make a serious effort when this right is discussed to ensure that it covers both the scale and the disbursement of the aid we, the Western industrialized countries, provide. Let us try, Mr President, to draw up a more balanced, a more succinct report next year, a report which shows that respect for human rights is a precondition for a fruitful development policy.

(Applause)

IN THE CHAIR: MR SEEFELD

Vice-President

Mr Andrews (RDE). — Mr President, I would like to take the opportunity of congratulating Mrs Van den Heuvel on her excellent report. Here in Europe we are in a unique position to voice our criticism of human rights violations, whether they occur at home or abroad. We must jealously guard that right.

During the last part-session I was astonished at both the right and the left of this Assembly failing to support a resolution calling for an end to strip-searching in Armagh Jail in the six occupied counties of my country. This kind of abuse of authority amounts to the institutional rape of women, condoned by people who would be shocked if such a thing happened to their own womenfolk. In the Philippines Father Rudi Romano remains missing after more than 100 days. President Marcos knows where he is but apparently fears his release. Father Romano is a symbol of liberation for his people.

In South Africa the fascist Botha regime murders and hangs, and yet in Europe we refuse to impose meaningful sanctions. Many Members of this Assembly apparently condone the Botha regime to their eternal discredit. In Central America the naked aggression of the Somoza Contras funded by Reagan continues unabated against Nicaragua. Afghanistan, occupied by the USSR, subjects political prisoners to torture and execution and civilian populations are bombed. I would like to take this opportunity to salute my friends in the Charter 77 group in Czechoslovakia. The Czechoslovakian regime is, in my view, one of the most corrupt and oppressive regimes in Eastern Europe.

In addition to infringements of rights related to political and civil liberties, we must not forget those rights of equal importance which are being denied to the great majority of the world's population, the right to adequate food and shelter. The poverty of the Third World is a fertile ground for the battle between the proponents of the world's two principal political ideologies. Despite being apparently opposite in terms of ideals, both display in remarkable similarity in their *modus operandi*. They or their vassals use imprisonment, torture and murder in their struggle for power and influence in the developing countries. We cannot wash our hands of the matter; the results of our acts and omissions will return to haunt us.

No country has a perfect record on human rights, and we in Europe must not be complacent about our own performance. The reports of abuses in Member States may not be as serious as those emanating from outside the Community, but they do still arise with worrying regularity. There is an increase in racial intolerance. The organs of state are reaching further and further into the life of the individual citizen and are gradually taking on the role of George Orwell's Big Brother. Dubious methods are still being used in police interrogations, prisoners are ill-treated, accused persons are often held for long periods before trial, extra-judicial killings by government servants are not unknown.

We have overcome challenges in the past. The violation of human rights, left or right, East or West, is a challenge we must strive to overcome as quickly as possible.

Mrs Baget Bozzo (S). — (IT) Mr President, some nine years have passed since President Carter brought the subject of human rights to the forefront of the world's attention. Meanwhile, the cultural climate of the world has changed radically and a new term has entered the political vocabulary: 'liberation'. This is not a matter of individuals' rights but of the rights of peoples and communities.

For, if we consider the majority of human rights violations being perpetrated at this moment throughout the world, we can see that they are rooted in the violation of the liberty of a whole people, whether in the case of the Palestinians, the Africans in South Africa, or the 'Miskitos' in Nicaragua — just some of the many instances in which a campaign against a minority is the background to, and reason for, the abuse of individuals' rights. We must therefore redefine the terms in which we address this problem — not least because, if we consider the matter in new terms, Europe no longer appears as innocent as it seems here. If we recognize that there is such a thing as a people's right to culture and to the preservation of its identity, then how can we maintain Europe's innocence in the light of the scant protection afforded to the minorities of migrant workers in Europe with regard to their culture and national identity? Can we forget the difficult con-

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ditions in which all the Mexican immigrants are living, particularly those who are seeking to cross the border? Here, too, we are confronted by violations of human rights which, however — and this is the new feature — concern collectivities and peoples *as such*. Are we, as European States, genuinely prepared to accept the concept of multinational and multiracial States? This is the great challenge facing Europe today, when the coloured population is increasing in so many regions of the continent.

To sum up, if human rights should be considered nowadays as the right of a people or a culture to preserve its own identity, even within the boundaries of another State, then they require a new approach more in keeping with contemporary culture. Our existing approach is outdated, and fails to take account of recent developments throughout the world. I hope, therefore, that the next report will take account of other aspects of the subject also: the liberty of peoples and cultures within individual States.

Mr Christensen (ARC). — (DA) Mr President, the correct forum for the discussion of human rights questions is the United Nations and, for the countries of Europe, the Council of Europe. Questions of human rights should be discussed by sovereign States within the framework of international bodies having competence to deal with such matters. They can be raised by organizations, movements and individuals, who can draw on the support of the media and public opinion.

If the Danish People's Movement against Membership of the European Community does not believe that the European Community is the right body to debate and act on questions of human rights, it is because the European Community has no competence in the field and, to the extent that it accords itself competence, it plays the role of a superpower making demands on others. Of course the suppression of human rights should be condemned wherever it occurs; but it is the business of the individual nation-states and of the international bodies to which competence in the field has been delegated.

Mr Vandemeulebroucke (ARC). — (NL) Mr President, ladies and gentlemen, Parliament is to be congratulated on its serious concern for human rights in the world. Our democracies have a duty to proclaim everywhere the foundations of our society: respect for human rights and freedoms. Where they are violated, the perpetrators must be indicted. In my opinion, this also means that we, the Western European democracies, should consider how well these rights and freedoms are respected in our own countries. And it is in this area that the European Parliament appears to have some difficulty. Accusations of violations of human rights are all too quickly brushed aside within the European Community as internal matters in which there must be no interference. What right do we have

to talk about others when we do not allow the situation in our own countries to be discussed? I recall, for example, how incensed the French were years ago when we criticized the procedures of the *Court de sûreté de l'état*, which has since been abolished.

Five attempts have been made here to denounce the use of plastic bullets in Northern Ireland, which caused our British colleagues in particular some difficulty. It was the same with the Diplock courts and the Armagh and Long Kesh prisons. And two weeks ago a resolution on the dreadful practice of strip-searching women prisoners in Northern Ireland was rejected on the same grounds.

Our political impact will obviously wane if we pretend that human rights are never violated in the West. When Franco was in power in Spain, it was very difficult to talk about conditions in Spanish prisons, although there were innumerable eye-witness reports of torture. We shall be leaving the frontiers of the European Community for the wider context of the Council of Europe when we shortly discuss Turkey, and not for the first time. Here we have a people, the Kurds, being systematically oppressed, which does not seem to worry more than a few people. Turkey is what is known as a friendly ally.

Recently, Mr President, a group of non-violent, non-dangerous pacifists were held on remand in Belgium for a month after demonstrating against the deployment of nuclear weapons in Belgium, a grotesque course of action. The Van den Heuvel report is a very good report. But I think in future there must be cooperation not only with the Political Affairs Committee but also with the Committee on Legal Affairs and Citizens's Rights so that human rights in the European Community may be discussed in the same context as human rights elsewhere in the world.

Mr Sutherland, Member of the Commission. — Mr President, let me preface my remarks by thanking the rapporteur, the committee and those who have contributed to this debate. Let me make it quite clear that this debate is viewed as an important one by the Commission, for it focuses attention upon principles which are fundamental to the existence of the Community in which we are all participating.

As Mrs Lenz, I think, mentioned during the course of her contribution, the list of violations which have been referred to in the report make depressing reading. I am conscious, however, of the need to avoid indulging in rhetoric or abstractions. Those who look to the Community for support and recognition of their difficulties in the field of human rights deserve more than this.

This Commission has therefore studied the Political Affairs Committee's report on human rights in the world and the Community policy on human rights

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with interest and concern. It is particularly appreciative of the wealth of documentation and research which went into this report, notwithstanding the limitations in support services which have been referred to by the rapporteur in her introduction. And even though the Commission cannot wholly subscribe to judgments made on the human rights situation in certain countries, it does express this appreciation to the rapporteur. One recognizes the difficulties in reporting on so many issues and the difficulties in the approach to be adopted when dealing with such a complicated and worldwide problem. But the result seems to me to constitute more than a bulletin or catalogue. It seems indeed to constitute an indictment of considerable importance.

Let me remind the House of two principles which are well known to the honourable Members but which bear frequent repetition. First, this Community is a Community of law. Observance of law is the first principle which lies at the basis of the Treaties establishing the Communities. Its systematic application is ensured by the Commission under the tutelage of the Court of Justice. The second is the commitment of the Community institutions to carry out their functions with respect for the principle of human rights. This principle is enshrined in the Joint Declaration of 5 April 1977. In this the Commission, along with Parliament and the Council, underlined the great importance it attached to the respect of fundamental rights and undertook to respect these rights at all times 'in the exercise of its powers and in pursuance of the aims of the European Communities'.

As well as being committed to respecting fundamental rights, the Commission strives to promote them. Indeed, it is obliged to do so. It does so in the activities of the Ten, soon to be Twelve, which, speaking with one voice, have expressed and continue to express their concern at violations of human rights in a number of countries. These expressions of concern in fact represent the indivisible commitment which was referred to by Mr Coste-Floret. They have intervened firmly and in a spirit of solidarity by condemning unequivocally serious violations such as the occupation of Afghanistan and Kampuchea. They have denounced the repression of human rights and trades union rights in Poland. And, most recently, as you are all aware, they have made clear their abhorrence of the *apartheid* system in South Africa and have taken joint action to demonstrate their solidarity with those oppressed by that system and to seek to persuade those in power that it is unacceptable and should be dispensed with.

Again, the Commission seeks to promote fundamental rights in the implementation and development of Community relations with non-member countries. Its activities in this field include the fight against hunger and drought as well as cooperation and development. So, respect for human rights lies at the basis of Community action, but the way in which this respect is put into effect depends, like other aspects of policy, on

assessment of particular situations and on detailed knowledge of the economic, political, social and cultural situation where intervention is proposed. This assessment is all the more delicate and difficult because, in the field of external relations, we are dealing with countries which are not only geographically distant from us, but also very different from our own in terms of social and cultural traditions. That is not to suggest that the fundamental rule in regard to human rights is variable, but it is worth bearing in mind in a debate of this kind. This is why we must always be very cautious in pronouncing any judgment: no technical administrative formula or ready-made methodology could or should replace the Community's capacity to make its own evaluation in each case, for that could only lead to an extremely dangerous form of determinism.

This said, the Commission has clearly set out its political priorities in its relations with the Third World and with Latin America. These have been presented to the Assembly and debated. These priorities include implementing the new Lomé Convention and using all the means available under it, as well as food and emergency aid, to combat the catastrophic difficulties facing the African continent. As far as bilateral relations with Latin America are concerned, the Commission is committed to promoting the return to democratic government, something which I was proud to endorse in Brasilia recently on the occasion of the parliamentary delegation to Brazil. In this way the Commission is seeking to achieve a beneficial interaction between the promotion of rights, particularly fundamental individual rights, and the promotion of development.

I turn now to the specific points raised in the report which are of concern to the Commission.

Paragraphs 16 to 19 and 21 (c), (d) and (g) relate to the promotion of development and humanitarian aid to countries with regimes which persistently violate human rights.

Let me reply to this along three lines. First, in its relations with the developing countries with which it has close cooperation links by virtue of international agreements or whatever, the Commission will maintain a Lomé-type approach. By this I mean that it will not set itself up as judge in cases of human rights violations, nor will it apply sanctions.

The Commission is in no way qualified to play such a role. We do not constitute a court. We do not take evidence. The Commission does not make any formal link between specific violations of human rights and the provision of development aid. The aid provided is not conditional.

On the other hand, the Commission will continue to promote all that contributes to respect for and enhancement of human rights. In doing so, it will emphasize the positive link acknowledged in the Lomé

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Convention and referred to, I think, by Mrs Focke between development and the promotion of human rights in their various aspects. The link is not merely a token or a gesture, therefore. It constitutes a real connection and a legitimate concern in the implementation of Lomé.

Second, the Commission rejects the use of what is termed the food weapon. It will not use the threat of withdrawal of humanitarian aid as a means to penalize governments. However, it does and will continue to take special care to ensure that development and humanitarian aid cannot be exploited or diverted by an oppressive regime and that it does find its way directly to the people who are in need and who are our concern.

As for development cooperation measures conducted pursuant to cooperation agreements, the Commission will observe such agreements which are binding on the parties concerned. But, here again, it has in certain cases to take particular care to ensure that its aid is implemented in accordance with the fundamental objectives of cooperation and development as defined in such agreements.

Third, in extreme cases of serious continuous violation of the most basic rights, the Community has already demonstrated the way in which it can react. The Commission will, should the need arise, assume its responsibilities in helping to take whatever decisions may be necessary in such exceptional circumstances.

Paragraph 21 (b) refers to the use of Commission delegates in third countries for fact-finding. Here we have to be extremely cautious. The Commission sees to it that it is kept constantly informed of the situation in non-Community countries, and to this end it receives regular information from its delegates on all questions concerning relations with such countries. This includes, among other things, particular problems regarding human rights.

However, the Commission cannot accept that these personnel be required to act as observers at political trials, as suggested in the resolution. It is not for the Community or the Commission to set themselves up, as I have already said, as judges in individual cases.

Paragraph 21 (g) relates to the confidential briefing of the President of Parliament on certain discreet initiatives. The Commission has, on a number of occasions, when it has considered it necessary, made discreet contacts at the highest level in order to draw the attention of the government concerned to the human rights situation in that country, its effect on European public opinion and the difficulties that such a situation could provoke for the smooth functioning of cooperation. Such contacts have also been made by Members of the European Parliament, notably by the President of the European Parliament.

The results have often proved all the more effective for having been made discreetly. Should the President of the European Parliament so desire, the Commission would be happy to provide for an exchange of information at the highest level on such contacts.

Paragraphs 13, 20 and 21 (f) relate to the provision of written reports to the Parliament. A regular report on action taken following Parliament's resolutions on human rights and on other Community activities in this field is already provided for through the regular report on action taken on resolutions passed on Parliament's own initiative. In the case of the Community's other activities connected with human rights, where such activities are not the subject of a resolution passed on Parliament's own initiative, they are included in the general report. The Commission intends to continue with this reporting procedure.

Paragraph 21 (e) refers to an increase in the funds allocated specifically to projects concerning information and education in respect on human rights. The problem here, as with so many other areas, is of course the problem of the current budgetary difficulties. It is difficult to see, in the light of those difficulties, how we are to achieve the improvement which is suggested by this particular resolution, however desirable it may appear. The Commission has, indeed, made financial contributions in the form of grants to a number of projects concerning human rights, but those resources are lamentably small.

Paragraph 21 (a) relates to giving a single member of the Commission responsibility for matters concerning human rights. I recall reading of this particular request in a previous debate. I think it was Mr Penders, speaking on the second annual report, who referred to the desirability that the President of the Commission should be given this particular function. Indeed, the previous Commission responded to that request by Parliament by giving the President of the Commission responsibility for the coordination of human rights issues. I know that he is personally interested in them.

At departmental level, coordination is ensured through the Commission's general secretariat. Although administratively this works very well and seems to be a reasonable arrangement, it does not altogether enable problems to be avoided. On the one hand, as has occurred today, it is not always possible for the President to make himself available to discuss human rights. This is not, as I have already intimated, any reflection of disinterest on his part — quite the contrary. But honourable Members will be aware of the pressing matter of concern to this House, as to the Commission, which have detained the President of the Commission in Luxembourg today. Further, the President has from time to time found it difficult, or impossible, to respond as positively as he would wish to the request that he has received to attend meetings of parliamentary committees to discuss human rights issues.

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On the other hand — and this is the balancing factor that the Commission has to take into account when considering the best approach to take to this issue — the reality is that many issues concerning human rights fall within the competence of different Commissioners. In my own case, this occurs in two different areas of competence: the competition policy in regard to internal matters relating to human rights of certain kinds and externally in regard to concerns relating to the development of certain policies. There are human rights aspects also to be found in the areas of competence of many Commissioners. So, it is not easy to see how these could all be handled by one Commissioner. Those charged with external relations or development are obviously very directly concerned.

In these circumstances, it is easy to see that the designation of a Member of the Commission, other than the President, whilst resolving some difficulties, could create others. So it is something that we shall have to consider with that in mind.

Having mentioned my own direct interest in human rights, let me speak for a minute on quite a different aspect of how we can influence the human rights situation in third countries. It is always tempting, and sometimes necessary, to point to the failings of others. But in the end there are two ways to influence the behaviour of others, one is by exhortation, incentive and perhaps ultimately the threat of positive measures, the other, which surely is primary, is by example. It behoves us, therefore, in the European Community to be vigilant that the example we set is worthy of our ambitions for others.

The Parliament has shown itself actively concerned about these issues. At the same time, in so far as its strictly limited present competences will allow, the Commission has been anxious, not only to respect human rights in its own actions, but to assist in their maintenance for the citizens of Europe.

Mr President, I stress the limitations of the Commission's present competences, I know that honourable Members often find it frustrating and even irritating when the Commission has to reply to this or that important question of human rights that it can do nothing because it has no competence to do anything. However, that is one of the consequences of living within Community law.

Just as I started with the principle of Community law, so I conclude on it. It explains why it is all the more important that Parliament, which is not so limited and which speaks as of right for the people of Europe, should be vigilant and should develop to the full its contacts with other bodies which can be its allies in these matters. Various speakers have drawn attention to the fact that the debates of this Parliament do have their effect. I, for my part, am thinking of the natural contacts which can be established quite apart from the process of debate and the airing of views: the contacts

which could be established with parliaments in the Member States and with the Council of Europe.

Having said that the Commission's competences are limited, I do not say that they are unimportant or that we are not very concerned to live up to our responsibilities.

Mrs Van den Heuvel (S), rapporteur. — (NL) Mr President, just a few, brief comments to wind up this debate.

I will begin by thanking everyone who has taken part in this debate and by pointing out that in the Political Affairs Committee we are already thinking about the form the annual report should take in future. This will certainly not be an easy task, despite the suggestions that have been made here, because they too diverge, but we shall come to a conclusion during the further discussions we shall be having in committee. It will not be easy, but solutions will undoubtedly be found at the end of the day.

I am grateful to the Commissioner for his lengthy reply. He would not expect me to be satisfied with everything he said, but it did show that he has taken the report seriously. I therefore think that what we have said here today will pave the way for the continuation of the discussion and enable the dialogue to begin and a method to be found that we all find satisfactory as far as that is possible.

I am bound to say, Mr President, that I find it particularly disappointing that the President-in-Office of the Council was not present for much of the debate and also that he did not take the trouble to participate in it, even though the resolution addresses the Presidency in very strong terms. I find that particularly regrettable. I do not think this augurs well for the possibility of continuing the dialogue, but we for our part will certainly do everything in our power to ensure that it does continue and that rather more optimistic words are heard in the future.

IN THE CHAIR: MR MØLLER

Vice-President

President. — The debate is closed. The vote will be taken at the next voting-time.

5. *Human rights in Turkey*

President. — The next item is the report by Mr Balfe, on behalf of the Political Affairs Committee, on the human rights situation in Turkey (Doc. A 2-117/85).

Mr Balfé (S), rapporteur. — Mr President, may I also begin by asking to take the floor at the end of the debate in order to reply to any points made? I should appreciate it if your officials would take note of that.

The report we are considering today arises out of a decision which the Parliament took a year ago not to renew its delegation to Turkey until we had considered a report on the human rights situation in Turkey. This report, which I have tried to draw up in the most balanced way possible, is drawn up not from a perspective of hostility towards Turkey, but from the perspective that Turkey, a country which aspires to European standards — and, indeed, aspires to membership of this Community — must be looked at with the same vigilance as the human rights situation within our own European Community.

As some Members will know, during the earlier part of this year I was able to visit Turkey on behalf of the European Parliament, and whilst there spoke to representatives of all the major political parties, including Mr Calp, General Sunalp, Mr İnönü and representatives of the True Path Party, and also a representative of the ruling Motherland Party, indeed, the representative in charge of foreign affairs, who was chairman of the Prisons Committee.

Whilst I was there I was also able, as an ironic aside to the human rights situation, to visit a lady called Ayşe Halil, who is in Turkey because she has been deported from the United Kingdom by the British Government, which also has a lot to learn about human rights. I hope that the British Government will allow her back into Britain and thereby show the Turkish Government the way forward in certain areas of human rights.

I should like to go through some of the major findings of the report. If we look back three or four years, we see an improvement in the human rights situation in Turkey. The situation which existed in 1981 and 1982 is clearly a worse situation than exists today. None the less, there are still widespread violations with which we must be concerned. It is more than one hundred years ago since it was remarked in Britain to our Prime Minister Disraeli by one of his commentators:

I do not yet see the people pulling down the railings in Hyde Park for an idea in Turkey.

That remains true today. But there is certainly much greater concern with affairs in Turkey today than there was some time ago. One of the best summaries of the dilemma of Western Europe is to be found in a book published on 26 September by a man called David Barchar, who is a member of the Conservative Party. He summarizes very neatly the dilemma when he writes:

To Western diplomats who have to bridge the gap between public opinion in their own countries and the situation as seen in Ankara, many of the con-

troversial human rights problems since 1980 in Turkey seem to have been created with a view to straining relations with Brussels to the uttermost.

That was published within the last few days. If we look in particular at the human rights situation in specific fields, I must, firstly, welcome the reduction in the number of executions which have taken place in Turkey and, in particular, welcome the very recent decision of a commission which examined the penal code and laid down quite stringent conditions for the imposition of further death penalties. This, none the less, does not gainsay the fact that the death penalty is still on the statute book and it is still possible for it to be used.

We have also had a number of allegations about torture and the violation of individual rights of the person. Some of them are documented in this report. These allegations, too, have not disappeared. The Amnesty International report published within the last few days begins its section on Turkey by saying:

Amnesty International continues to be concerned about the imprisonment of a considerable number of prisoners of conscience, widespread and systematic torture and ill-treatment of political prisoners, and the use of the death penalty.

Recently — in fact from a note I have which is dated within the last few days, I note that a delegation of mothers of people detained in the military prison in Ankara went to visit the Prime Minister and have also visited the Social Democratic Party to protest against the tortures and illegal treatment of their children. I note also that the leader of the parliamentary opposition within the Turkish Grand National Assembly, Mr Aydın Güven Gürkan, raised two incidents within Parliament recently. One concerned eight persons who were detained by the police for 32 hours, I quote:

Upon their release after 32 hours, the eight defendants complained to the public prosecutor that they were tortured by electricity, hung from the ceiling by their arms and immersed totally naked in cold water.

There is also a report about a Turkish citizen, İsmail Özaslan, who was recently tied behind a vehicle and dragged for two kilometres. The Minister of the Interior has confirmed that there will be an investigation in this case.

These cases prove two things. First, they prove that in the Grand National Assembly it is now possible to raise cases of violation of human rights. That is a step forward. It also shows though, regrettably, that violations of human rights continue. There is a step forward which still has to be taken.

If we look at the Grand National Assembly, which is the body with which this Parliament would have relations, I must also draw to the attention of the House

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that it does not represent anything like the full political spectrum of the Turkish political scene. Two of the major parties — the two parties which dominated Turkish politics during the '60s and '70s — are excluded from Parliament: they are the party of Mr Demirel, the True Path Party, and the party of Mr Ecevit, which is partially represented by the Social Democratic Party, now led by Mr İnönü, and partially represented by a party, as yet unformed, of the supporters of Mr Ecevit.

We have also had — and this is not new to this revolution, of course — the banning of the Turkish Communist Party. I would submit it as a precept that in Western Europe Communist parties must be allowed to exist within democratic States. In any case, the exclusion of the two major parties — the True Path Party on the right, and the Social Democratic Party on the centre-left — cannot leave us in any doubt that full parliamentary democracy does not exist and will not exist until those two parties have been able to contest an election and take their seats in the Grand National Assembly.

I would find it regrettable if parties — I do not expect anything better from the Conservative Party — such as, for instance, the Liberal Group within this House voted in a different way from the Liberal Party in Great Britain, which is consistently for better human rights in Turkey and would, I am sure, not be voting for a resumption of relations at this moment. I would also find it odd if some of the more liberal-minded members of the Christian-Democratic Group managed to vote for a resumption of relations when the True Path Party is excluded from Parliament.

My final point is this. This report, which, I am pleased to say, was adopted by the Political Affairs Committee, does, I believe, represent a balanced view of Turkey as it stands at the moment. Though we do look forward to further improvements in the observance of human rights in Turkey, this report has not set out to be unbalanced and just to condemn. And we do look forward not only to a time when Turkey takes its full place within the European community of nations, but also to a time in the interim when it is possible for delegations and contacts between this Community and the Turkish people to be resumed. Turkey is a part of Europe, and we have an interest in its future.

Mr Dankert (S). — Mr President, before starting my contribution I have to declare an interest: I have friends in Turkey. I should further say that when I visited the country last March, the bill for my visits to Ankara and Diyarbakir was paid by the Turkish authorities, and I thank them for it.

As a guest of the Turkish Grand National Assembly, I was able to see who I wanted and could also speak freely to the inmates of the Diyarbakir military prison. I would not say that the inmates of that prison were so free to speak to me.

I spent more than one week in Turkey. It was my eighth or ninth visit to that country since 1971. I dare to say that most of the conclusions of the resolution in the Balfe report are neither more nor less than pure statements of fact. There is torture in Turkey. The police stations are equipped for it. There is still torture, or at least serious maltreatment in military and civil prisons. The freedom of the press is extremely limited, certainly in areas where martial law still applies. As the press is concentrated in Istanbul, martial law in Istanbul, as long as it is not lifted, represents a serious handicap for the free expression of the press. I had some experience with it, for my own press conference, which was held in Istanbul, was censored by the Turkish authorities.

Mr President, the Turkish Grand National Assembly — as recalled by Mr Balfe just now — is an elected parliament, but only some parties were allowed to participate in the elections. Others were excluded, and opinion polls over the last year have consistently indicated that the parties excluded have stronger popular support than most of the others, perhaps with the exception of the Mevelen party, although even there the situation has started to change within the last few weeks.

That those parties have a real existence even outside the Parliament of Turkey was proved in the municipal elections. Several politicians who were members of the Turkish Parliament before the military takeover of September 1980 are still excluded from participating in political and public life. The present Prime Minister was lucky to be beaten in the elections for the simple reason that his defeat made him eligible to stand in the elections which led him to the office of Prime Minister. So sometimes defeat in politics is a good stepping-stone. Two former Prime Ministers, Ecevit and Demirel, as has been mentioned, are banned from political life for 10 years.

Turkey is not a democracy by our Western European standards, and Turkey does not respect human rights that it has agreed to respect as a party to the European Convention on Human Rights. On the basis of, and as part of, the Association Agreement between Turkey and the EEC, we had a joint committee consisting of members of the Turkish Grand National Assembly and the European Parliament. It should be clear that that association has to be seen in a double context. In the first place, in the context of the European Human Rights Convention, whose values we all claim to share. In the second place, in the context of a Turkey striving towards closer association with the Community and eventually becoming a member of it. That is the reason why I think that we have to judge the Turkish situation by our Western European standards, and many Turks would agree with me on that. I also know Turks who say: 'you should allow us for the moment to live in a kind of oriental democracy.' If Turks want to live in an oriental democracy, whatever that may be, they are fully entitled to do so and I would still keep up

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contact with them. However, in the context of the relationship with the European Community, in the context of adherence to the European Human Rights Convention, it is impossible, in my view, to apply other standards to Turkey than those applied to any Member State of the Community. As soon as you let that fundamental notion slip, you start undermining your own democratic and human rights standards. I think that is the essential element of this debate.

The rapporteur concluded — and I think he is right — that there has been considerable improvement in some fields over the last few years. In other fields I would be more doubtful. Whether that is sufficient is difficult to judge in many ways. As a European Parliament, we should attach considerable importance to the findings of the Human Rights Commission of the Council of Europe, which, on the basis of a complaint by five Member States of the Council of Europe, is investigating certain matters, mainly the torture situation in Turkey today. That report has not come out. If we were to state that we are now prepared to resume normal relations, we should be anticipating the findings of that committee and the eventual judgment of the Member States of the Council of Europe on that situation.

There is progress, but that progress is insufficient. There is torture, as I said. The Turkish authorities indirectly don't deny that there is torture, because they pursue those who are accused of having tortured. I must say, in fairness to them, that many people who have been denounced as torturers have been brought to trial and put in prison. However, of the thousands of cases mentioned by those tortured, only hundreds have been followed up. There is still an enormous discrepancy there, but there is *some* progress.

As regards the death penalty. Turkey at the moment is the only country in the Council of Europe where the death penalty is still carried out. I must say that in 1985 so far no executions have taken place. The number of executions has fallen considerably since 1980 with only two cases in 1984, both of them condemned by this Parliament in an urgent resolution. We, as a European Parliament, have come out strongly against the imposition of the death penalty. I do not think that we could exempt Turkey from the position on fundamental human rights that we took up by adopting that resolution.

Of course, we should congratulate the Turkish National Assembly on being so prudent now as to commute death penalties. However, I feel that if we don't keep up the pressure, that prudence may disappear because other pressures — from military sources — prevail.

As regards prisoners of conscience, Turkey is the only country which maintains close relations with the European Community and also has the phenomenon of prisoners of conscience. We have seen it in the trials of

the Peace Association, we have seen it with the signatories of the Declaration on Human Rights and Fundamental Freedoms, we have seen it with trade-union leaders. People are brought before the courts simply for writing or talking or editing and condemned to very heavy sentences. We should not allow such a situation to continue. We should support those in Turkey who try to ensure that our values are respected. We should try to support, as I have said already, people, from Demirel to the President of the Writers' Union, who try to keep Turkey on a democratic and human rights course.

That is why I think that at this moment it is too early for this Parliament to resume formal relations with the Turkish Grand National Assembly in the joint committee. We should try to keep the pressure on. The past two years have shown that pressure works. However, even if we have no formal relations, we should nevertheless continue to talk to the Turks, because that is the only way to exercise effective pressure.

Mr Lemmer (PPE). — (DE) Mr President, ladies and gentlemen. My honourable friend Mr Balfe has presented a report which in many respects takes account of the changes in the situation in Turkey but in many respects does not. We too deplore the fact — I will say it right away and unequivocally — that those human rights which the European Parliament holds to be most fundamental and elementary, i.e. the right to life, physical integrity and a fair trial, are not adequately safeguarded.

We too disapprove of attacks and torture in police stations or prisons. But we must not forget what Turkey has gone through in the last decade and the progress which, as Mr Dankert has just said, has been achieved in recent years, particularly the last two years. Before the military took over in September 1980 it really looked as if Turkey might collapse in chaos. At that time it was impossible to move around the country freely. Twenty and more murders were the order of the day, and the illegal arms found in the country would have equipped a whole army. When a delegation of three MEPs — the Conservative Mr Spicer, the Liberal Mr Pintat and myself — spoke with the then Prime Minister Mr Ecevit, even he said that in the circumstances there was probably no alternative to a military takeover in September 1980. This too should be brought to mind again.

In any case the takeover of power in Turkey cannot be compared with a *coup d'état* on the pattern of the South American banana republics. Nor should we forget that it was the military who actually created modern Turkey. We should not forget that the military intervened once before in the 1960s and returned the country to democratic control. And we should not forget that when they seized power in September 1980 the military declared that they would again return the country to democratic control.

Lemmer

They have certainly made a start on this. Of course the elections to the Grand National Assembly do not offer the 'quality guarantee' required by the Western European democracies. We deplore that not all parties were allowed to put up candidates. But this guarantee is required practically only by western Europe or the USA. We are less fussy about other countries in which we maintain delegations. But since the local elections in Turkey it can no longer be claimed that these were not democratic elections. The outcome, both of the Grand National Assembly election and the local elections was certainly not what the generals wanted; it was quite different. This is a sign of progress which must be continued, and I think this progress is not helped by constantly pillorying Turkey by exaggerated criticism. We should discuss together, counsel and demand, and we should support the Turks with our counsels and demands. There are many things which can be influenced.

One thing I shall never forget: during the visit I alluded to earlier, when we spoke with the former members of the Joint Parliamentary Committee, nearly all of whom had come to the meeting, we were told 'Why did you not come before now? There was so much you could have done!' And in fact, all but one of the parliamentarians still remaining in prison were released when we asked to have a meeting with them.

There are starting points and opportunities here which we must take and which are not best taken by levelling exaggerated criticisms or dictating to the Turks what they should do or how things might be done faster and better. We should really talk to them. I think we should thus oppose some of Mr Balfe's exaggerated allusions, and unlike the previous speaker I think it is necessary to restore the Parliamentary Delegation specifically, as Mr Dankert said, to conduct discussions and if necessary to exert pressure.

Particular emphasis has been laid here on the death penalty, but the death penalty can only be carried out in Turkey if it is upheld by a decision of Parliament. There are more than enough opportunities here for influencing matters and steering things in a positive direction. Anyone who does nothing, who is not prepared to speak and create a platform for speech, cannot take the soft option of criticism and say afterwards that things could have been done a lot better.

I would thus ask you to support in particular those amendments which envisage the restoration of the Parliamentary Delegation, so that there can be a platform for discussion where both sides can counsel and influence each other.

(Applause from the centre)

Mr Prag (ED). — Mr President, since my concern for humanity obviously extends even to the hard left members of the so-called British Labour Group, I

would like to believe that the chief concern of all in this House is to ascertain to the best of our ability the objective facts in this very important matter — the situation of human rights in Turkey, an allied and associated country.

I am afraid that the Balfe report falls short of this criterion of objectivity in a number of crucial respects. The most serious of them is the attempt by implication — which starts in recital A by going back to September 1980, the month of the military *coup* — to blame the present civilian government for the events that occurred before it even came to power. Let us remember that it has been in existence only since November 1983. Yet time and time again Mr Balfe implicitly blames it for all that has happened since 1980 and for a good deal of what happened before, in particular for matters which arise from the old Turkish penal code.

He mentions in recital C the evidence submitted by five countries — Denmark, France, the Netherlands, Norway and Sweden — on torture and other infringements of the European Convention on Human Rights by Turkey. He forgets to mention, however, that all their evidence referred to the period from 12 September 1980 to 1 July 1982, that is, the period of military dictatorship before the present government came to power. A chance omission, I presume, Mr President.

Then, in his explanatory statement, Mr Balfe says that there have been 50 executions since the *coup*. So there have, although there are no official figures. That is probably as near as we shall get. But he fails to say that since the return to civilian government nearly two years ago, only two death sentences have been carried out. Another chance omission, doubtless, Mr President.

He talks of 500 people under sentence of death last May, but fails to add that the Turkish Parliament — the Grand National Assembly — elected in November 1983 has been systematically refusing ratification of death penalties for all except the most heinous crimes of terrorism. Another chance omission.

He mentions that he was not allowed to meet any representative of the Turkish Communist Party, and in his text he says 'now banned'. So it is indeed now banned. He just forgets to mention that it has been banned for decades, indeed right through all the governments of Mr Demirel and Mr Ecevit. Indeed from the very start of the Turkish Republic. It has been banned by the Constitution along with all other totalitarian parties of left and right. Another chance omission.

Touching on the possibility of a general amnesty, Mr Balfe refers to the repentance law and the fact that it was vetoed, as it was indeed by President Evren. He fails to mention, however, that under the constitution the bill was returned by the President to the Grand

Prag

National Assembly, which then passed it. Another chance omission, doubtless.

Then he writes about the Deputy Secretary-General of the Sodep Party, who, he says, is reported to be 'being held' — excuse the English, but that is Mr Balfe's English — *incommunicado*. Well, he was indeed arrested, but he was never held *incommunicado* and he was released after four days. Not mentioned. Another chance omission.

Mr Balfe refers also to the trials of members of the Turkish Peace Association and of the DISK Trade Union Confederation — trials which we must all deplore. However, he might have mentioned at least that 11 of the 23 Turkish Peace Association members, including their president, Mahmoud Dikerdem, have been released from prison pending a verdict. Another chance omission, doubtless, Mr President.

I could go on for some time on this subject of inaccuracies and, I am afraid, outrageous selectivity. — I am sorry, chance omissions. I will mention only one more. Nowhere in the report do I find any mention of the fact that in the two years since the return to civilian government in Turkey, between 100 and 150 members of the security forces have been tried and convicted for ill-treatment of prisoners. Is this the mark of a government that encourages torture? Never has this happened before in the modern history of Turkey. It did not happen under the military dictatorship, of course, but it did not happen either under the governments of Mr Demirel and Mr Ecevit. Let us not forget that in the last year of the old constitution, before the military *coup* — and this was the situation to which Mr Lemmer has drawn attention — 2 000 innocent people were gunned down in the streets by terrorists of the extreme left and the extreme right. There was no right to life then, Mr President. There was no real freedom of expression when anything you said might bring a bullet in your back.

For the first time in many years we have in Turkey a government committed to eradicating abuses of human rights and restoring fundamental freedoms. Of course, it has a long way to go. However, that is not its fault. Does it make sense to refuse to talk to a parliament which is making the death sentence almost a thing of the past? And a government which is doing its best to root out torture and those who illegally practise it? That, I submit, is folly. I and my group would be the last to advocate resumption of the dialogue with Turkey if the picture were uniformly black. But it is not. It is far from black. At last we have a Turkish government determined to bring light into the dark corners. We rightly maintain a dialogue with all kinds of dubious regimes. We even have a Comecon delegation — not very active, but we have one. We talk to and give aid to one or two African regimes whose violations of human rights — I am thinking of Uganda in particular — are beyond human imagination. Should we refuse even to talk to a major ally and a firm friend

such as Turkey, which is doing its best to meet the standards we set in our own richer and less troubled lands?

My group, Mr President, does not believe in the childish practice of sending one's friends to Coventry. We believe the time has come to behave like adults, to resume the dialogue, to help our friends the Turks to achieve their aim of building a durable modern democracy. Of course there is still much to do, but there is no doubt in my mind that the present Turkish government has shown its firm will to do it. In the two years since it came to power, it has made great strides towards the observance of fundamental human rights.

Mr President, it is time we made a sensible gesture and offered our Turkish friends all the help we can give. It is better to talk than to sulk. We believe in my group that it is time to resume the dialogue.

(Applause from the benches of the European Democratic Group)

Mr Wurtz (COM). — *(FR)* Mr President, it is not without reason that the Assembly is today discussing relations with Turkey. Not only does that country have a close association with the Community by virtue of a treaty, Turkey has also on several occasions — and once again, recently, through its Prime Minister — made application for admission to the Community.

It is therefore perfectly legitimate for our Assembly to concern itself with the state of human rights in Turkey. In the most recent period, that situation has not improved — far from it — and the rapporteur, in his very full report, provides us with evidence of that.

A large delegation from progressive and trade-union groups in Turkey, whom I welcome to our Chamber, has more or less confirmed these findings. They have told us that their parties are banned. Thousands of people have been arrested, prosecuted and tortured, because they are suspected of being members of these parties. The unions, democratic associations, the Peace Committee, women's and young people's democratic organizations are proscribed. Their leaders and their members are arrested, prosecuted. Mass trials continue. They are even being extended. More than five hundred people are in prison under sentence of death. As for the Turkish Minister for the Interior, he has been quoted in the Turkish press during recent days as saying that 108 people had been killed in the east of the country in a period of three months.

Furthermore, there are 12 million Kurds in Turkey. The Constitution prohibits these people from speaking their own language. It suppresses their rights and democratic freedoms. There is a conscious policy of genocide. This is 'our firm friend' of whom Mr Prag spoke.

Wurtz

In view of the gravity of the situation, the Member States, the Council or the Commission seem to have agreed to support the Turkish Government at any price, on the financial level as well. No doubt they share the view expressed by the French employers' periodical *La Vie française*, which wrote, with the merit of frankness, that Turkey is the keystone of Western defence strategy, which is why its stability is important. In response to a letter which I sent to Mr Roland Dumas, the French Minister for Foreign Affairs, the latter replied in June of this year that there had been a move towards democratization. France had to take note of that and did not intend to oppose the release of loans granted to Turkey by the European Community.

Financial aid from Belgium — 250 million Belgian francs, at 2% interest — and from Germany — 200 million marks — Mr Kohl's visit to Turkey, all mean the same as the evasive replies given during our debates by any President of the Council whenever he has been questioned on the problem of human rights in Turkey. It was not by chance that the Council restored to the 1985 budget the loans under the Third Financial Protocol and the special aid to Turkey, which our Assembly had frozen.

The Commission itself has had no hesitation in disregarding the Assembly's refusal and has restored the credits to Turkey to the budget. Europe is thus offering the Turkish dictatorship more generous aid than that granted to a country like Ethiopia, a Lomé partner, which is faced with famine and under-development. We cannot go on in this way! Our Assembly must exert all possible pressure to stop these attacks on human rights, which are organised on such a grand scale in a country three hours' flying time from Strasbourg.

For this reason one has to support the rapporteur's conclusion that under present circumstances it is impossible to reconstitute the EEC-Turkey joint committee. Above all, our Assembly can no longer allow the Council and the Commission systematically to violate the undertakings they have given here.

That is why our group will vote for the Balfe report.

Mr Wolff (L). — (FR) Mr President, this is an important debate: relations between Turkey and the Community are in fact of special interest to us all. They pose problems for three main reasons.

Firstly, it is clearly in the interests of the Ten, happily soon to be Twelve, Member States to maintain good relations with a country like Turkey, which had so much historical importance, has such present significance and has such potential for the future.

This is especially true of the Mediterranean countries, and of Greece, in particular. We are all aware of the

problems which exist between our Greek partners and their neighbours. We all hope that the suspicions and animosity will shortly be replaced by peaceful cooperation, and we believe that the accession of Greece to the Community and Turkey's special relationship with it will play a part in fostering better relations.

Secondly, we, the Liberals, think — as the rapporteur has also said — that there has been marked progress in reestablishing respect for human rights in Turkey. There has been a marked improvement in the situation since the military *coup* on 12 September 1980. There are fewer political prisoners, they are treated more humanely, political discussion is more open. And, Mr President, we Liberals recognize that the horrors committed by the military regime were to a considerable extent a reaction against the crimes inflicted on the Turkish people by odious murdering fanatics, extremists of the right or left, and against the terror which they instigated.

Thirdly, we Liberals know only too well — and today's debate on Mrs Van den Heuvel's report should have reminded all Members — that there are worse violations of human rights in many countries other than Turkey.

To cite just a few examples, remember Cambodia, the boat people, Paraguay, Afghanistan: perhaps some of them would like to exchange their oppressors for Mr Özal's government — and we are saying nothing about countries in which the absence of freedom of movement makes it impossible to know what really goes on. It is not just in Turkey that there is no respect for human rights: the same is true of the East more than the West, and one cannot talk about proscribed parties, because in some places only one list is allowed at each election.

None the less — and perhaps this seems paradoxical, Mr President — we are not in favour of renewing the European Parliament's delegation for relations with Turkey in the form it had before, for the following reasons.

First, the genuine importance of our relations and our association agreement with Turkey mean that we have to be more exacting as regards human rights in that country than in some remote uncivilized country with which we do not have close relations. When the military junta was in power in Greece, the European Community criticized the colonels not just because, unfortunately, like so many other regimes, they violated human rights, but also because our close ties with Greece made it impossible to remain indifferent to what was happening in Athens. Today the same argument applies to events in Ankara and Istanbul.

Secondly, the recent progress — real, encouraging progress — in Turkey has kept step with the pressure exerted by our Assembly, in particular, and by the institutions of the Community in general.

Wolff

Because we have adopted a critical attitude, because our criticism has been tempered by a sense of proportion, we have not only brought comfort to the oppressed, we find that we have influenced their oppressors.

With this in mind, the Liberal and Demoractic Group will vote to keep the substance of the resolution, but we shall support some amendments which make more allowance for recent progress and also, from this point of view, Mr Klepsch's amendment, which specifies that as long as the EEC — Turkey joint committee does not operate, a delegation for relations with Turkey should be set up to operate within the framework of the European Parliament's normal interparliamentary delegations. And we shall look forward to the day when we shall be able to vote unreservedly and enthusiastically for the restoration of the Joint Committee between the European Parliament and a truly democratic National Assembly. That day has perhaps not yet arrived. It will come, of that we can be sure.

Human rights must be defended everywhere, and we must courageously denounce anyone, whoever they may be, who does not respect them. We must not support those who attack or defend according to their political colour.

Human rights are sacred rights, and the European Parliament must act consistently whenever those rights are threatened. It can pride itself on that.

Mr Staes (ARC). — *(NL)* Mr President, despite the fine words used by the present Turkish Government and various Members of this Parliament, who found everything to be in order after a so-called inquiry in Turkey, there is no doubt at all that human rights are still being trampled under foot in Turkey in a way this Parliament and Community cannot accept if they intend to be consistent in their views on democracy and human rights.

The report published by Amnesty International in July of this year — I have it here in my hand — was also unequivocal and convincing on that point, as are the reports of the Council of Europe itself. I am, of course, inclined to give more credence to independent and professional bodies than to a few parliamentarians on a round trip of Turkey or to the party most directly concerned, the Turkish Government.

If they say everything is perfect in Turkey, I assume they will have no objection to the immediate setting up of a committee of inquiry with direct access at all times and without prior notice to all places in Turkey where people are held in detention. A committee of this kind would have to include representatives of non-governmental organizations fighting for democracy and human rights in Turkey as well as Members of the European Parliament.

In the meantime, all the Member States of the Community should suspend trade relations with Turkey. If it is claimed that everything is in order, there should be an opportunity to prove it in practice.

Mr Christiansen (S). — *(DA)* Mr President, it seems to me that the human rights situation in Turkey under the rule of General Evren since 12 December 1980 is one of the most important questions the European Parliament has on its agenda this week.

What we decide in connection with Mr Balfe's excellent report will certainly have great significance for the future development of Turkey and of the relationship between Turkey and Western Europe. I see the significance of our decisions not least in the light of the many strenuous efforts made by the military regime in Turkey and other official institutions, such as the government, parliament and the diplomatic service, to reach a compromise with the Western democracies. But it should not be made so easy for those politically responsible in a State which, while seeking to be recognized as part of the European family, deliberately disregards and violates the most fundamental principles of political and civil, democratic and human rights.

There have been plenty of changes in Turkey in the last few years, but in my opinion not nearly enough for us in this Assembly to recognize the military regime of General Evren. Regrettably, it appears, too, that Prime Minister Özal has a very lukewarm attitude on the human rights question. He seems inclined to leave it to the parliament, Turkey's Grand National Assembly. But even the Assembly, its so-called prisons committee, for example, seems to have given up in the effort, for example, to limit the use of torture and to check irregularities in legal proceedings.

We might have wished that the conditions were present today for a debate on a normalization of relations with Turkey. It would also have been to the advantage of the thousands of political prisoners in the Turkish gaols and of those who daily run the risk of arrest and torture. But it is unfortunately not the case that the conditions for a normalization of relations are present, and the responsibility for this rests solely with the Generals.

I must also take exception to the carrot-and-stick method. I do not believe in this type of strategy and tactics to deal with the military regime. In this connection I should like to express my hope that the efforts, which we know are in progress, to persuade Denmark, France, Sweden, the Netherlands and Norway to abandon their action against Turkey in the European Court of Human Rights will not succeed.

I should like to take this opportunity to object to and condemn the Commission's internal transfers of appropriations in 1984 to provide increased economic

Christiansen

aid to Turkey by way of the so-called third financial protocol, despite the rejection of this increase in the appropriation by both the Council and Parliament. It is, moreover, a violation of the budgetary principles, and it must have consequences when we come to debate the Community's financial operations for 1984.

I think that, as has been proposed in the report before us on the human rights situation in Turkey, we should stand by the resolutions the European Parliament has adopted since 1980. It is a fact — I should like to say this to Mr Prag and others on the right of this Chamber, that Turkey is the only one of the 21 Member States of the Council of Europe which still passes and executes sentences of death, that torture is still standard practice and takes place systematically, particularly at police stations, and that there are widespread violations of prisoners' rights to satisfactory defence, to just legal process. This is not a question of figures going up or down. One case is one too many here.

It is a fact that long-drawn-out proceedings are continuing in mass court cases against various organizations mentioned in the report, for example the Turkish peace movement and the Turkish Trade Union Confederation, DISK, which are accused of having by peaceful and non-violent means given expression to their political opinions; it is a fact that DISK, which is affiliated to the European Trade Union Confederation, an organization recognized by the European Community, is still banned from pursuing its activities in Turkey.

It is also a fact that there is no democracy in Turkey and can be none, as long as major parties of both left and right are kept out of the country's parliament and as long as leading politicians such as Demirel and Ecevit continue to be excluded from political life.

These facts should be enough for everyone in this Chamber to realize — but I note from the speeches which have been given so far that this is not the case — that the Turkish Council of Ministers must make considerably greater efforts and concessions in the direction of a re-introduction of democracy and human rights before Turkey can be recognized as a legitimate member of the European family, the European Community and the Council of Europe. It would in my opinion be a betrayal of the Turkish people if we entered into a compromise with the military regime of General Evren.

Mr Lambrias (PPE). — *(GR)* Mr President, colleagues, I will not add to the detailed and assiduous representations by our distinguished colleagues Mr Dankert and Mr Balfe. Let me, however, refer to my own personal experience in connection with a previous military dictatorship, the tragi-comic dictatorship by the Greek Colonels, to highlight the critical error systematically made by all who, whether because of ingenuousness, or in response to vested interests,

advocate a tolerant or supposedly realistic attitude towards anti-democratic regimes.

The main argument I grew tired of hearing while exiled from my homeland for seven years was then — and still is — that we ought not to place a dictatorship — especially a long-lasting one — in isolation, in quarantine, because there would then be no way of monitoring the situation, giving guidance, exerting pressure towards liberalization, but that on the contrary we would be pushing it to become worse. On the other hand, if we shut our eyes to contraventions of human rights, to tyrannical government and even to crimes, we may little by little be able to bring it to its senses, and persuade it to change into some form of democracy.

This, let me say, hypocritical argument is unfortunately repeated word for word in our own democratic Parliament, despite the fact that history cannot point to a single example of a dictatorship that voluntarily relinquished power thanks to the friendly admonitions of its democratic neighbours. The appeal of such arguments always conceals the desire of various countries, whether of the Western democratic or the Eastern totalitarian type, to form closer economic, commercial or military links with the dictatorships, which manage to survive precisely because they show a barbaric disregard for freedom, legality and order.

However, to disguise this realistic pro-dictatorial policy in the face of domestic or international public opinion, these governments, the groups of interested parties, take up a magnifying-glass and hasten to draw attention to the most meagre examples of any movement towards leniency by tyrannical regimes, as if they were giant steps forward. For example, let me remind you that that was just what happened when, in 1970, an American Secretary of Trade described the Greek dictatorship of Papadopoulos as the best and most effective democracy in the world. I am sorry to say that roughly the same thing is being attempted by those who, with their amendments, are trying to tone down some of the gloomiest points in Mr Balfe's report so as to turn us aside from its essential political conclusion — as we saw, for example, in the counter-report by Mr Prag — in other words, to conclude that the European Community ought to resume relations with Turkey in the Joint Committee, because some steps towards democratization have been achieved in that country. And because it is on that obscure path, and because it has other political and economic problems, let us overlook — so say those indulgent colleagues — the executions, now that there are fewer of them, and the torturing and oppression of the minorities, and the ridiculing of the democratic process with elections from which certain parties are excluded. And — so say those advocates — let Europe give a helping hand to Turkey. And the most hilarious argument of all? That Turkey is part of our family.

Mr President, colleagues, on this point I would like to make it quite clear that my views are not due to the

Lambrias

fact that I am Greek and that I therefore feel justifiable embitterment for what the Turks have done and are doing in Cyprus. My views are those of a friend of the Turkish people, and I state them in the hope that we shall see that people and its representatives joining us here. When? When there is a true restoration of freedom, democracy, law and order in their country.

Thanks, then, to this popular perspective and to friendship towards the Turkish people, I call for Parliament to reject all the embellishing amendments which tend to heap praise upon the Turkish military dictatorial regime and which the suffering Turkish people would regard as a mocking slap in the face from democratic Europe if it saw us pass them.

(Applause from the centre and the right. The sitting was suspended at 1 p.m. and resumed at 3 p.m.)

IN THE CHAIR: MR GRIFFITHS

Vice-President

Mr Simpson (ED). — Mr President, the first thing I would do is to join issue with Mr Balfe, who likens, on more than one occasion in his report, the situation in Turkey today with that in Northern Ireland. The parallel is totally unsustainable and I totally reject it. I am particularly pleased to be able to speak today since I put down a motion on 21 January of this year following the Amnesty International reports on torture, especially in police stations, the death penalty and prisoners of conscience. I did so with a heavy heart, because Turkey is a country I have visited and I admire both the people and the country. I am also conscious that at some future time Turkey will apply to join the European Community. It cannot do so if the conditions which obtain today are continued.

I note from Mr Balfe's report that there does seem to be some improvement in the restoration of human rights, and I welcome this. However, I consider that as long as any torture is practised, despite the fact that already 150 policemen have been convicted and sentenced for torturing prisoners, the government must continue to act to stamp out this practice and the European Parliament must continue to encourage them to do so.

I appreciate that in the last two years since the return to civilian government only two executions have been carried out, both for violent offences, but I would wish to see the death penalty no longer carried out, as is the case in other States which are signatories to the European Convention on Human Rights and members of the Council of Europe. I would like to see a return to the situation which obtained between 1972 and 1980, when no executions were carried out. I would also

enter a protest about the Turkish attitude to the Kurdish minority in Turkey. It is perfectly clear that they are not accorded the rights that a civilized country normally accords to minorities. Even the speaking of their language is banned. Nevertheless, I believe that the European Parliament-Turkish Grand National Assembly Joint Committee should be reactivated. It is only by closer contacts and by exchange of views that an adequate supervision and understanding can be maintained. We must not forget the situation which led to the setting up of military rule — 2 000 people killed over 12 months and near anarchy reigning. It is against that background that I wish the Turkish Government a speedy and effective return to normal conditions and a speedy and effective end to the breaches of human rights as we know them.

Mr Trivelli (COM). — *(IT)* Mr President, ladies and gentlemen, I agree with the main lines of the Balfe report, particularly in view of its fullness, and not just because it — rightly — rejects the re-appointment of the European Parliament delegation to the EEC-Turkey Joint Committee. I say 'rightly', because democracy has not yet been established in Turkey.

I support this proposal, which I hope Parliament will endorse by rejecting the amendments, partly because it adopts an approach incorporating the following three main points, which I should like to emphasize.

First, it values positively all progress — however slight — with regard to respect for human rights and the restoration of democratic principles. We are not among those who declare that everything always gets worse, and if there has been progress we acknowledge its importance, since such progress is not a token of concessions from above but is brought about by struggle, grass-roots action and international pressure, which are thereby encouraged.

The second important point in the Balfe report is the firm conclusion — which is validated — that democracy has not been restored in Turkey. This brings us to the link between the appointment of our delegation and the full restoration of democracy. It is a crucial point, and I pay tribute to Mr Lambrias for endorsing this position this morning despite the fact that it diverges from the amendments tabled, including those of the Group of the European People's Party.

Thirdly, I believe it is very important that the report emphasizes the need for international action and action by our Parliament.

Here I should like to close by asking us all the following question: what is the importance of our acts? What real impact do they have? We often pass resolutions of great importance, and I hope that the European Parliament adopts this one. We should, however, take the trouble to find out what practical effects our decisions have in reality, and with that in mind the following

Trivelli

points should be made. Parliament must take action to ensure that the Turkish people and the Turkish authorities are aware of its views. This should be done by the individual States acting in concert under the auspices of the Council of Foreign Ministers meeting in political cooperation, and I believe that it should also be done by those parties and political forces which support the main lines of the Balfe report and must now go on to use their influence on European public opinion to ensure that the position which we adopt here has a real impact on events and that democracy is restored in Turkey.

Mr Vandemeulebroucke (ARC). — (NL) Mr President, ladies and gentlemen, I should like to begin by congratulating the rapporteur on what is, in my opinion, the reasonably balanced way in which this report on human rights in Turkey has been drawn up.

I believe the report gives a fairly accurate description of conditions in Turkey. Although there have been a few improvements, the human rights situation is still causing great concern. I should like to draw special attention in this connection to an aspect which is not covered by the report, the critical situation in which the members of the ethnic minorities, and specifically the Kurdish minority, live.

The report refers to two resolutions on this subject, but it is otherwise worded in general terms. The Kurdish people in Turkey are the victims of political oppression and of all manner of repression, torture and ill-treatment. Anyone who engages in political activities or gives expression to the peculiarity of the Kurdish people in any way is severely punished. The Kurdish people are suffering under not only political oppression but also social and cultural repression. This is in the final analysis resulting in a tremendous socio-economic decline, which in its turn is fanning unrest within this section of the population. The ban on Kurdish education and on the establishment of cultural associations is an example of systematic oppression, and this is an unacceptable situation.

Mr President, I see absolutely no reason why the European Community should adopt a more accommodating attitude towards Turkey. The activities of the European Parliament's delegation to the EEC-Turkey Joint Committee should therefore be suspended until it is clear that a major improvement has been made in the policy on respect for civil and human rights, particularly where the Kurdish people are concerned.

Mr Ulburghs (NI). — (NL) Mr President, I fully agree with the Balfe report. It gives an objective description of the gloomy situation in Turkey. I have personally witnessed the flagrant violation of human rights in that country. At the express request of Turkish immigrants in Belgium, and more particularly Limburg, I visited Turkey with a delegation of representa-

tives of non-governmental organizations and Members of the Belgian Parliament. We had meetings with lawyers, former prisoners and members of the families and mothers of prisoners, mostly in Istanbul and Ankara. We made contact with prisoners in the infamous Mamak prison in Ankara and witnessed a mass protest by 700 prisoners. We also talked to various politicians and professors. The evidence was unequivocal: people are imprisoned and tortured because of their political and social opinions.

Like Mr Vandemeulebroucke, I should like to draw attention to an important minority in Turkey, whose human rights are subject to even worse violations. I am referring to the 12 millions Kurds, who are even forbidden to speak their own language. Proportionally more Kurds are held in prisons and tortured than any other section of the population in Turkey.

I therefore endorse the proposals made in the report: suspension of aid from the European Community until human rights are respected in Turkey; no parliamentary contacts between the European Parliament and the Turkish Parliament until an independent committee consisting of Members of Parliament and representatives of non-governmental organizations has been permitted to carry out an on-the-spot investigation and has delivered a favourable opinion on respect for human rights. I also hope that the political, social and cultural differences of the Kurdish people, one of the oldest peoples in the West, the Medes mentioned in the Bible, will be recognized. I shall therefore vote for the Balfe report.

Mr Fellermaier (S). — (DE) Mr President, my honourable friend Mr Lemmer of the Group of the European People's Party raised the idea of a 'quality guarantee' for free elections. He said that the western democracies required such a guarantee here, whereas with other countries they were 'less fussy'. This is the great difference between the right-hand side of the House, especially the Christian Democrats, and us Democratic Socialists.

For us this guarantee of parliamentary democracy in Turkey is so essential because under its association agreement this country can at any time apply for full membership of the European Community. Any country which is able under international law to join this Community, soon to number twelve members, must then expect to be judged by the same standards as our own parliamentary democracies. That, Mr Lemmer, is not being dictatorial. Applying one and the same standard is not exaggerated criticism. It is a measure of whether the principles of parliamentary democracy are being upheld.

Under the terms of the Convention on Human Rights anyone must be able to contest political elections. But not all political parties which wanted to were allowed to do so! And not because the generals decided that

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specific parties, whether right or left in colour, such as the Turkish social democratic party, could not, and not because they did not measure up to democratic principles — oh no, because it did not suit the generals' political book!

Mr Lemmer, it must be said, is the last person who should pass judgment here, for we are well aware of the business contacts he has maintained with Turkey for more than ten years as general manager of a German firm.

(Applause from the Socialist Group)

This needed to be said! I had actually expected that he would say something before this debate began about his business contacts and why he visits Turkey so often. Mr Dankert and I are also frequently in Turkey and we too talk to all kinds of people. I was there in April and May. I spoke not only with the opposition but also with the parties in government. We do that as friends of the Turkish people.

Mr Prag says so smugly that the rapporteur omitted this thing or that. How about his many omissions during the months of deliberations by the Political Affairs Committee? Could he not have tried at the committee stage to push through all the points he is now putting forward as amendments?

Our honourable friend Mr Balfe's report is based on the objective criteria gathered during his visit to Turkey and on hundreds of conversations he had there. This report, he can be proud of the fact, was adopted by the Political Affairs Committee by twenty votes to eight.

I am grateful to the Liberal and Democratic Group for their clear and precise position. Its spokesman has made it quite clear that it will not support the reactivation of Parliament's delegation in the joint committee for the association with Turkey. No spokesman for the Socialist Group could have put it more clearly!

What is the position, then? Martial law in Istanbul has muzzled the press. How, I ask you, can there be free journalism, free media, if publishers are subject to martial law? And where there is no martial law there are emergency powers; where there are no emergency powers there are special police powers which allow the police to intervene even to the extent of censoring films and videos.

For us Socialists there cannot be any question of discussing the reactivation of the Joint Parliamentary Committee until the foreign ministers' meeting does the same. There has been no meeting of the Association Council since 1979. The foreign ministers were well advised. They have shown better judgment in not convening the Association Council before now. Let us follow the example of the Community's foreign minis-

ters! We see no reason to reactivate the Association Committee today at parliamentary level.

(Applause from the Socialist Group)

Mr Wedekind (PPE). — *(DE)* Mr President, ladies and gentlemen. When some speakers declare themselves fervently to be friends of Turkey, particularly Mr Lambrias, then I have to say God preserve us from such friends!

I consider this whole business here today to be an orgy of evil hypocrisy towards a country with which we as Europeans have friendly links, ought to have friendly links. These links are based on reciprocity, and we should extend this reciprocity. This is the only one of all the muslim countries which has a democratic tradition and which clearly declares itself to be part of the West. But this very same country — and only this country — is being sorely insulted here.

No credit is given for the fact that, since the military takeover at a time of absolute chaos in Turkey, when no one was safe and when some kind of change had to happen, there have been moves towards democracy. These moves are not yet complete, because not all parties were allowed to contest the recent parliamentary elections. The parties banned from standing were essentially the forces responsible for causing the chaos in Turkey. In the meantime, however, they have again been legalized and the local elections were contested by all the parties.

These local elections reflect very clearly the distribution of power in Turkey. They vindicate the present rulers. This is a great step forward! We can see in the Grand National Assembly that this advance continues, continues in the right direction.

But now in this House we have some members who seek only to condemn. In my view Mr Balfe's report is not only one-sided, it is to some extent deliberately so. Otherwise it would necessarily be adjusted to include Mr Prag's amendments, the correctness of which no one can deny. But this has been rejected. It seems the report is to stay as it is. There is no suggestion that Mr Prag's amendments are untrue — they are just to be ignored. In other words, we are to follow a quite definite direction. We are to be against, 'anti'. This is a bad business.

When we deal with other countries we have to follow standard procedures. Turkey is not some 'kind of oriental democracy', but a democracy! We must regard it as a western democracy. It is not yet as perfect as we would like, but we have yet to attain perfection in our own countries. If the communist party is banned in a country this does not mean that that country is undemocratic. Every country has the right to defend itself against anti-democratic forces — whether theocratic, fascist or communist — which seek to destroy the State and society.

Wedekind

I hope that this report will be adopted with the amendments tabled, that we shall extend the hand of friendship to Turkey and reactivate a joint committee with it. Only then shall we be able to have a direct influence on the Turks and voice our reservations in friendly discussions. We do not want to see the development of what Mr Fellermaier once called a sub-culture.

Mr Ephremidis (COM). — (GR) Mr President, in all sincerity I could amplify both the facts and the conclusions of Mr Balfe's report, because the truth is much worse, even, than Mr Balfe has so carefully and accurately portrayed it. I will not do so, however, lest I be misunderstood, lest it be thought that I am motivated by ideological and political opposition to the Evren regime, or by plainly patriotic sentiments concerning all that Turkey is doing today against Greece, especially to the cost of Cypriot Hellenism.

For those reasons, I repeat, I will go no further, but merely agree with the report and the resolution. We shall vote in favour of it because the truth is that despite the improvements which Mr Balfe correctly mentions, the situation is as we know it to be. I will not repeat it, since it is clearly described in the resolution. I just want to say that we should in no way modify the central conclusion by means of amendments. In other words, where the Joint Committee is concerned, the situation should remain as it is. And this for a further reason: the fact that the committee is on ice is perhaps one of the reasons why some progress has been made. This is a sensitive time, and I would like to draw the attention of us all, irrespective of their views, to the fact that any thaw may create reasons or possibilities for the regime to go into reverse. This is a delicate moment, and we must insist that there should be no thawing at all of the committee's situation, as we have already decided and approved in an earlier resolution, and that Mr Balfe's resolution should be passed without amendments.

Mr Boutos (RDE). — (GR) Mr President, before I turn to the Balfe report, I would like to say just a few words about the working of the House.

Some of our colleagues accuse others of being motivated by hypocrisy and a fanatical desire to destroy the Turks. All who make such claims stand out as sincere supporters of the interest of the military regime, and I admire them for their courage and boldness in defending an unjust situation, when they themselves are morally at fault in the matter they are supporting.

I think the Balfe report paints a true picture, marks out the path, and defines the aims we should entertain in relation to Turkey. We adopt a strict attitude to the military regime in that country because Turkey wants to become a part of our Community. The rest of us, however, know that democracy cannot be granted in instalments: it either exists, or does not. And since

human rights are denied in many sectors of Turkey's social and political life, for us there is no democracy. Our attitude is dictated by our desire and aspiration to see democracy restored to that country, for the sake of the Turkish people. That is why I consider Parliament's actions should be perceptibly Turkophilic, in the sense that we accept that we should defend the basic human rights of the Turkish people, and of the minorities which live there.

Mr President, I think that within the two minutes available to me I can add nothing more, beyond saying that I personally — and let this be regarded as the reason for my vote in favour of the Balfe report — in common with the Greek Government and my other Greek colleagues, am not opposed to Turkey's membership of the European Community. We favour that membership, subject to the condition that the absolutely satisfactory political and economic conditions entailed by such a participation shall prevail.

Before I finish, however, I consider it my duty to put to the House the thought that in the final analysis Europe itself has certain historical, cultural and political boundaries. How far do those boundaries extend ...

President. — Mr Boutos, the last part of your speech was not recorded, as you were well over your time.

Mr Vgenopoulos (S). — (GR) Mr President, immediately after the imposition of military dictatorship in Turkey in 1980, when the long night commenced for the Turkish people, the countries of the Community, together with all other democratic countries, united their voices in calling for the immediate restoration of democracy and the protection of human rights in that country. Five years have passed since then, and in numerous resolutions, questions and reports the European Parliament has condemned the callous suppression of human rights in Turkey, while almost as many fact-finding commissions have visited the country and reported their conclusions. In the face of this worldwide outcry, the military dictatorship in Turkey reacted by scaling down the executions and torturing, while meeting external pressures with the argument that all was being done to save the nation. The familiar cry of the dictator! Then came the elections of 1983, and we all know how they were conducted and which parties took part: it is beyond reason to claim here, today, that substantial progress has been made in the direction of restoring respect for human rights. It is an insult to the truth to consider this dictatorial cunning, this distortion of reality carried out to lull the concern of democratic public opinion, as a step towards the restoration of democracy.

The methods are well known; all that has changed is the mask, without any other substantial difference. The aim of the present regime is to damp down the

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international outcry and blunt our sensitivity and alertness. I cannot understand how we can accept that the dictatorial regime has good intentions, even in the long term, when torture is on the agenda, when trade-unionism is banned, when the basic rights of minority groups are systematically suppressed, when the prisons are full of opponents of the regime, and while the military occupation of an independent State linked with the European Community — the Republic of Cyprus — continues. We speak of regarding the reduction of executions as a progressive step; but surely, that is hardly to be assessed quantitatively. Are we to compare the levels of savagery and barbarism? Do we say that two executions are O. K. where four would not be? To consider that there are clear signs of progress in Turkey's political life because there are fewer executions is a very head-in-the-sand attitude on our part. Even a single death sentence on the grounds of opposition to the regime, and the execution of the sentence, show the true face of the dictatorship and its intentions. And of course the regime in Turkey has the option of reducing executions and substituting other, equally effective methods of elimination, such as disappearances, torture, imprisonment without trial, etc.

Today we have seen an attempt to emphasize the difficulties faced by the Turkish authorities in the sector of national security, to justify suppressing the freedom of the Turkish people and to excuse official violence and terrorism, the police State, on the excuse of saving the Turkish people — as decided on their behalf by the Generals. The same old reasoning, the same recipe, exactly the same claims: the salvation of the nation, the restoration of order and security. We in this House have an obligation to recognize the present struggle of the Turkish people to throw off the yoke, to break the bonds that the dictators have imposed. We should do what we can to help the just struggle of that people, with its numerous social problems and the misery to which it has been condemned, acknowledge the sacrifices of the executed heroes, and intensify our pressure on the regime to restore democracy.

We Greeks can comprehend the agony of the Turkish people better than any of you. We know that one should not look to others for salvation. We have lived through a dictatorship. There is little that outsiders can offer. It is the right and responsibility of the people themselves to claim their freedom, and any form of resistance to a violent regime is legitimate. History has justified the slayers of tyrants and declared them heroes. The regime cannot invoke the need to impose officially sanctioned violence on intellectuals, working people, journalists, politicians and students who organize resistance in any way that they can. I repeat, any form of resistance to such regimes is legitimate. Let us not, therefore, seek to justify the savagery of the regime to those who do not abide by its laws, those who defend themselves legitimately. We have no right to approve the abolition of the death penalty only for misdeeds that do not involve acts of violence. It would

be an insult both to the memory of the many victims, and to the Turkish people's right to resist and react in any way that it can. I speak as one who lived through the seven years of dictatorship in Greece to the full, and I know full well that dictators never willingly restore democracy.

Mr Penders (PPE). — (NL) Mr President, this is again an extremely difficult debate on an extremely difficult subject. The European Parliament is very concerned about human rights in Turkey. We have never really found a satisfactory method of discussing this subject, and we have not succeeded today either. Again we are talking about human rights in isolation, whereas the European Parliament's aim is surely to arrive at an integrated policy. That was the dominant theme of the debate on Mrs Van den Heuvel's report. How are we going to make an overall European policy instrumental in improving respect for human rights? That is the crucial question.

Turkey is, of course, a curious country. We see here the emergence of the strange phenomenon of a distinction, tension, between the return to democracy and respect for human rights. As a rule, where democracy is in a bad way, so too are human rights, and *vice versa*; but Turkey is an exception to this rule. Real progress has been made in the return to democracy. There is a constitution, which has been sanctioned in a referendum. There is a parliament with real powers. More and more parties are being allowed to take part in elections. Martial law has been lifted in most provinces. And the room for manoeuvre enjoyed by yesterday's politicians — I repeat: yesterday's politicians — is growing. But respect for human rights, and particularly fundamental human rights, leaves a great deal to be desired. Attempts are being made to do something about this, and especially about the frequent beatings at police stations. But it is not yet enough. We are dealing here with a deep-rooted Turkish tradition.

It was the same under the regime headed by Ecevit, whom certain circles in Europe like to portray as a kind of humanist. Even then there was something wrong, and I am convinced that the present Turkish Government is worried about the criticism, by Amnesty International for example. But it is a slow and laborious process, and certain things are still not working properly. Torture is still common in Turkey, and it must stop.

As I have already said, Mr President, this government wants to do things differently. It conforms to the Atatürk tradition, it conforms to the back-to-the-barracks tradition of the Turkish armed forces. They went back to the barracks in 1960 and after 1970, and they have now gone back again. But they do not want to have the same experience a third time. And let us not forget that Muslim fundamentalism is lying in wait. And the Turkish trade union movement DISK had been seriously infiltrated by the Soviet Union. Of course, the

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Turkish authorities must become less jittery both about the possibility of the security of the State being threatened and undermined and in their treatment of minorities such as the Kurds.

But let us not rebuff the Turks, let us keep them in the club. In the Council of Europe, Turkey is involved in a discussion of the complaints received from five European countries, including the Netherlands. At the meeting of the North Atlantic Assembly I recently attended in San Francisco there were calls, principally from the left, for a revival of the EEC-Turkey Association agreement. The European Community is causing more difficulty than just about any other international body. I must therefore say, Mr President, that I am not particularly happy with the Balfe report. I feel that at the very least the Klepsch amendment concerning the formation of a delegation should be adopted.

Mr Mühlen (PPE). — (FR) Mr President, first of all may I say how sorry I am that the report of our colleague, Richard Balfe, was not adjourned and sent back to committee, as I personally would have liked.

There are in fact many people who think that not enough work was done on the report on human rights in Turkey. For my part, may I say that I cannot support certain of its findings, as the report is limited to putting on trial a country which, basically, has used the means which to it seemed appropriate under exceptional circumstances, as a means of suppressing terrorism and protecting the country against anarchy and corruption, of whatever origin. The fundamental question is whether the European Parliament should review its decision and appoint a delegation to the joint parliamentary committee of the EEC-Turkey Association. I cannot imagine there is anyone who does not wish for a normalization of our economic and political relations with that country, the bastion of Europe in the south-east of the Mediterranean, and one which firmly and unequivocally seeks closer links with the EEC.

There is, however, a divergence of opinion on the preliminaries to be gone through before normal relations are resumed. I, personally, have had the opportunity of making contact with various economic and political circles in the country, including unions and political parties of the right as well as of the left, which, although represented at local level, have not yet been allowed to seek votes from electors at the national level. Nevertheless, I was able to see how much progress had been made here and in the field of human rights and to note the will of political circles not to stop halfway. During our visit to Turkey, my political friends and I also made it clear to the Turkish authorities that people here who advocate a resumption of activity by the European Parliament-Turkish Parliament Joint Committee will find it very difficult to put over their point of view unless there is some concrete action to demonstrate the continuity, the irreversibil-

ity, of the liberalization of the political regime in Turkey.

I think, Mr President, that we were understood. I am also convinced that we were understood when we said that normalization of relations between Turkey and Greece would, in turn, greatly help to rally a majority of the European Parliament to the resumption of the Joint Committee's activity.

To conclude, I should like to express my astonishment that a country, Turkey, should be refused an official spokesman in the European Parliament when the European Parliament has never refused to appoint delegations for parliamentary contacts with other countries, including Communist ones, whose political structure is quite evidently not democratic.

Mr Sutherland, Member of the Commission. — Mr President, let me say at the outset that the Commission shares the concern of Parliament, which has been expressed on many occasions, at the human rights situation in Turkey. The Commission also understands the object of the report by Mr Balfe. Today we cannot escape our obligation to remind the authorities of Turkey, an associate member of the Community and a member of the Council of Europe, of the urgent need to return to the full respect of fundamental human rights.

The Commission has examined the draft resolution submitted for your approval. I hope and believe that the appeal of the Parliament will not fall on deaf ears. The Turkish authorities are, I believe, very concerned about the state of their relations with the Community. However, we should not limit ourselves to condemnation: we must also take steps within the possibilities open to us and with the means at our disposal to facilitate normalization in Turkey. Since the return to civilian government, there has been a clear amelioration in the situation, but this is not to suggest that there is no continuing breach of the internationally recognized parameters of the rights of man. Hence, while the Association Agreement remains in force, and its commercial provisions are fully applied, new financial support for Turkey remains blocked.

With regard to the point made by Mr Wurtz, we have not acted illegally by making payments after the freezing of financial transactions with Turkey. Payment appropriations are to pay European firms for commitments taken before the blocking of financial aid. We could not do otherwise.

Mr President, the Commission hopes that the resolution of the European Parliament will have a positive influence on the future of our relations with Turkey. In this respect the Commission can only support it.

Mr Balfe (S), rapporteur. — Mr President, I think this has been a very useful debate with a large number of

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very high-quality contributions. I welcome the statement from the Commission and the fact that the Commission has given consideration to this resolution. I hope that in the space of time between now and the vote, which, I hope, will take place at 6 p.m. tonight, those people who have been in here will reflect to their groups the debate and the points that have been made in it. I would especially draw attention once more to the fact that we are talking about relations between this Parliament and the Grand National Assembly, within which two of the major parties that would have relations with parties within this Parliament are not represented. The majority of public opinion in Turkey as expressed in opinion polls would not be represented in the group meeting this Parliament as a representative of the Grand National Assembly if such a delegation or even a Klepsch formula were decided on. I would ask Parliament to think very carefully, because we are not dealing with a 'banana republic' or a South-East Asian country, we are dealing with a country that aspires to membership of this Community, a country which is and proclaims itself a European country. That is why I think we must look very carefully before we resume our contacts at a parliamentary level. We owe it to ourselves as a Parliament to look at other parliaments.

I will say no more than that, Mr President, except to thank the officials of the Parliament for the great amount of help I received in drawing up the report, the Bureau of the Parliament for their understanding and the Members of this House — with the exception of Mr Prag — for their very full and well-thought-out contributions to this debate.

President. — The debate is closed. The vote will be taken at the next voting-time.

6. *EEC Convention on safeguarding human rights*

President. — The next item is the oral question, with debate, by Mrs Vayssade on behalf of the Committee on Legal Affairs and Citizens' Rights, to the Commission, on the accession of the European Communities to the European Convention for the Protection of Human Rights and Fundamental Freedoms (Doc. B 2-951/85).

Mr Hoon (S). — Mr President, in presenting this question and opening this debate on behalf of the Committee on Legal Affairs and Citizens' Rights, I would like to make it quite clear at the outset that the committee is not reopening the question of whether or not the Community should accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms. That question of principle has already been unequivocally decided in favour of accession.

The question today is one of procedure — or perhaps lack of procedure. Certainly a lack of progress. The committee's question is directed towards establishing what has happened to the proposals for accession. Why has the Commission not submitted a formal proposal to the Council? What explanation is there for this delay? What is holding up further progress in this field? Now it should come as no surprise to anyone that I do not intend to deal with the basic question of principle involved here. That has been discussed, debated and deliberated on time and time again, not simply by this Parliament but by every institution of the European Community and also by other institutions. Since 1973, the Council has repeatedly commented on the need to protect human rights. In April 1977, the Council signed a joint declaration with the Commission and the Parliament affirming that the Community's institutions base their behaviour on a respect for and the safeguarding of human rights.

As long ago as 16 November 1977, Parliament adopted a resolution requesting that the Community become a party to the European Convention. This was followed by a similar resolution on 22 April 1979. This was couched in clear and unequivocal terms. On 29 October 1982, by a large majority, this House approved the contents of the Gonella report calling on the Commission to submit a formal proposal for accession. Even the Economic and Social Committee have expressed their approval in an opinion of April 1980 stating that it believed that accession would strengthen the legal protection of individuals with respect to the legal acts of the Community's institutions. The Parliamentary Assembly of the Council of Europe are in favour of the Community acceding to the Convention, as demonstrated by a resolution adopted in January 1981. It expressed the hope that the Community would 'very soon lodge a formal application for accession to the Convention'. This would consolidate the links between the Community and the Council of Europe and strengthen, they said, the principles of parliamentary democracy. I emphasize the words 'very soon'.

No one could doubt the contribution made to this debate by the European Court of Justice. It has sought to remedy the inadequacies in Community law with regard to the protection of human rights, ruling that the constitutional guarantees provided by Member States to their citizens must be taken into consideration whenever the Treaties of the Community are interpreted. International treaties for the protection of human rights, signed by Member States, can supply guidelines which should be followed within the framework of Community law.

The Court has, of course, made specific reference in this context to the European Convention. The Court is now in effect acting as the supervisory body over questions of human rights in the Community. The point of this debate is to assist their work by making the Com-

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munity's institutions subject to the European Convention.

Now, I have quite deliberately, in this review of the attitude of the various institutions, left the contribution of the Commission until the end since, to be fair, it has significantly advanced the discussion and debate on this subject without, however, apparently being prepared to take the final essential and vital step of making a formal proposal for accession. In February 1976, the Commission drew up a report on the possibility of the Community acceding to the European Convention. Then, on 2 May 1979, the Commission submitted to Parliament and the Council a detailed memorandum discussing all aspects of accession, considering the case both for and against and also the legal, constitutional and technical problems that might arise. It concluded in that lengthy and detailed review that they were in favour of the Community becoming a party to the Convention. If you will forgive me, Mr President, I intend to quote at length from the Commission memorandum.

The introduction contains the following observation:

In order to reinforce the legal protection of the citizens of the Community immediately and in the most efficient manner possible, one should rely in the first place on the fundamental rights inscribed in the ECHR. In other words, the Community should adhere as soon as possible to this Convention and to the protective mechanisms which it contains.

I would emphasize the Commission's use of the words 'immediately' and 'as soon as possible', because those words were adopted by the Commission on 4 April 1979. Giving all due allowance for administrative and bureaucratic interpretations of the passage of time and for the use of the word 'immediately' when perhaps they meant 'soon' or 'sometime', six years is nevertheless a very long 'immediately'.

I would remind the Commission of one other statement in that memorandum regarding accession:

It would make clear to the whole world that the Community does not merely make declarations of intent, but is determined to improve in real terms the protection of human rights.

Given the lapse of time, that statement hardly needs a further comment.

Accession by the Community to the European Convention has been described as a first step in the process of establishing a catalogue of fundamental rights for the Community. It is clearly an essential first step. The failure to act by the Commission is, for the moment, holding up further progress in this field. To date the Commission does not appear willing to make this limited measure effective. The Committee on Legal Affairs and Citizens' Rights wants to know whether

there are any technical difficulties holding up this progress. I recognize the constitutional and legal problems that might have arisen, although, again referring to that same memorandum by the Commission, it expressed confidence in being able to overcome those difficulties. Are there new technical problems not anticipated in the memorandum that the Commission is trying to resolve, or is the reality of the delay that it is caused by some political disagreements? If so, will the Commission tell us what those disagreements are? What is the precise and exact nature of the problem? What is holding things up? If it is not the Commission, is the problem, as far as the Commission is aware, in the Council? Is it the Council collectively, or is it particular members of the Council, particular Member States who are causing difficulty? If so, which Member States are causing problems? What is the nature of those problems? What are the objections that those Member States are putting forward? What is the Commission able to tell us about this? What are they prepared to tell us about this? What efforts have they made to resolve any political differences that might exist in the Council? Or has the Council simply said to the Commission, 'Don't bother, we can't agree'?

I, on behalf of the Committee on Legal Affairs and Citizens' Rights, would be grateful for specific answers to the specific questions contained both in the question that I have tabled and in the series of supplementary questions which I have asked today. That information in the form of answers to those questions will be of assistance to Parliament and to its Committee on Legal Affairs and Citizens' Rights in taking up this issue with the Council. Since the committee has also asked the Council a question about the delay in this matter, we shall be having a further similar debate on this subject in the presence, on that occasion, of the Council. I shall, I hope, be able to use the answers given by the Commission to good effect on that occasion.

A final question and observation. It has been recognized by a series of different institutions, both within and without the Community, that accession to the Convention is essential if the Community is to be seen to be taking the protection of human rights seriously. So when is some action to be taken?

Mr Sutherland, Member of the Commission. — I am grateful to the honourable Member for the opportunity to answer again the queries which have been raised by him very fully in the oral question which has now been put.

Let me say at the outset that the Commission had the opportunity to inform the Parliament about the situation during the June part-session. In fact, in reply to an Oral Question by Mr De Vries, No 65, H-723 of 1984, Mr Cheysson explained the reasons why until now the accession of the Communities to the Human Rights Convention, which the Parliament and the

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Commission wish to see achieved, had not yet made any progress.

Let me once again go through the history of events. The Commission, as has been pointed out, sent a memorandum on Community adhesion to the Council on 3 May 1979. The Parliament adopted its opinion on the memorandum on 29 October 1982. This made two demands on the Commission. The first of these concerned the Commission's participation and the Council of Europe's work in extending the rights covered by the Convention. This has been achieved, the Commission having participated with observer status at the appropriate working-party since May 1983.

The second — and this is the issue which has been primarily raised during the course of the question — was that the Commission propose formally to the Council adhesion by the Community. This is to follow contact with the Court of Justice and to be done 'in the light of the development of the situation'. On this matter, the Commission has stated on a number of occasions — the declaration of Viscount Davignon to Parliament on 28 October 1982, the reply on 8 June 1983 to Oral Question No 54, H-144 of 1983, by Mr Balfe — that it considers it inappropriate to submit a formal proposal until the Council has had a discussion of principle indicating that such a proposal could be accepted.

In the course of his oral question, it was pointed out that the Commission's position has been unambiguously stated in regard to its conclusions, its views and its concerns relating to this issue. I repeat the unambiguous statement which was contained in the quotations read into the record by Mr Hoon and which represents the Commission's view on this matter.

What has happened since the matter has been raised before the Council? Well, the Council has discussed the matter informally both at working-party and at Coreper level. The result of these discussions has not been as positive as one might have expected. The Commission, as was its commitment, defended Community adhesion. It was clear that there were certain divisions in regard to the approach which might be taken by the various Member States. Only two Member States came out clearly in favour of adhesion, whilst the others raised legal problems which would have to be resolved. A number of delegations, five in number, asked for an adjournment of the discussion to enable further examination at national level. In consequence, Coreper adjourned the discussion *sine die* on 20 December 1983.

I have already indicated that Mr Cheysson, in answer to the oral question to which I have referred during Question-time on 12 June 1985, gave an up-to-date review of the situation. He also referred, I think, to the more open French position on the issue. It seems to me — and it is important that this be stressed —

that there has been a very important development with regard to the question of the protection of human rights by the Community institutions. This development resides in the fact that the problem has now been put on the table of the Intergovernmental Conference discussing the reform of the Treaties. There are, therefore, proposals to include in the Treaty the written obligation of the Community to respect fundamental rights. This puts the entire debate on a somewhat different footing. If such proposals are accepted by the Member States, the major object pursued by the idea of an accession of the Community to the Convention — that is, the creation of a clear written basis for the obligations of the institutions in this field — will be achieved. If Member States do not agree to modify the Treaty to that extent, we shall, at least, know clearly that, politically, putting forward any formal proposal to accede to the Convention will still come up against the objections that have been so evident to date.

I was interested in some of the views expressed by the questioner in regard to the development of jurisprudence in this area. It is appropriate to pay tribute to the fact that the development of jurisprudence before the European Court has been significant in promoting perception of the extent of the protection afforded by the existing Treaty in regard to the issue of human rights. That is, of course, not to derogate from the principle which has been upheld by the Commission and which I repeat today — namely, that the Commission is anxious to pursue — insofar as it is possible to do so without being blocked — the issue of ratification of the Convention.

President. — I have received from Mr Pannella and others a motion for a resolution (Doc. B 2-1067/85/rev.), with request for an early vote, to wind up the debate on this question.

The vote on the request for an early vote will be taken at the end of the debate.

Mr Prout (ED). — Mr President, the choice before the Community in this matter is whether to accede to the European Convention of Human Rights, to draw up a Community text and adopt it as an amendment to the Treaty, or to leave it to the European Court of Justice to continue to incorporate the relevant articles of the Convention through its own case law.

Our complete commitment to the contents of the Convention is not in any doubt. The Community institutions must be subject to the same codes of behaviour with respect to fundamental rights as the Member States. The issue, therefore, is one of means and not ends.

In my group's view, the Commission's memorandum of 1979 underestimates the difficulties of accession to the European Convention. Indeed, this probably

Prout

explains why the Commission has taken no further steps in this direction. The chief difficulties lie, on the one hand, in the fact that by no means all Member States have acceded to the Convention in every respect and, on the other, in the potential jurisdictional conflict between the European Court of Justice and the European Court of Human Rights. In view of the fact that the additional protection accruing to individuals as a consequence of accession would only be against the Community institutions themselves, my group prefers either preparing a separate Community list of rights to be incorporated by Treaty amendment or relying on the wisdom of the European Court of Justice. However, we do not exclude the accession option if it turns out to be politically the most effective and expeditious course to achieve what are our agreed objectives.

Mr De Gucht (L). — (NL) Mr President, I have three comments to make on this subject, beginning with the Commissioner's remark that, as it has been suggested at the intergovernmental conference that explicit reference should be made to the protection of human rights in the European Treaty, there is no point in acceding to the Strasbourg Convention.

This argument does not seem totally valid to me, and I should like to draw a comparison with the protection of human rights in the Member States today. Our national courts also put the protection of human rights to the test but submit, as a legal system, to the Strasbourg Convention. The legal system in the European Community will, in my humble opinion, gain legitimacy if it is prepared, like the national legal systems, to submit to the Strasbourg Convention.

To elaborate on this, Mr President, I believe that the fear of theoretical conflicts between the jurisprudence of the Court of Justice and that of the European Court for the protection of human rights in Strasbourg is entirely groundless, since the national courts also submit to the Strasbourg Convention. I therefore see no reason why the same should not apply to the European legal system — why, in other words, the Strasbourg Convention should not be the final arbiter in this whole area.

Another point I want to make is that, whatever protection human rights may enjoy as a result of an amendment to the existing Treaty or the adoption of a new European Treaty, it will never provide an arbiter on the protection of human rights by the European institutions themselves. Who ultimately decides whether the European institutions themselves respect human rights? The highest authority can only be the Strasbourg Court.

But what I find most disturbing in all this, Mr President, is that, although the European Parliament explicitly asked the Commission on 29 October 1982 to present a formal proposal, the Commission — as

Commissioner Sutherland's reply has clearly revealed — has allowed itself to be fobbed off in the Council and the matter to be passed on to a technical committee, Coreper, which then simply decided on its own initiative to defer the question *sine die*. I feel that, if this Parliament explicitly requests the Commission to submit a formal proposal, it must either do so or come back to Parliament of its own free will and say why it has not submitted a formal proposal. It should certainly not wait until some question or other is asked on the subject.

Mr Schwalba-Hoth (ARC). — (DE) Every group, every body has a basis on which it operates, and the European Community, the European Parliament also have one: the voluminous Treaties of Rome.

In these voluminous Treaties of Rome we find a lot about external trade, economic policy, but we find nothing at all about human rights. Particularly in the Committee on Legal Affairs and Citizens' Rights and the Committee on the Rules of Procedure and Petitions this has led to the absurd situation that whenever protests or submissions regarding violations of human rights were made by citizens or parliamentarians anywhere in the Community — in the Federal Republic of Germany, Greece, the United Kingdom, France or other Member States — the competent committee or subsequently a plenary sitting of this House, if there was a political majority to that effect, declared itself not competent in many cases to pass judgment.

Al right, we have a violation of human rights, but we are not competent to deal with it because our 'Bible', the Treaties of Rome, do not suggest that we are. There are two possibilities here: either we interpret the Rome Treaties broadly — which is what we are doing at present — or we try to extend them.

Broad interpretation is what our pro-military friends favour, who want to see the European Parliament competent to deal with military matters too. They have let military matters in through the back door by saying, for example that the EC has responsibility for trade policy and this includes questions of supply and the arms trade. Or, that the EC is competent in matters of transport and thus for supply routes as well. And here we are considering military aspects as well!

I strongly disapprove of this method of twisting things. In my view we ought to push strongly for the incorporation of human rights in the Treaties of Rome. Anyone might of course say, what's the point, they are covered anyway if all Member States have signed the Convention on human rights. In law there is no great difference. That is true, but if the Community does so as a body, the sanction against States which violate human rights would be all the more powerful. Think of the case of New Caledonia, the Greenpeace affair, the ban on entry to certain professions in the Federal Republic of Germany!

Schwalba-Hoth

If the Community had signed this Convention on human rights as an institution it would have been possible to say: France, the German Government have also infringed Community law. In this way they could also come under fire from another quarter, and I think that could only be in our interest.

Mr Romualdi (DR). — (*IT*) Mr President, if we consider how often the European Parliament has addressed the problem of human rights, as it has done all this day, we cannot deny that we are competent to deal with this subject in accordance with — but also in opposition to a certain interpretation of — the Treaties. Too often, however, we have failed to discuss the subject in an objective manner, overlooking in reality the principle to which we pay lip-service, that human rights should never be subject to political opportunism and polemics but must be an unflinching ground for condemning any regime, of whatever political colour, which violates such rights and thereby violates individuals' liberty and their physical and moral integrity.

In view of all this, it is doubly surprising that the problem of the European Community's accession to the Convention on the Protection of Human Rights and Fundamental Freedoms has not yet been resolved. Why? What are the reasons, and what are the forces opposed to it? In this instance, too, the reasons are political, because unfortunately it is not true that the defence of human rights is untainted by political considerations and polemics. This almost never happens: indeed, as we have been able to see recently, the opposite occurs. The violation of human rights is viewed differently depending on whether it occurs in South Africa or Russia, Turkey or Afghanistan, Argentina or Kampuchea, Turkey or Nicaragua. It is because we wish to remove the genuine protection of these sacred rights as much as possible from political pressures of every persuasion and from every quarter that we are united in insisting on knowing the reasons why the request presented by our Parliament as far back as 1972 for the Community to accede to the European Convention on the Protection of Human Rights and Fundamental Freedoms has not yet been met.

The Commission tells us that the matter is now in the hands of the Member States in the Intergovernmental Conference. Will they be able to reach agreement? Our fears are growing, given all the legal and technical differences and disagreements, the uncertainties and doubts. We have the impression that these conceal insurmountable differences of — let me repeat — a political nature. It is on these differences that the Conference should — and, we hope, will — reach an agreement enabling us to solve this fundamental problem and obtain a satisfactory outcome at long last.

Mr Tortora (NI). — (*FR*) Mr President, as regards this question of the accession of the Community to the

Convention on Human Rights, there is one mystery, a great big *why* to which nobody, neither the Legal Affairs Committee, nor Parliament, has been able to reply. Well, Mr President, there is perhaps a name for it — reluctance or fear. It is a very serious obstacle and one which is impeding the creation of the 'European legal area', which is so much talked about and which never happens. Mr Delors has to answer this question, the most central, the most revolutionary, the most important question, if we want to be able to speak of a citizens' Europe. In order to close this debate, the radicals have submitted a motion for a resolution which yet again requests the Commission to submit to the Council a formal proposal for the Community's accession to the Convention.

Now — I repeat, *now* — we have to decide whether the debate is to take place tomorrow or not. I hope that my colleagues, of whom there are not many today, will vote as they have done in the past, for those colleagues who are present have the opportunity of deciding whether to advance the progress of European law. The Commission must be woken from its slumbers. This time, at least that depends on us. Even if the Commission makes excuses tomorrow, we, today, cannot and must not do so. Thank you on behalf of the Radicals.

Mr Casini (PPE). — (*IT*) Mr President, ladies and gentlemen, Community law, as a continually expanding body of law, increasingly needs to be anchored in its turn in the same fundamental principles which are enshrined in the constitutions of the countries of free Europe and were subsequently incorporated in the European Convention on the Protection of Human Rights and Fundamental Freedoms, drawn up in 1950 as a natural corollary, one might say, to the founding of the Council of Europe. Why, therefore, has this question been put to the Commission of the European Communities? Because the initiative in question has remained within its province, if that is the right expression, for some considerable time pending the adoption of the due institutional forms capable of giving it renewed force and urgency ever since this Parliament, on two separate but linked occasions, declared itself unequivocally — and by a very large majority each time — in favour of the Community as such acceding to the Convention under discussion. In its resolution of October 1982, in particular Parliament called on the Commission to submit a formal proposal on the subject to the Council along the lines which it had already indicated by publishing a memorandum entirely devoted to that topic.

It is with pleasure, and also with emotion, that I recall today, and in this place, the milestones of Parliament's work in this field under the guidance of two distinguished figures in Italian and European public life whose political convictions it is my honour to share. The names of, first, Mario Scelba and, later, Guido Gonella are so indissolubly linked with the emergence

Casini

and assertion within the European Parliament of the subject we are discussing today that it seems almost superfluous to mention the fact, however proper and gratifying it is to pay tribute to the consistency and far-sightedness of their political convictions.

I am sure that no one will resent my pointing out, as a Florentine, an historical and — I might add — geographical detail which many people are, however, likely to have forgotten: it was on the occasion of a meeting on this subject held in Florence in 1978, at the then recently founded European University Institute in Fiesole, that this particular torch was handed on by Scelba, who was then rapporteur of the European Parliament in his previous parliamentary incarnation, to Gonella, who represented the Italian Senate at that meeting and whom the direct elections held a few months later were destined to translate in turn to our newly strengthened European Assembly.

If, up to now, I have stressed the origins and development of our shared interest in the subject under discussion, my intention was by no means to overlook its contents and substance, neither of which, I believe, could be summed up more effectively than in the words in which Mario Scelba persuaded Parliament, shortly before the end of that parliamentary term, to declare its support for the *principle* of the accession of the Community as such to the European Convention on Human Rights and Fundamental Freedoms. Let us hear those words again:

'Let us not forget that the European Convention on Human Rights is the only common denominator shared by all the democratic states in Europe, whether they are Member States of the Community or not. We as a Community ought to be vitally concerned to ensure that we do not depart, even if only in formal terms, from solidarity with Europe's other democratic States on an issue which lies at the heart of the constitutional structure and politics of every organized society — in other words, the arrangements governing the relationship between the individual and the Community.

The Community cannot withdraw into itself while living in this world. The Community is not an ivory tower into which we have retreated. The Community exists within a very extensive matrix. This political environment is determined, both geographically and spiritually, by the convictions of the free and pluralist States in this region of the world. From this point of view also, Community accession would help strengthen our institutions. Our proposal should be seen against a broader political background. Sadly, over the last few years we have had to witness, within the international organizations, views on the concept of human rights proliferating, and differences of opinion on the subject becoming deeper. United Nations Resolution No 130, which was passed by a very large majority — although not by a majority of the Member States of the Community — provided a first indication of this

trend. For did this resolution not tentatively seek to replace the concept of 'human rights' centred on the individual — which is, and should be, our standpoint — by the collective rights of peoples and nations? This is the crux of the problem. If things have reached this pass within the international organizations, then it is more incumbent upon us than ever to proclaim aloud to the whole world that, for the European Community, the only conception of human rights which is valid and binding is that which is based on the fundamental rights and freedoms of the individual as an expression of his dignity as a human being. This is the philosophy and duty of our Member States; it is also the duty of the Community. Now more than ever, on the eve of the enlargement of the European Community, our institutions must clarify for the benefit of Community citizens and the whole world that the cause of human rights is our cause too.'

I should like to point out, to avoid any possible misunderstanding, that these final remarks — as Guido Gonella explained shortly afterwards — do not imply any disapproval of the fact that the European Convention was to be progressively expanded by the inclusion, in addition to the traditional fundamental rights, of those economic and social rights which are a laudable objective of our modern democracies.

Nevertheless, the intention even at that early stage was to warn us against the possibility of excessive emphasis on those secondary rights leading to a certain weakening of the primary rights. This has happened and continues to occur, for instance, in cases where the citizen — we are told — is offered the possibility of being admitted to a mental institution and cared for at public expense, but is much less likely to be assured of the opportunity of convincing the public authorities in question that he is of sound mind and fully capable of making his own decisions.

Mr Hoon (S). — Mr President, I would like to thank all of the contributors to this debate, especially Mr Sutherland, who, perhaps, had not the easiest of briefs in the situation. It is clearly a highly technical debate, but it contains within its terms a matter of vital political importance, that is, the extent to which the Community has regard to the protection of human rights and fundamental freedoms. Accession to the European Convention would be a vital sign that the Community was taking human rights seriously.

I hope my colleagues in Parliament will forgive me if I comment only on what Mr Sutherland had to say. I suspect his review of the history of this matter confirms my impression, when making my own review, that the delay has been too long. The delay has been a matter of six years. He explained that the Commission had waited for that period of time for the Council to have a discussion in principle. Just how long is the Commission going to wait for this discussion of principle? Isn't it time that the Commission fulfilled its role

Hoon

of gingering the Council into action by tabling a formal proposal to the effect that the Community should accede to the European Convention? He mentioned that only two Member States were clearly in favour of this course. Perhaps he might tell us, if not in public, then to the committee in private, which States were unequivocally in favour and what legal objections were made by the other States. If their objections are not anticipated in the Commission's memorandum, perhaps we might be able to assist the Council in sorting some of these difficulties out.

I hope Mr Sutherland will forgive me for disagreeing to some extent with his view that there has been any great change of scene as a result of the intergovernmental conference. Although the intergovernmental conference talked about the need for promoting a document on the protection of human rights for the whole of the Community, that, of course, is something that the Commission itself anticipated at the time of its memorandum.

Again, if Mr Sutherland will forgive me, I propose to quote from the Commission's own document considering the question of the need for a catalogue of human rights. If he has it in front of him, it is on page 12 of the memorandum. In that memorandum the Commission discusses the question of whether it would not be simply a delaying matter for the Community to accede to the European Convention whilst ignoring the real problem, namely, that of the need for the Community to have a fundamental catalogue of its own. The Commission considers that argument in some detail and concludes:

The Community should therefore adhere to the Convention with the intention of working actively to enlarge and reinforce the human rights enshrined therein.

As has already been pointed out, the accession of the Community to the European Convention in no way precludes the eventual preparation of a specific Community catalogue going beyond what is required by the Convention. The reality, Mr Sutherland, is that this first step is a preliminary step. Thereafter it will be possible to draw up a catalogue. Without this first step, it will be much more difficult because the Community won't be seen to be taking human rights seriously.

Mr Sutherland, Member of the Commission. — Mr President, I can be very brief. In the first place, I should like to respond to the suggestion made by one speaker that the Commission requires to be woken up. The Commission is wide awake on this issue and has been so from the outset. In fact, we have been the initiators of most of the moves applauded here today. We have consistently maintained the correct attitude on this matter in terms of what or is not likely to achieve results. That is presumably what we are here for. We are here to achieve results. That is the process we are

engaged in. We are vigilant in pursuing our joint concern in furthering human rights, and it is perhaps salutary for those who have criticized us to note the degree to which our papers have been quoted as being the appropriate papers from which to respond to the problem which has been debated by Parliament.

The delay has been too long. Regrettably, some of the experiences Members of the Commission have had with other proposals concerning matters lying on the Council's table for upwards of a decade, as is the case in one instance which I am concerned with, does not lead one to the conclusion that it is necessarily in the best interests of Parliament, Commission or the Community to table matters before the Council when one is absolutely certain that they are going nowhere. It is to avoid that problem that we have been adopting what we hope will be a more judicious and careful movement forward in order to achieve the end, which I entirely agree with, advanced by Mr Hoon. So, as has been suggested by a number of speakers, the question is merely what tactics should be employed to achieve an end. There is no difference or disagreement as to the end we seek to achieve.

With regard to the identification of the Member States in question, one of the difficulties is that I might be going outside the bounds of convention by announcing the names of the various Member States either in public or in private. But I am sure that the questioner can raise the matter appropriately with the Council, who, I am also sure, would be delighted to answer very fully the question that has been put.

President. — The debate is closed.

We shall now consider the request for an early vote on the motion for a resolution (Doc. B 2-1067/85/rev.) to wind up the debate on the oral question.

(Parliament rejected the request)

The motion for a resolution will, therefore, be referred to the appropriate committee.

(The sitting was suspended at 4.25 p.m. and resumed at 4.30 p.m.)

IN THE CHAIR: MR DIDÒ

Vice-President

7. Question-time

President. — The next item is the first part of Question-time (Doc. B 2-1063/85). We begin with questions to the Commission.

President

As they deal with the same subject, the following questions will be taken together:

Question No 1, by Mr Lalor (H-492/85):

Subject: EEC directives for physiotherapists

In regard to the maintenance of an adequate standard of health care throughout the Community as a fundamental right of all citizens, does the Commission not agree that physiotherapists are integral and essential members of the health care team and that, like doctors, nurses, midwives and other general practitioners, they are entitled to be granted the same rights and protections for their profession as other health care professionals? Furthermore, will the Commission undertake to conclude as speedily as possible the work of preparing the necessary Community directives for physiotherapists, as assured by the previous Commission?

and Question No 17, by Mr de la Malène (H-512/85):

Subject: Freedom of establishment for physiotherapists

Does not the Commission believe that the present freeze on the directives on the freedom of establishment for physiotherapists because of the decision by the Fontainebleau European Council on the mutual recognition of diplomas is a step back for the free movement of members of the health vocations; why should a future overall solution *via* the mutual recognition of diplomas prevent progress on a vocation-by-vocation basis when the draft measures are ready?

Lord Cockfield, Vice-President of the Commission. — Mr President, as you say, I shall be answering this question and that in the name of Mr de la Malène together.

As I said in this House, when replying to a similar question in May, the approach followed hitherto in the case of the professions has been to provide for mutual recognition of qualifications, profession by profession. Progress has been made but it has been slow. Accordingly, the Heads of State and Government at Fontainebleau decided that a generalized system of recognition of higher education diplomas would be more appropriate. The Commission is, therefore, giving priority to work on a generalized system of recognition of higher education diplomas. This would facilitate free movement of professional people, including masseurs, physiotherapists and other paramedical professions. Our approach to this has been dealt with in detail in the White Paper on the internal market. The Commission takes the view that this general approach, which offers a much better prospect of speedy progress, must be given priority. To this end, the Commission submitted in June of this year a pro-

posal on a general system of mutual recognition of higher education diplomas. This would provide that, as a general principle, persons who had undergone professional training in one Member State would be recognized as having equivalent qualifications in another Member State, subject to the years of training or professional experience they had undergone. While the new approach does not in itself rule out specific directives in cases where the profession as a whole is in favour of it, nevertheless the Commission feel that the immediate priority must be in favour of the new approach.

Mr Lalor (RDE). — I find the Commission's reply extremely disappointing. My question asked how soon directives could be introduced, and what the Commission has said is that it has accepted the freeze imposed by the Council. The Commission went on to say that the best prospect of speedy action was to leave it the way it is. With all due respect, can I ask the Commissioner whether to state that the way to get speedy action is to leave the question of directives frozen is not the most ridiculous reply he has so far offered to any question to the House. I think it is an amazing reply, and I would ask him whether he is really serious in the presentation he has given us here this afternoon.

Lord Cockfield. — I think the reply to all four questions is no, Sir. May I take them in order. Far from leaving matters where they are, we have presented a communication to the Council and to Parliament, and we await the views of both the Council and Parliament on that communication.

There is no question of a freeze having been imposed by the Council. The communication was only sent in June and, not unnaturally, we still await also the views of Parliament. I would not in any way suggest that a freeze has been imposed by the Parliament.

We do not propose leaving matters as they are. In fact, the very fact that we have produced this communication does indicate that we are determined to make progress in this field. Experience shows that the old procedure, while it produced valuable results, took a quite disproportionate time to achieve them. We hope that the new approach will end in the results we all want being achieved very much more rapidly.

Mr Marck (PPE). — (NL) When the Commission says it wants to give priority to higher education — and I think that is a good choice — is it taking account of the fact that in higher education, and specifically where physiotherapists are concerned, there are two streams, university and non-university education, and that there is fierce competition between the graduates of these two streams? Hence my question: should a directive on university graduates be adopted, will the Commission also bear non-university grad-

Marck

uates in mind so that distortions of competition may be eliminated?

Lord Cockfield. — The communication covers only university or higher diplomas.

President. — Question No 2, by Mr Marshall (H-112/85):

Subject: Energy Conservation Year

The UK Government has declared 1986 Energy Conservation Year. Would the Commission consider making 1986 a European-wide Energy Conservation Year? If it does, would it emphasize the role that modern lighting can play in energy conservation?

Mr Narjes, Vice-President of the Commission. — (DE) Energy conservation remains one of the major objectives of the common energy policy. This is apparent from a number of projects: in the selection of demonstration projects, the composition of research programmes and also in the Council resolution of 15 January of this year which expressly recommends the Member States to promote the rational use of energy, naturally taking into account their specific priorities.

Measures include, for example, information programmes aimed at creating greater public awareness. The call for an energy conservation year can certainly also be an appropriate public relations measure and, if carefully prepared, it may have a positive influence on energy conservation by the general public.

The Commission was not informed of the British project. Nor indeed was it required to be. It does not consider it generally appropriate to harmonize or adopt Community-wide this or that public relations measure which is geared very specifically to national, regional or local requirements — just think, for example, of the differences in climate or way of life. Even if the Commission had deemed a Community public relations campaign desirable and had had the necessary funds, a 1986 campaign would have been out of the question because there would not have been enough time left to coordinate the work required.

Specifically on the subject of energy conservation over lighting, I would mention the demonstration project carried out by *Gasunie* in the Netherlands which clearly illustrated the efficiency of modern lighting techniques. The results of this project were published in information bulletins and in a final report. Should the honourable member wish to receive these, we shall be glad to provide them.

Mr Marshall (ED). — May I thank the Commissioner for that very full answer and ask him, when he continues with his publicity in respect of energy conserva-

tion, to point out that modern forms of lighting do bring very substantial energy savings, such as the modern lighting now being produced by Thorn Lighting in Enfield, which results in a dramatic decline in the amount of energy being used. This is now being recognized by consumers throughout the Community. Some one-third of that company's new forms of lighting is in fact being exported to other countries within the Community.

Mr Narjes. — (DE) Thank you for that information.

Mr Seligman (ED). — Does the Commissioner agree that energy conservation is the fifth fuel: in fact, it is a very good investment for anyone. But lack of finance is a brake on energy conservation, and Europe is well behind the States in this field. Is he aware that a new service has sprung up in the States called third-party finance for energy-saving, which provides finance for buildings, offices or homes where an energy conservation project is put in?

Could he say whether part of the 500 000 ECU in the budget could be made available for third-party finance for energy-saving?

Mr Narjes. — (DE) Perhaps I could point out that the Council resolution of 15 January 1985 which I referred to previously is based on a comprehensive Commission document which sets out and compares the various energy conservation measures taken by the Member States with a view to enabling Member States to learn from each other and compare notes.

It is my impression that a number of Member States are by no means well behind the United States in their efforts to conserve energy. If I look at the overall pattern of energy consumption in the last few years, we have managed to separate an increase in the growth rate from an increase in energy consumption in most Member States, no less effectively than in the United States.

Mr Wijsenbeek (L). — (NL) I was interested to hear the Commissioner singing the praises of *Gasunie*. Does he not think that energy conservation as achieved by *Gasunie* in hothouses for vegetable-growing is also deserving of some praise? Does he not also agree that gas is more efficient than coal, if only because of the damage the burning of coal does to the environment?

Mr Narjes. — (DE) I can only think there must have been an error by the interpreters here. I said that *Gasunie* in the Netherlands had successfully completed a Community project. I quoted the results of this project with reference to the question of how the consumption of energy for lighting can be reduced.

Narjes

Quite apart from this, our energy conservation policy naturally covers all forms of energy without focusing on one or other primary energy source.

President. — Question No 3, by Mr Wijzenbeek (H-180/85):

Subject: The JET European nuclear fusion project

Can the Commission state what progress is being made with the JET project and whether it plans to continue with a more advanced project?

Mr Narjes, Vice-President of the Commission. — (DE) The JET project completed an experimental phase in June of this year during which considerable progress was recorded. For the first time, among other things, a plasma stream of 5 million A was achieved in a tokamak. In another experiment a high frequency output of million W was generated to heat the plasma. This again demonstrated that JET is a world leader.

The current suspension of operations is to allow planned conversion work. The next experimental phase will begin this autumn.

Under the rules of JET the experimental plant is to continue operating until summer 1990. According to the schedules drawn up when JET was founded the results expected from the project should have been achieved by then. If the project is required to continue beyond that date, the Commission will put forward appropriate proposals at the appropriate time.

Mr Wijzenbeek (L). — (NL) In view of the enormous amount of money that has been invested in this installation, which has so far been successful, and thinking ahead to the time after 1990, can the Commissioner not give an assurance at this stage that, where the Culham establishment is concerned, this investment will continue?

Mr Narjes. — (DE) If I have understood correctly, the honourable member is asking where the subsequent project is to be based. I cannot say at present.

Mr Seligman (ED). — Is the Commissioner aware that Edward Teller, when he visited Strasbourg 14 days ago, said that the best prospect for JET or for fusion lay with fusion-fission hybrid systems, which are being worked on in the USA and Russia? In this system neutrons from the fusion are fed into conventional fission reactors.

If that is so, are we doing anything about it in Europe, or are we in touch with Russia and America on this technology?

Mr Narjes. — (DE) The Commission and the scientific institutions involved in JET closely follow its progress and have either been involved on the spot in some form or other or at least involved as observers. We are currently considering whether or not we should cover ourselves by means of cooperation agreements with one or the other in such a way as to remain abreast of all conceivable developments.

Mr Elles (ED). — Mr President, I should be grateful if you would accept just one more question to Mr Narjes on JET, as JET lies in my constituency.

Can the Commissioner ensure that the interests of those in the constituency will be safeguarded once the JET project comes to its end?

President. — No, Mr Commissioner, you are not obliged to answer. Mr Seligman has already spoken on behalf of the same group and the same nationality.

Question No 4, by Mrs Thome-Patenôtre (H-256/85):

Subject: EEC-Turkey relations

Parliament has refused to allow the implementation of the third financial protocol, the appropriations under the fourth protocol and the special aid to Turkey, on the pretext of the violation of human rights and the political situation in that country.

Several Members of the European Parliament, including myself, recently visited Turkey and saw with our own eyes the progress which has been made on the above-mentioned points. Having regard to these developments, is the Commission not planning to release the suspended funds and remit them to Turkey, as a token of its desire to normalize relations with that country, which is an associate member of the Community?

Mr Narjes. — (DE) The Commission, like Parliament, is attentively watching developments in Turkey. It agrees with the lady member that progress has been made over the last year. Certain facts, however, such as the long trials of intellectuals and trade unionists, the continuation of martial law in several of the country's regions and cities, and the conditions in prisons continue to cause concern to the Community. The Commission hopes to see further progress, so that the relations between the European Community and Turkey can be improved and normalized, which would swiftly lead to the freeing of funds for that country.

Mrs Thome-Patenôtre (RDE). — (FR) I thank the Commissioner for his reply, which I do not find entirely satisfactory, because, surely the real question is about the application of the Fourth Financial Proto-

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col? For myself, even though the Commissioner has said virtually the opposite, I have seen how Turkey is at present stepping up its efforts towards democratization, as most of my colleagues in the Assembly have also acknowledged this morning.

I was able to confirm this for myself when I went to Turkey in April. Several political parties, like the people's party and SODEP — the social-democratic party — which merged recently to form the Socialist People's Party, have held their congresses.

Finally, I should like to point out that this genuine democratization should be seen in a geopolitical context which is a very difficult one for Turkey, and that in their own interests European nations should try to have a better understanding of it, because the destabilization of Turkey would have serious consequences for the EEC and the Mediterranean.

Mr Narjes. — (DE) I expressly said in my second sentence that the Commission agrees with the lady member that progress has been made in the past year.

Mr Howell (ED). — While we welcome the statement by the Commissioner today, it does, of course, raise a number of other questions. In view of the statement, would the Commissioner please tell us what he considers to be normal circumstances for Turkey? In his statement he did welcome the various moves that have been made in that country. As Mrs Thome-Patenôtre said, that country has to contend with very difficult conditions and a very difficult geopolitical situation. It is proving very difficult indeed to bring it back to normality.

Is normality 30 murders a day, as was the case before this administration came into being? Or is it not a fact that the situation is far better and that the Commission and the Community should recognize that and help Turkey on its way to normality rather than hindering it in solving the problems that it faces?

Mr Narjes. — (DE) I would just repeat what I have already said. Certain conditions persist unchanged, such as the trials I mentioned against intellectuals and trade unionists, martial law in some regions and the conditions in prisons. This continues to disturb us. The list shows which changes we expect and hope to see.

Mr Wedekind (PPE). — (DE) Mr Commissioner, Sir, as I have understood it the funds which the Commission has to give appear to be tied to certain principles of political morality. Can the Commissioner tell me if he applies equally critical standards to prisons in Africa and other countries in the world? Does he apply the same standard of democracy to all other countries in the world to which aid is given, or is there a special morality, a selective morality applying only to

Turkey, where everything has to be perfect? Does the Commission perhaps understand moral policy as a selective morality?

Mr Narjes. — (DE) The honourable member's question naturally provides the opportunity for a lecture of at least one hour on the special requirements we make, unlike other States in the world, of the countries with a European cultural heritage, which we represent here, the Community members and the associated countries which seek membership of the Community. But I shall refrain from giving it and shall merely point out that the present Commission, like earlier Commissions, has determined its position towards Turkey in agreement with the great majority of this House, i.e. we do not intend to make selective moral judgments in Europe and we believe that the changes we want and expect to see will fully serve the best interests of the Turkish people and the progress of democracy in Turkey.

Mr Gerontopoulos (PPE). — (GR) Could the Commissioner tell us whether he believes that the intense pressure exerted by the European Community is contributing to the supposed improvement of democratic institutions in Turkey?

Is there a risk that a relaxation of the pressure represented by the freeze on implementing the 3rd and 4th financial protocols and the suspension of the interparliamentary committee's work might give the Turkish dictators a sense of security and put an end to any movement towards the restoration of democracy?

Mr Narjes. — (DE) Value judgments about conditions in an associated State which aspires to membership of the Community are always a delicate matter, and answers can be given only after a comprehensive appraisal of the situation. I do not think it appropriate at present to go into the details of developments in Turkey and their various aspects.

President. — Question No 5, by Mrs Lemass (h-268/85):

Subject: Registration of homes for the elderly run by private individuals

Can the Commission indicate to what extent nursing-homes for the elderly which are run by private individuals in the Member States of the Community are subject to legal provisions relating to the registration of such homes and if so, can it give details of the appropriate legislation and any accountability that may be required?

Mr Sutherland, Member of the Commission. — Regrettably, the simple answer to the question raised by the honourable Member would be 'no', but I real-

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ize that that would be unsatisfactory and I would like to explain why.

The Commission services are currently engaged in drafting a communication on living and working conditions, which will be ready in a few months. I have been anxious to ensure that this will include a section devoted to the living conditions of the elderly and will explore means of promoting the self-reliance of the elderly and their better integration into the life of their communities. The emphasis of the communication will be largely placed on maintaining the elderly in their own homes and in a familiar environment.

Coming now to the question raised by the honourable Member, I have to say that it is beyond the scope of the researches which the Commission is currently carrying out. Unfortunately, we are not in a position to examine the rules which govern the administration of nursing homes for the elderly in the Member States.

Speaking personally, I have a great deal of sympathy for the concern which underlies the question raised today, a concern which the honourable Member has constantly and effectively voiced to this Parliament. I am sorry therefore to say that, in practical terms, I would be misleading Parliament if I were to suggest that it is feasible for the Commission at present to involve itself in the subject. The reason for this is that the lamentably inadequate human resources and financial resources available to us merely permit us to complete the project which I have already indicated, namely, the communication on living and working conditions, which is our first priority.

Mrs Lemass (RDE). — Commissioner, your reply makes it very difficult for me to ask a supplementary, because you have turned me down flatly. You just say that you can't do anything about the problem that I have raised.

I am talking specifically about elderly people who are seeking places in *private* nursing homes, private houses run by individuals. Because there is such a shortage of this type of accommodation, the elderly are being exploited by people who overcharge them, do not feed them properly and do not have in their private houses the proper nursing facilities that old people need. I cannot see why the Commission cannot propose some kind of directive to the Member States which would protect elderly people who *have* to go to live in these places from those who would exploit them.

Mr Sutherland. — I fully understand the question and its importance. As far as the Commission is concerned, the issue is one of considerable importance which it would be desirable to investigate.

I will certainly look at the feasibility of taking it on as an issue to be considered in the fairly immediate

future. All I wished to indicate, as candidly as I could, was that at the moment our resources are stretched to the limit to complete the report which will be ready before the end of this year. I will certainly bear in mind the issue that has been raised when considering the Commission's future activities. I am not suggesting that it should be put indefinitely on the long finger, I am merely pointing out that at the moment the matter is not being addressed directly. I will see that the question will at least be looked at in the future.

Mr Hughes (S). — I am pleased to hear Commissioner Sutherland say that he might reconsider this. I hope the Commission will show the ingenuity they usually show when involving themselves in issues concerning trade barriers but this time to help ordinary dependent people. Is the Commission aware that this is a very important issue in the UK, where the Conservative Government is closing down on a wide scale hospitals and wards for the elderly, dependent and infirm and causing their transfer often to far less suitable private nursing-homes where the danger is that the emphasis is placed, not on the standard of care, but on financial gain?

Mr Sutherland. — First of all, I do not think it would be appropriate for me to comment on the domestic situation in any given State. What I can say is that, for political reasons — acceptability by Member States — and for practical reasons — the question of the means available — we are in some difficulties over this problem. I would like to think that we could tackle it immediately, but the plain reality is that resources in DG V are stretched to the very limit with producing by the end of this year the paper on living and working conditions. We have therefore identified two major factors of importance in regard to dealing with the problems of the elderly. These we are looking at at the moment. They are self-reliance and integration. These problems are being approached through three fields: working conditions of older workers in preparation for retirement, activities for pre-retired and retired people, and housing and social services. These issues are being tackled and I hope that we shall be able in the future to look at the specific problem in regard to housing which has been raised by Mrs Lemass.

Mr Seligman (ED). — I have many such homes in my constituency on the South coast which do a very good job. However, in some homes old people are submitted to intolerable pressures such as asking them to change their wills for the benefit of the homes they are staying in. Registration of these homes would enable licences to be withdrawn, and I would like to know whether the paper the Commission refers to is going to end up as a recommendation, or a directive, or what?

Mr Sutherland. — The paper itself has not been considered by the Commission as a college and it would be inappropriate, I think, to give any definitive view as to what the outcome of it will be. I think it is more likely to be a recommendation than anything else.

I do not at all disagree with the sentiments behind either the original question or the supplementary; I think this is a field where the Commission should be concerned, and we will indeed look at it.

Whether the Member States will consider this as an appropriate subject for intervention by the Commission or the Community rather than for domestic legislation remains to be seen. We shall have at least to establish what their attitudes are. Let me say that some attitudes to date in this general field have not been as positive as one might have expected. One can only hope that a different attitude will prevail in the future.

President. — Question No 6, by Mr Elles (H-374/85):

Subject: Rice sector

Will the Commission please indicate what measures it intends to take in the rice sector to bring production more into line with consumer requirements in the Community, particularly in the light of the commitments in recent price packages which have not yet been fulfilled?

Mr Sutherland, Member of the Commission. — The Commission intends to apply Article 5 of Regulation No 1418 of 1976 by fixing intervention prices or reductions for certain varieties of rice. It is, however, proving difficult to make a choice, since it has not been shown beyond doubt that certain varieties do actually meet the desired objectives. In other words, if we were to increase the intervention price, would it have the effect of stimulating sales in accordance with the underlying question raised by Mr Elles? Moreover, if these measures are to be effective, they would entail fairly considerable additional costs for the agricultural fund. The Commission, however, is actively examining the various aspects of the problem, and it is possible that proposals along these lines may be made in the course of 1986.

Mr Elles (ED). — In this sector of agricultural policy, it has been highly unsatisfactory to see that a number of declarations by the Commission to the Council of Ministers in 1982 and 1983 have not been given any substance. Essentially, the idea is to get a better balance in the market so that what is produced in the south of the Community can be consumed in the north. Will the Commissioner please insist that his colleague in charge of agriculture should not concentrate on the cereals market in the short term, but should have the courage to include certain changes in the regime in the next price package, including at least the

classification of varieties of rice into three different types so that we are not always producing medium and round rice which nobody wants? Secondly, will he please ensure that the proposals include some closing of the gap between the intervention price and the target price, so that at least we can encourage consumption within the Community of what we produce?

Mr Sutherland. — First of all, let me say that the underlying problem which has been referred to by Mr Elles is very much a concern of the Commission, and the Commission is obviously anxious to bring about a situation where there can be a maximum utilization of production within the Community and where the needs of the Community can be fulfilled from within the Community and by its own resources. There have, however, been difficulties here. In the first place, it must be said that the Commission is actively seeking those varieties which meet consumer demand in the north. At the moment there are three varieties which should probably be encouraged in order to fill that demand, and one variety which probably should be discouraged. At the moment we are engaged in scientific research to test the yields and genetic stabilities of these varieties in order to establish what course is most appropriate to deal with the problem which has been found.

In addition, at the moment we are gathering information from the trade as to the commercial viability of these new types of rice. The Commission is considering undertaking a study of market possibilities.

Lastly, the final issue of relevance in this area is the assessment of potential cost. I have already indicated that the cost of the premium for the promotion of these varieties could be very considerable, and that has to be taken into account when determining what measures, if any, the Commission can take to solve the problem raised.

Mr Pearce (ED). — While thanking the Commissioner for a helpful answer, may I ask him to be slightly more precise and to see if at long last the Commission has spotted the difference between rice pudding, in the English style, and rice as used in curry, in the Indian style? Has he encountered the use of Community rice for rice pudding, which makes it feel like eating ball-bearings in milk, and has he tried the use of rice for Indian-style curry, which tastes like clotted wallpaper? Has this finally got through to the Commission and will it in future stop taxing imports of types of rice which cannot be produced in the Community?

Mr Sutherland. — I have some difficulty in answering for the Commission as a college on the issues which have been raised; but, speaking for myself — and, unfortunately, my *avoirdupois* may give rise to evidence of this — I have established that the two types

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of rice — that used for curry and that used for rice puddings — are different. I do not know whether that that answers the question. Certainly, as far as the Commission is concerned, we are actively considering research into both types of rice in order to establish which has the better market in the north of Europe.

President. — Question No 7, by Mr Lomas, who is replaced by Mr Ford (H-427/85):

Subject: Aid to refugees in Cyprus

Will the Commission consider giving aid to the 200 000 refugees in Cyprus who were forced to leave their homes following the Turkish invasion in 1974?

Mr Narjes, Vice-President of the Commission. — (DE) The question of refugees in Cyprus has been dealt with principally by the United Nations which has cooperated with the government of the Republic of Cyprus and the administration of the Turkish community to help reintegrate the population. It is also worth pointing out that from 1974 to 1977, in answer to appeals from the Republic of Cyprus, the Community channelled immediate food aid for the flood of refugees in Cyprus through the Red Cross and the UN High Commission for Refugees. As part of financial and technical cooperation under the first and second financial protocols the Community is also involved in financing operations which will aid the economic and social development of Cyprus to the benefit, of course, of the whole island.

Mr Ford (ED). — Clearly it is a serious problem in Cyprus. Since the occupation by a totalitarian and near-Fascist regime of one of our small neighbours in the Mediterranean, does the Commission not feel it should be doing more here than it has done in the past, particularly as the problem is now being exacerbated by member countries which, in fact, are deporting refugees from Northern Cyprus back to the Southern part of Cyprus — for example, the United Kingdom in the case of the Nicholas — and actually making it more difficult for the Cyprus Government in Southern Cyprus to deal with this issue? Does he not feel that in these circumstances, where the Community is creating a problem, we have a responsibility to do more to help?

Mr Narjes. — (DE) I cannot see that the Community is creating problems. The Community is eager that peaceful and orderly conditions should be restored in Cyprus as soon as possible and that the population should enjoy representative democratic conditions in accordance with its declared wish. As regards willingness to do more, I would point out that no requests have been received to date concerning the matter raised by the honourable member.

Mr Taylor (ED). — Would the Commissioner confirm, for the purpose of educating Mr Ford, that Northern Cyprus is a democracy ruled by a left-wing coalition government?

Secondly, following the Commissioner's initial reply, when he referred to the Financial Protocol between the European Community and Cyprus, I do agree with him that many refugees are presently benefiting from EEC schemes in Cyprus. But, of course, those benefits do not apply to the entire island of Cyprus; they only apply to the refugees in Southern Cyprus, because it is only in Southern Cyprus that the Commission has any schemes which it is aiding. Will the Commission now look at the proposals to aid further the refugees in Northern Cyprus, who are Turkish Cypriot refugees, and ensure that under the present Protocol there will be schemes located in Northern Cyprus and not totally restricted to Southern Cyprus?

Mr Narjes. — (DE) I would remind the honourable member that the financial protocol applies to both parts of Cyprus. These protocols have constantly taken account of the special nature of Community policy towards Cyprus, a policy which requires aid to benefit the entire population of the island. This has so far been the case.

Mr Hughes (S). — A quick response should be made to Mr Taylor's remarks. It is in fact the case that in the whole world only Turkey recognizes Northern Cyprus as an independent state. The Commissioner did say in reply to Mr Ford's question that the Community was not adding to the problems in Cyprus. I would repeat the question. The Commissioner is aware that one Member State, the UK, is deporting refugees to Cyprus. Will the Commissioner condemn that action and admit that that means the Community is adding to the problems in Cyprus?

Mr Narjes. — (DE) I am not sure if the last remark was addressed to the Commission or to the previous speaker. But I would stress that in the Community's eyes the Republic of Cyprus is the island's sole legal representative.

Mr Adamou (COM). — (GR) After nearly twelve years there are still refugees in Cyprus. I wish to ask the Commissioner whether, in addition to food aid, there have been any other activities to help refugees return to their homes and their estates?

Mr Narjes. — (DE) During the first four years both the Community and the Member States individually granted food aid. As of 1970 we have had the first financial protocols, as of 1 January 1984 we now have the second. We also support the United Nations and back Secretary-General Perez de Cuellar in his efforts

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to press as hard as possible for peace and peaceful progress in Cyprus.

Mr Gerontopoulos (PPE). — (*GR*) I would like to ask the Commissioner what the Commission intends to do to ensure the three basic freedoms for Cypriot refugees — freedom of movement, freedom of settlement, and freedom to own one's estate. Now that the European Communities have secured these freedoms for the citizens of their Member States, I think it quite unacceptable that practical steps should not be taken to secure the same basic rights for refugees in Cyprus, for citizens of the Republic of Cyprus with which the EEC has concluded an Association Agreement.

Mr Narjes. — (*DE*) It is the Commission's view that all the freedoms mentioned by the honourable member can only be attained via the efforts of the UN Secretary-General.

President. — Question No 8, by Mr Barrett (H-434/85):

Subject: Fishing-vessels from third countries arrested for illegal fishing

Will the Commission give details of the number of vessels from third countries arrested for illegal fishing in Community waters during the period 1984 to date?

Mr Sutherland, Member of the Commission. — I understand the honourable Member's concern with regard to illegal fishing by vessels from non-member countries in Community waters. The reason for that concern is evidenced by the answer which I will give.

Since 1 January 1984, the Commission has been notified of 124 arrests of vessels flying the flags of non-member countries engaging in illegal fishing. Nearly all of these vessels are Spanish. I should stress that the surveillance of vessels and the recording of infringements are matters primarily for the Member States. Sanctions are also at the first stage a matter for the governments.

On the basis of notifications received, the Commission can, of course, withdraw licences and for vessels fishing unlicensed, refuse to grant licences in the future to these vessels for limited periods.

Mr Barrett (RDE). — Would the Commissioner tell me how many of these arrests took place in Irish waters? Would he agree that the penalties being imposed by the Member States are far too low and clearly do not act as a deterrent when you consider one vessel has been arrested and fined four times but still keeps coming back?

Seeing that Irish waters are far more vulnerable than those of other Member States, would the Commission be prepared to grant further financial aid to Ireland to build an additional fisheries protection vessel similar to the one recently launched? At the end of the day the only way to prevent these infringements is by having an adequate fisheries protection fleet. Perhaps the Commissioner would state whether the Commission is prepared to increase the inspectorate from 15, which I understand is the current number.

Mr Sutherland. — With regard to the first part of the question, the number of arrests carried out by Ireland since 1 January 1984 out of the total number I referred to was 56.

With regard to the adequacy, or otherwise, of the penalties imposed, this is really a matter in the first instance, as I have indicated, for the Member States, because the primary responsibility for enforcing domestic law in regard to fishing in any given area rests with the Member State in whose territorial waters the offending vessel has been arrested.

It is a matter, I suppose, of concern for every member of the Community and for Parliament if, as suggested by the honourable Member, certain vessels repeatedly commit the same offence. It is a matter, however, for the Member State directly concerned to determine whether that is evidence of the fact that the penalties being imposed are inadequate. I would not like to generalize in giving a reply.

The Commission itself, of course, has powers. Having examined the information received, it can withdraw the licences of vessels for periods from two to twelve months according to the type of fishing, the class of vessel and the scale of the infringement. In the relevant period, indeed, the Commission withdraw 23 licences, including 20 for Spanish vessels and three for Faeroe Islands vessels. The other cases of arrests concern, therefore, vessels fishing without a licence.

With regard to the final part of the question, the Commission has received requests from various Member States for Community aid to construct more vessels. The Commission is examining the situation in regard to each of the requests, taking into account the budgetary position of the Community. The most I can say about it is that the situation certainly has improved in regard to surveillance over past years thanks to Community aid for ships. I cannot, today, give any positive detailed answer to what has been said by the questioner. All I can say is that the matter is being studied at the present time by the Commission.

Mrs Ewing (RDE). — Is it not fairly clear from the enormous size of some of the monetary penalties imposed that we have a serious situation where either the Spanish Government is paying the fines or they are

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being shared by the Spanish fleet? Could I repeat a request I have made to the Commission in the fisheries subcommittee, that we get to the bottom of this matter before Spain enters? The Commission should carry out a very simply straightforward investigation of whether or not that is the practice, so that we know where we are.

Mr Sutherland. — First of all, with regard to the adequacy of the fines, it is certainly true to say that very substantial fines have been levied against vessels which have committed offences in the territorial waters of Member States, and that these do not appear to have inhibited illegal fishing substantially. The statistics which I have given to this Assembly are adequate testimony of that fact.

From 1 January 1986 onwards, the tendency to illegal fishing should decline, since the number of Spanish vessels allowed to fish at the same time in present Community waters will be increased. But in accordance with the act of accession, a special control system applicable to Spanish vessels will be in operation. This system, which will be enshrined in a Commission regulation, will be an adjunct to the general monitoring system contained in Council Regulation 2057 of 1982 applicable to all Community vessels. This, I hope, will ameliorate the position.

With regard to the present situation, it is, as I have already said, clearly unsatisfactory. But I also repeat that the primary obligation in regard to establishing adequate punitive measures for those who offend against the Community regime rests with the Member States, and with the courts of the Member States implementing the law of those states. It is not clear that the Commission can do a great deal more at this stage than what it has already undertaken to do and, indeed, has already done in regard to maintaining discipline in the Community.

Again, coming back to the question about vessels, it is, of course, of the utmost importance that there be an adequate number of vessels to protect the fishermen of each Member State. Again this is a primary responsibility of the Member States, although the Commission has in the past examined and will continue to examine the necessity or desirability of supplementing that assistance.

Mr Clinton (PPE). — What exactly happens when a licence is withdrawn? Is the licence given to a particular fisherman, so that if somebody else is put on the boat, the vessel can continue fishing? What is the effect of just withdrawing a particular licence? I think it is important to know that, because I do not think withdrawing licences is stopping the type of infringements that we have become accustomed to seeing.

The Commissioner will also be aware that we suggested on a previous occasion at Question-time that

the Commission should consider, in cases where there are repeated infringements by the same skipper, confiscating the boat, if that is what is required to stop them, because it has been very hard to stop them until now.

Mr Sutherland. — First of all the new system after 1 January 1986 will be applicable to vessels, not to the individuals who sail in them. The vessel itself will figure on periodic lists authorizing it to fish during a certain period and requiring it to report by radio its movements and catches to the national control authorities and to the Commission. Therefore, monitoring will be applicable to the vessel rather than to the man.

Secondly, with regard to the sanctions available in the event of there being consistent breaches of the law, that again seems to me be primarily a matter for the national authorities. The fining authority in respect of each Member State is the law prevailing in that State at any given time, and jurisdiction is exercised by the judges in the courts of that country. It is not, in other words, a Community legislative measure which determines the amount of any fine or how the fining policy is to be enforced.

Mr Elles (ED). — I was interested to hear the Commissioner say that after 1 January 1986 the problem should disappear or at least be greatly reduced where third-country vessels are concerned. But the number of Spanish boats will increase from something like 106 to 150. Will the Commission please give its assurance that there will be a sufficient quota for the Spanish boats to catch and that Spanish vessels will not be given any access to the North Sea before the year 2002?

Mr Sutherland. — The Commission will adhere rigidly to the provisions of the act of accession which clearly indicate the precise availability of fishing for the Spanish fleet. The system, in other words, will be operated strictly in accordance with the agreement which has been reached. This system will be enshrined in a Commission regulation, which will be enforced rigidly by the Commission, and the vessels of the present Community which will be fishing in Spanish waters will, of course, be obliged to comply with the same obligations.

Under Article 5(2) of the basic regulation setting up a Community system for the conservation of fisheries resources, it is for each Member State to determine procedures for utilizing the quotas of its fishermen, having due regard to Community legislation. However, the Commission is determined to enforce the quota regime which is in existence in accordance with our obligations, which I think are clearly defined. That relates to the North Sea as well as to the rest of European waters.

Mr MacSharry (RDE). — When the Commissioner talks about surveillance being the responsibility of the Member State, is he aware that in a small country like Ireland where nearly half of the boats detected were fishing illegally, it is impossible to finance sufficient vessels for surveillance purposes, that surveillance is totally inadequate, and that where 56 boats were caught you can be sure that at least 100 more got away?

The Commissioner did not answer Mrs Ewing's question. Would he therefore say — having agreed that penalties are severe — whether there is any evidence to suggest that there is a state scheme to help fishermen pay fines? There is no way an individual fisherman could pay these fines. After 1 January 1986, what additional action does the Commission intend to take to eliminate this illegal fishing?

Mr Sutherland. — First of all, the particular concerns of Member States and the difficulties of financing the provision of adequate protection vessels are things which the Commission is aware of. The awareness of that problem has resulted in the fact that the Commission has received requests in the past and has indeed provided aid for the construction of vessels. Nobody is suggesting that the evidence available indicates that there are enough vessels for patrolling the waters of the Community and ensuring that there are no transgressions. If there were enough vessels, one can safely assume that the number of arrests would have been much less than the number which I have indicated.

The difficulty that the Commission has is obviously one of resources. It is in that context, and that context only, that I indicated earlier in my reply the difficulties that exist. What one can say is that whilst the position is anything but desirable at present, it has, it would appear, improved considerably over the past years thanks to the Community aid for ships, and one can assume that if that aid had not been given, matters would be even worse than they are.

With regard to the alleged state funding of the payment of fines, the Commission is not aware of any evidence to establish that to be the case. It is for the Member States in question, the ones who are levying the fines, to collect them and to lay down the conditions under which they are to be paid. Whether there is such a state funding mechanism as that alleged in two questions, is a matter which the Commission would like information on, if there is information relating to it. But the Commission's concern is not primarily with where the money comes from, nor indeed with levying the fines. That is a matter for the national courts.

President. — Question No 9, by Mr Flanagan (H-440/85):

Subject: Possible levy on blank recording-tape and/or equipment

Can the Commission confirm or deny that a possible initiative is being considered in the field of copyright law, and more particularly the possibility of a levy being introduced in this context on blank tapes and on recording-equipment, and does it accept that such a levy would be exceedingly retrograde and highly undesirable, were it to be imposed on blind and partially-sighted people?

Lord Cockfield, Vice-President of the Commission. — As has been stated in various written questions on this subject, the Commission intends to publish a Green Paper on a number of current copyright issues. Among the questions to be dealt with will be the suggestion that a levy or copyright fee should be imposed on blank video and audio tapes to remunerate copyright owners for the copying of their works by individuals for private purposes. The Green Paper will present the arguments for and against such a levy scheme, and will take into account the particular interests and needs of handicapped citizens. Following publication of the Green Paper, consultations will take place in order to give various interests-groups a full opportunity to present their views to the Commission before a definitive position is taken.

Mr Flanagan (RDE). — I just want to thank the Commissioner. His reply brings the situation up to date.

Mr Elliott (S). — Would the Commission accept that the great use of blank tapes by ordinary citizens is not for the purpose of infringing copyright or indeed for making, in most cases, permanent records, but is, in fact, for their own personal use, mainly for time-shift purposes? In other words, being able to listen to or view recordings of programmes at a more convenient time than that at which they are normally broadcast? Would the Commission also accept that in addition to the great problem which a levy on tapes and equipment would present for the blind and partially-sighted, there is also a major problem for those educational institutions — schools, colleges and others — that make great use of blank tapes for educational purposes? Given the financial constraints which many of these educational institutions currently work under, this would create a major problem. Can I have an assurance that these particular aspects will be fully taken into account in any proposals made?

Lord Cockfield. — The Commission is, of course, aware of the factors that the honourable Member mentions. This is an issue on which strong views are held. Unfortunately, they tend also to be very divergent views. This is the reason why we propose publishing a Green Paper and giving everybody interested in the subject the opportunity of making representations.

The Commission has not yet established its position in this field. We will only do so in the light of full consid-

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eration of all the representations that are made when the Green Paper is published.

Mrs Nielsen (L). — *(DA)* I have a supplementary question for the Commissioner. I am very glad that various views which might be presented by interest groups will be taken into account. I would like to ask if he is and will be attentive to the fact that many people have irregular working-hours. There are also many — Member of Parliament, for example — who may be absent from their home countries for considerable periods. It is absolutely right to expect Members of Parliament to follow political debates at home. And we are fortunate in that modern technology gives us the facility of tapes, which enable us to keep track of what is happening at home with the aid of both radio and TV. Indeed, we have to know what is going on, not least so that we can put it into a European dimension.

Are we politicians, who want to keep track of developments, also to be regarded as an interest group? As a matter of form, I must just say: I do not think that either politicians or others who have irregular working-hours should be penalized. This should, of course, not be taken to mean that I am happy with the state monopoly enjoyed by the Danish national broadcasting service. Of course I want competition on the air-waves; I want to see the monopoly broken as soon as possible.

Mr Kuijpers (ARC). — *(NL)* Mr Flanagan's question is tremendously important for the thousands of blind and partially-sighted people in Europe who cannot read ordinary books or information. I should therefore like to ask this supplementary question following the satisfactory answer given by the Commissioner.

Can thought be given to the possibility of using the same make and above all the same postal charges for those who cannot read ordinary books and are therefore forced to use audio tapes? Could this suggestion be included when this answer is considered?

Lord Cockfield. — Since I became a Commissioner I have become acutely aware of the fact that people have to work at very different times and sometimes very long times as well. But I did make the point, in reply to the earlier supplementary question, that this is an issue on which very divergent views are held, and the object of publishing the Green Paper is to give everybody concerned the opportunity of making those views known, not only to the Commission themselves but of course to a wider public as well. It is only in the light of the full consideration of the views expressed that the Commission will then take a stand on this issue.

Mr McMillan-Scott (ED). — Could the Commissioner confirm that this is in fact the first time an offi-

cial announcement has been made that the Commission is to recommend a levy on blank recording tape? Is he aware that the department within the Commission responsible for drafting this paper is considerably over-worked and has had the benefit of representations from a number of interest-groups? Could he therefore, in the light of that comment, give us an assurance that when the Green Paper is published it will list all those organizations from whom evidence has been received and further assure this House that no part of that paper will have been prepared, written or in any other way submitted by anybody but the staff of the Commission itself?

Lord Cockfield. — I have said, not once, not twice, but three times, and I will now repeat it for a fourth time, that the Commission has not taken a position on this matter and does not propose taking a position until such time as the Green Paper has been published, the views of people interested have been expressed and those views have been very fully considered by the Commission. I hope, therefore, that there will be no doubt about that position. So far as the drafting of the Green Paper is concerned, the Commission is, of course, individually and corporately responsible for the papers that it produces.

The position of people who suffer from one handicap or another, including an inability to read, is clearly one of the factors that must be taken into account when considering what action should be taken in this field. If a levy were imposed, it would, of course, theoretically be possible to make special arrangements for such people, although one would have to weigh in the balance the question of the administrative costs and the other difficulties which might arise. However, these are all matters which need to be considered in the light of the Green Paper itself.

Mr Paisley (NI). — Would the Commissioner keep in mind that a very large number of church bodies and religious organizations use a tape ministry for the 'shut-ins' and for those that cannot come to places of worship? Would he also keep in mind that these bodies would be hard hit as they lack the finances to pay an extra levy on what is a voluntary and charitable exercise?

Lord Cockfield. — I can assure the honourable Member that I will most certainly keep all of these matters in mind. Of course, he will have the further opportunity of making representations at the time the Green Paper is published and also of expressing his opinion in Parliament, whose opinion on this matter generally will, of course, be very relevant and very important.

Mrs Ewing (RDE). — Will the Commissioner just put on record, for the sake of the Committee on Youth, Culture, Education, Information and Sport, that when

Ewing

considering the representations it will consider the views of young people — the greatest users of blank tapes? Has the Commission, in addition to looking at the representations and making up its mind, considered the daunting question of the unenforceability of this law, which really would make an ass of itself as you try to make criminals out of people in their own homes — housewives, young people and so on?

Lord Cockfield. — We will certainly bear in mind the views of young people. I imagine that they will be forcibly expressed on this issue as, indeed, they tend to be forcibly expressed on many issues.

So far as the administration is concerned, I would only make this comment — which is not intended in any way to indicate a view in one direction or another — that the proposal to put a levy on the tape is designed to ensure that the levy is collected from the relatively small number of tape manufacturers rather than make any attempt to collect from the user, an operation which, I agree, would be completely impossible.

President. — Question No 10, by Mr P. Beazley (H-477/85):

Subject: Hunger and drought in Africa

What steps does the Commission intend to take to advise the public of Member States what action it has taken and is proposing to take in the future to alleviate hunger and drought in Africa?

Mr Sutherland, Member of the Commission. — First of all, I would like to say that I am delighted to be afforded the opportunity of speaking on an issue which is one of great concern and is often voiced.

The Commission is conscious of the need to inform European public opinion about the actions undertaken by the Community to help combat famine in Africa. Thus, the press — both journalists accredited in Brussels and the national press *via* our information offices in capitals — have been kept systematically informed of our activities since the launching of the Dublin plan. The major press agencies have, in fact, used much of this material. But we are aware that in the media generally, and in particular in television reports, Community actions are rarely highlighted. This is the case notably of reports made on the spot by European journalists, who all too often tend to put the accent on national actions. Furthermore, since Community emergency aid is usually implemented either by NGOs or by international agencies, their Community character is not always apparent.

The Commission has attempted to overcome some of these difficulties by organizing on-the-spot reporting from countries such as Ethiopia, Sudan and Chad. We are in the process of completing a short film in Senegal.

The Commission also intends to reinforce the information role of its delegations in the ACP countries and to encourage better coordination with and between the embassies of the Member States.

However, it must be clearly understood that actions such as those I have described are extremely costly, while the budgetary constraints under which we are obliged to work are very severe. For an example, a recent press action involving six journalists in Ethiopia cost nearly 24 000 ECU — this out of a total development information budget of only 60 000 ECU for 1985. So one particular activity took up almost half of the annual budget. The Commission hopes to improve considerably its activities of this kind in 1986 if its proposals for the information budget are accepted. With our present meagre resources, however, the results will never be satisfactory.

Mr P. Beazley (ED). — I would like to thank the Commissioner very much for his answer, particularly the fact that he says he is making a film in Senegal. It seems perfectly clear from his answer, however, that his information budget is much too small. I would suggest that, firstly, the budget be very, very considerably increased and, secondly, that information should be provided on a much wider basis, to include video tapes and illustrated brochures which European Members of Parliament can provide to their constituents.

The facts of the matter seem to be that the European public is in total ignorance of the underlying causes and is angry at the European Community because of the public's own lack of understanding at what the position really is.

Could not, therefore, the Commission take account of the high regard in which certain pop-groups are held by the public and the publicity they have received for providing 50 million pounds' worth of food aid, and could not the Commission provide for MEPs and others suitable means of communicating the facts to the public appropriate to the 1.5 billion per annum provided by the Community in a much wider field of aid?

Mr Sutherland. — I sympathize entirely with the view expressed in this supplementary question. However, rhetoric, I am afraid, will not provide the answer to the problem. The only thing that will provide the answer is money. That is the simple issue that we are talking about here. We are talking about adequate budgetary resources to enable us to do our job.

The refrain which this question very properly repeats is one which all of us have heard to a greater or lesser extent in regard to the activities of the Commission. This is not to detract in any way from the activities of those who have been involved individually, whether as popstars or otherwise, which have been very beneficial

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in their results. The activities of the Community do not appear to have the same publicity cachet. To acquire that cachet, we shall require additional resources. The outlook for 1986, therefore, is largely dependent upon the provision of this support. I should also say that the role of Parliament and the Members of Parliament is very important in putting before the public the realities of the involvement of the Community in the area of development. The publication last week of a book by Alan Matthews on development aid and the activities of the Commission will be of some value in correcting some of the imbalanced views generally subscribed to in the Community as a whole.

Mr Maher (L). — At some date in the future, preferably in the near future, would the Commission be prepared to make a report to Parliament on the reasons for the hunger and the famine in all the countries which are in receipt of food aid, particularly from the European Community? This report should make a distinction between those countries where hunger exists because of the political situation, or maladministration, or mismanagement, or lack of attention to the needs of the producers of the food, or graft or corruptions as the case may be, and those countries that are genuinely hit by natural disasters of one kind or another. I think something of that nature would be very useful to this House when we are looking at the problems of food aid in future.

Mr Sutherland. — The suggestion made by Mr Maher is probably a very valuable one. I hesitate to give a definitive answer to it now without enquiring further as to the capacity of the Commission's services to produce the report, which would entail a very detailed examination of various countries in deprived regions of the world. However, I will certainly have the matter investigated and will communicate further with him in regard to the possibilities of mounting such an operation.

Mr Andrews (RDE). — The Commissioner himself admits that there is very little money available to try to inform the people of Europe about the activities entailed in development cooperation and about the magnificent work the Commission and its staff have done. On the other hand, the public relations operation mounted by Bob Geldof — a neighbour and a friend of mine — exceeded anything that the European Parliament has been able to achieve. In view of the fact that Bob Geldof himself is virtually unemployed when the end of Band Aid comes, would the Commissioner consider hiring him as the Parliament's and Commission's PR officer?

Mr Sutherland. — With due respect to Bob Geldof, I think the Commission will have to rely on its own services to provide the information necessary.

President. — As the author is not present, Question No 11 will be answered in writing.¹

Question No 12, by Mr Wolff (H-473/85):

Subject: Aid for regions afflicted by natural disasters

Can the Commission say whether it has laid down general criteria and procedures — within the framework of the provisional appropriations entered in the budget — for aid to regions afflicted by natural disasters and, if so, will it say what these criteria and procedures are, so that countries affected by such disasters will know what assistance they are entitled to?

Mr Narjes, Vice-President of the Commission. — (DE) I assume from the wording of the question that the honourable member refers to the Commission's aid measures to populations within the Community afflicted by disasters.

This aid is provided for in Article 690 of the budget. In recent years the funds under this heading, already limited, have been cut back even further by the budgetary authority. For 1985 only 2.7 million ECU are available for this purpose, only two-thirds of the amount earmarked in previous years. Under these circumstances the honourable member will understand that the Commission was obliged to place stringent limits on both the value and the number of its aid measures.

In deciding whether or not to assist in the event of a disaster the Commission is not concerned with who makes the request for aid. It makes an objective assessment of the consequences for those affected, i.e. the number of dead and homeless and the extent of material damage to the population affected. The Commission does not concern itself with more indirect damage suffered by public infrastructures.

Every effort is made accordingly to get help to those directly affected. This help concentrates particularly on immediate measures to save lives and provides important emergency equipment.

Mr Wolff (L). — (FR) If I have understood the Commissioner correctly, each case is studied on its merits in order to decide exactly what the situation is, before any decision which involves natural catastrophes is taken. Since the Commissioner said just now that at budgetary level the amounts available are relatively small and difficult to release, I should like to know how much can be done in 1985.

Mr Narjes. — (DE) Generally speaking the Commission's room for manoeuvre in 1985 has been limited by

¹ See Annex to Question-time.

Narjes

the fact that only two-thirds of the amounts available to us in previous years were available this time. As regards case by case studies we try, as I have already indicated, to devise standards which can be applied to comparable cases using the numbers of dead and homeless and other material damage.

Mr Eyraud (S). — (FR) I think the Commissioner in his reply was referring to physical or material damage caused by major natural disasters such as earthquakes, tidal waves, etc. I think that was not really the question which was put to him. In fact it concerns the problem of the drought in the south of France, the north of Italy and Greece. The Commissioner referred in his reply to line 69 of the budget, whereas I think it is a question of finding credits from another line, in particular where cereals are supplied at a price 25% below the normal price and there is then aid for the transport of those cereals. What does he expect to do on this point?

Mr Narjes. — (DE) The question concerns natural disasters, and I have answered it. As far as drought is concerned, I cannot at present subscribe to the honourable member's formula whereby Community aid should automatically be given if prices fall by 25%. We do not have enough money in the budget for this, as our unfortunate experience taught us when we sought to introduce aid measures in France following a drought.

President. — The first half of Question-time is closed.¹

IN THE CHAIR: MR PFLIMLIN

President²

8. Votes

Report by Mr Dimitriadis, on behalf of the Committee on Budgetary Control, on the budgetary-control aspects of the management of Community development-aid funds by the European Investment Bank (Doc. A2-95/85): adopted

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Second report by Mrs Van den Heuvel, on behalf of the Political Affairs Committee, on human rights in the world in 1984 and Community policy on human rights (Doc. A2-121/85)

¹ See Annex to Question-time.

² For the announcement of subjects to be taken in the topical and urgent debate, see Minutes.

IN THE CHAIR: MRS PERY

Vice-President

Explanations of vote

Mrs Lenz (PPE). — (DE) The Group of the European People's Party will support this resolution with two restrictions. Our view is also shared by the European Democrats.

As we know, all the groups had grave reservations concerning the chapter on the ACP States. We also know how critical the human rights situation in these countries is. Consequently we wish to change this chapter. The situation needs to be looked at differently from country to country. The resolution now before us does not really do this.

The Political Affairs Committee and the Committee on Development and Cooperation must find new ways of supporting the intention of the European Community and of the European Parliament in particular to press in the ACP Assembly for greater observation of human rights but also to take issue over any injustices which occur. The rapporteur has not yet found the right form here, or the right degree of coordination.

We also have reservations regarding the form of the report. We would ask the Committees to work out a better form together. Despite these reservations we shall vote in favour of the resolution.

Mrs Veil (L). — (FR) Speaking personally, I wish to say that my position on this report is the same as it was two years ago and on the same terms.

I find this method absolutely deplorable — and I say it.

(Applause)

We make an inventory, we denounce, condemn, the whole world and are incapable of seeing what is happening in our own countries. In view of the elementary knowledge which we have, it is irresponsible to pass judgment on these terms. Certainly some of the facts are accurate, but we do not have the knowledge which would enable us to reach an informed decision. I have noticed that whenever we have urgent resolutions which involve the Community, we always contrive not to discuss them. That is why I have not voted either on the amendment which asked that a report be made on the Community. It is hypocritical, and in my view we cannot continue every year or every two years to draw up a report which puts totally different events on a sin-

Veil

gle level and which, in fact, thereby totally trivializes those violations of human rights which do really exist.

(Applause)

Mr Balfe (S). — I shall abstain on this report. I sympathize very much with what Mrs Veil said. I want to mention three particular points relating to the Conservative Group in this Parliament. Lord Bethell, of course, is missing, looking for Bob Geldof. We have only one of their human rights people here.

On paragraph 21e of the motion for a resolution, which says that we 'call for increased budgetary provision for human-rights-related projects within the Community', the Conservatives voted against. On the amendment which said that we 'welcome nevertheless the fact that a human rights unit has been set up in Parliament's secretariat and hope that the number of staff working in it will be increased', the Conservatives voted against. On the amendment which instructed the Committee on Legal Affairs and Citizens' Rights to report annually on the situation as regards human rights in the Member States, the Conservative Group voted against.

I put it to this House that the Conservative Group are a bunch of hypocrites! Their principal spokesman does not even bother to turn up for the debate, and anything that they say about human rights should be remembered against the background of the disgraceful votes that have been cast by them today!

(Applause from the benches of the Socialist Group)

Mr Chambeiron (COM). — *(FR)* Madam President, the French members of the Communist and Allies Group will abstain from the vote on the report of the Political Affairs Committee.

We certainly share some of the findings of this report, but its impact is somewhat attenuated by some of the amendments which have been adopted. The real question is whether it is in fact part of Parliament's role — one might even say, within its powers, periodically to set itself up as a sort of international tribunal dispensing praise or censure, especially as this Assembly — and I am not the only one to say this — obstinately refuses, on pretexts which are untenable, to examine the problem of human rights in the Community itself, i.e., in a part of the world which is our primary concern. May I remind you that it took months to deal finally with violations of freedoms in Turkey, a country closely associated to the Community and an official candidate for accession to it.

Finally, Madam President, what significance could the vote on the report before us have, regardless of the rapporteur's own merits, when one remembers that right in the middle of the South African drama, of

executions and daily hangings, the European Parliament was unwilling to pass any opinion or to call for sanctions against the *apartheid* regime.

(Applause from the left)

That is why, because we do not wish to disguise these facts, we shall abstain from voting.

(Applause from the left)

Mr Baudouin (RDE), chairman of the delegation for relations with the Maghreb countries. — *(FR)* I shall be very brief and I shall speak in a personal capacity. As chairman of the delegation for relations with the Maghreb countries, I was shocked to find the accusations made against Morocco, a country which has made a considerable effort over several years, amidst the incredible picture of various countries' attitudes to violations of human rights.

(Applause from the right)

The violence of some of the accusations — and this does not only apply to Morocco — savours of political machination against certain countries. I agree with what Mrs Veil said, and I shall not vote for this report.

(Applause from the right)

Mr Alavanos (COM). — *(GR)* The Members of the Greek Communist Party took no part in the votes on the amendments, and we shall also abstain in the vote on the proposed resolution on human rights as a whole. We cannot agree with the European Parliament's self-appointed role as an international court to all intents and purposes, excepting only the sector relating to suppression of human rights in the EEC countries themselves, whether in the form of the *Berufsverbote* in Western Germany, or the problem of Northern Ireland in the UK, or the problem of immigrants in Belgium.

(Applause)

Beyond this, we believe that the resolution bears a clear stamp of anti-Communism, and I think it is unacceptable for any right-thinking modern person to liken Cuba to Salvador, or Bulgaria to Chile. Furthermore, I wish to stress that in the end we always show solidarity with peoples whose rights are being suppressed, but we must bear in mind that the subject of human rights is often used as an excuse to act against the fight for peace, *détente*, etc., and we note with concern an attempt to raise such a matter of human rights shortly before the Reagan-Gorbachev summit, which is critical for the furtherance of peace.

Mr Kuijpers (ARC), in writing. — *(NL)* Mrs Van den Heuvel's report on human rights in the world in

Kuijpers

1984 has numerous merits, and I shall therefore vote for it. However, the adoption of this report must be seen not as a final act that recurs each year but as an incentive to move steadily onwards to a new political culture. It is not enough, after all, to compile careful lists of the violations that have occurred somewhere in the world. A link should ultimately be forged with policy so that policy itself becomes a force that encourages respect for human and civil rights throughout the world.

The Universal Declaration of Human Rights adopted in 1948 and the later covenants on economic, social and cultural rights and civil and political rights should always be used as a touchstone when diplomatic, economic or trade contacts are made. Respect for the rights set out in these treaties should always be made a precondition for contacts of any kind. This is the material for a new political culture — at international and other levels. The European Community can play a decisive role in this.

Mr Vandemeulebroucke (ARC), in writing. — (NL) Parliament has spared itself neither time nor trouble in drawing up a substantial document on human rights. In itself, the care that has been taken is praiseworthy.

But we must ask ourselves what political impact this will have. In its present form the report is little more than a copy of Amnesty International's annual report. And there is little point in that. We should be trying to bring direct political influence to bear on events.

At the moment, all the human rights resolutions are placed in a heap, put before the Assembly a year later, and then what? We are too late if all we can do is adopt numerous resolutions, and that is a pity.

European Political Cooperation should make it possible to find a means of taking action sooner. That should now be our first concern.

The report drawn up by Mrs Van den Heuvel and approved by the Political Affairs Committee is good, too good simply to be put on a shelf. I shall therefore vote for it.

(Parliament adopted the resolution¹)

The sitting closed at 7.45 p.m.²

¹ The rapporteur spoke *in favour* of Amendments Nos 3, 7, 37, 43 to 46, 59 (2nd part), 61, 68, 84, 88, 90 to 93, 95, 96, 98, 102 and 107; and *against* Amendments Nos 1, 2, 4 to 6, 8 to 25, 27, 28, 31, 32, 36, 41, 48 to 50, 53 to 58, 59 (1st part), 60, 62, 64 to 67, 69 to 82, 86, 89, 94, 97, 101, 103 to 106, 108, 109, 111 to 115, 119 to 121, 123 to 129.

² For the next day's agenda, see Minutes.

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IN THE CHAIR: LADY ELLES

Vice-President

(The sitting was opened at 9 a.m.)¹

1. Welcome

President. — I have great pleasure in welcoming the members of the Presidium of the Nordic Council representing Denmark, Finland, Iceland, Norway and Sweden, led by Mr Páll Pétursson, who have taken their seats in the Official Gallery.

(Applause)

We are delighted to welcome our friends from Northern Europe, particularly since we have a common partner in the Community in Denmark.

We extend a warm welcome to you all here in Strasbourg. We hope that meeting with the members of our delegation will be a fruitful one and that the two par-

liamentary institutions representing our two regions will continue in the spirit of mutual cooperation, thereby helping to create closer links between our countries and between the peoples whom we jointly represent.

2. Intergovernmental Conference

President. — The next item is the joint debate on seven oral questions with debate:

- by Mr Croux and others (Doc. B2-944/85) on behalf of the Group of the European People's Party, to the Council, on current work on institutional reforms
- by Mr Arndt and others (Doc. B2-945/85) on behalf of the Socialist Group, to the Council, on the Intergovernmental Conference
- by Mr De Gucht (Doc. B2-946/85) on behalf of the Liberal and Democratic Group, to the Council, on the relations between the European Parliament and the Intergovernmental Conference
- by Mr Spinelli and others (Doc. B2-947/85/rev.) to the Council, on the deliberations of the Intergovernmental Conference on the European Union

¹ *Approval of the Minutes — Documents received: see Minutes.*

President

and the European Parliament's role in drawing up the text to be ratified by the Member States

- by Mr Pannella and others (Doc. B2-948/85) to the Council, on the Intergovernmental Conference on the amendments to the EEC Treaties and the role of the European Parliament
- by the Committee on Institutional Affairs (Doc. B2-949/85) to the Commission, on the proceedings of the Intergovernmental Conference on the European Union
- by Mr Habsburg (Doc. B2-950/85) on behalf of the Political Affairs Committee, to the Commission, on the proceedings of the Conference of the Representatives of the Governments of the Member States on institutional reform.

Mr Croux (PPE). — (NL) The answers to the question submitted by Parliament are already generally known to us following the talks with our delegation yesterday. I shall not try to hide the fact that they came as a considerable disappointment to us. But I believe we must rather keep our cool and look calmly at things as they now are. There are two ways of looking at yesterday's events.

On the one hand, we must accept that there is always a trough in any negotiations. It is possible that we shall now get stuck in the trough, and it will be a great pity for Europe if we do. On the other hand, it is also possible that it will be uphill all the way from the present trough until we arrive at a satisfactory result that will give us an overall vision and a wider perspective for the future of our Community. We hope that the second possibility will come to pass. At all events our group will do everything in its power to ensure that it does. As you know, the Christian Democrats in the European People's Party are holding a high-level meeting on 9 November to help contribute to that outcome.

I now want to make just three points. If we want our efforts to succeed, then it will be necessary to create the preconditions for success. Political will is in first place. There is still prevarication on this, by three Member States in particular. Some of the others are still ambiguous, and others again have still not spoken out clearly. We hope that in view of the limited time remaining, greater convergence will now be sought very quickly. In that connection I want to stress that we are paying special attention to differentiation on the internal market. We shall have to look and see to what extent a differentiated development will be possible. And that will apply in a wider context also. We need to distinguish those who are determined to make progress from those who will not or cannot do so. The latter must not be allowed to obstruct progress all round. Parliament has stressed this point repeatedly. It is our conviction that we shall all sooner or later have

to pull together in a broad perspective and with an overall vision. The time to make progress is now.

My second point is this. We are considering a document in which the Conference states that the institutional balance must be maintained. But there is no such balance. Council decision-making is inadequate. The Commission's function has no real substance. Parliament's opinions receive inadequate consideration, or none at all. With the present set-up, under existing Treaties, there simply is no harmonious balance between the institutions. We can sympathize with those who say that we need a new balance at a higher level in response to the wishes of the Community public. But that could only be achieved under an institutional framework that was both more effective and more democratic. What we need is a qualitative leap forward. If we insist on holding onto inadequate structures that lack balance, then unfortunately we can never hope to reach that far.

My third point is about the role of Parliament. We all know by now that there is a new interpretation of the term *soumettre au Parlement* ('submit to Parliament'). We have always assumed, and we say this in all good faith, that in his letter to Mr Pflimlin, Mr Poos used the term *soumettre* — and you can find this in any French dictionary — in the sense of *soumettre au jugement, proposer au choix, au jugement*, ('to submit for judgment, put forward for decision or judgment'). Now you are saying that the term normally means *faire rapport*, ('submit a report') to Parliament. And here you invoke Article 236 of the EEC Treaty, and then you say that this is *notre loi commune* ('law common to us all'). I think the Council really should think twice before appealing to what it calls our *loi commune*. Or does it not remember how it pushed our *loi commune* rudely to one side when it drew up the so-called 'Luxembourg Compromise'? It is always the political element that is put first.

We hold to the conviction that no one should be allowed to get away with pushing Parliament to one side. Public opinion will not stand for anything of the kind. Our constituents, now that they have voted for us in direct elections, will not accept it. And they are the same people who vote for you in the national elections. Nor will national parliaments accept that this kind of treatment can be handed out to another parliament that is trying to make good the deficiency of democratic structures.

And you, the Members of the Council, you yourselves, will not accept it. After all, you are democrats too. Hardly a day passes but we discuss the unhappy divide that exists between ourselves and the rest of the world. That is one place where a parliament has an essential role to play. You must therefore find the means of opening and maintaining a dialogue with Parliament on the success of your activities and of the European Council Summit Meeting in Luxembourg.

Mr Arndt (S). — *(DE)* Madam President, on behalf of the Socialist Group I should like to explain our question and immediately consider the decisive role of the Parliament. In reply to our question on the European Parliament's role in the work of the Intergovernmental Conference, we were told that the President, as Representative of Parliament would be afforded the opportunity to present his position and that both he and Parliament would be informed of the Conference's decisions.

I wonder how Members of the Council feel about this treatment of Parliament. They themselves are elected Members of Parliament who then joined the government. Will Members of the Council ever realize that in all these matters — particularly where the question of strengthening Parliament's controlling power is concerned — they are prisoners of their own ministerial bureaucracy.

They are aware that a large number of the controlling powers of our national parliaments were transferred to the European Community. The directly-elected European Parliament must now be conferred with these parliamentary controlling powers. However, not only the Council, but also the Council of Ministers and ministerial bureaucracies will continue to prevent such a move, because the ministerial bureaucracies, thank God, got rid of the powers of their national parliaments and will not allow them now to be transferred to the European Parliament. That is why I am asking the Council if it is going to continue playing this game or if it will finally transfer these controlling powers to the European Parliament.

Second, this Parliament outlined several demands in a draft Treaty on European Union which were not dealt with at all at the Intergovernmental Conference. Therefore, I should like to request that the Council and various governments take care in their answer to be forthright in their definition of European Union, because themes were introduced into the debate which were everything but European Union.

Parliament shares my opinion that in terms of a qualitative leap the concept of European Union can really only be given one point. I am convinced that we shall still have a long way to go on the road to European Union after the Intergovernmental Conference and shall be struggling for many years to come. Present-day decisions and the mandate conferred by the Milan Summit will not solve the problem. Of course, I should be very grateful if the President of the Commission would state his position once more. The agreement of the Intergovernmental Conference to implement some of the Commission's demands — which reflect to a great extent those of the European Parliament — would, in my opinion, constitute a substantial improvement on the present situation.

This makes me wonder if we should not opt for a fresh start, because the Luxembourg Summit will not settle

the matter, and I think that further discussion will be necessary. Madam President, you are very much aware of the various differing opinions within my group on the subject of the amendment of the Treaty of Rome. However, we are all unanimous in our wish to see Parliament conferred with those same powers enjoyed by our national parliaments. I should think that this would be one of the basic demands to be met by the Intergovernmental Conference at all costs. I hope that most Europeans realize that the number of governments who continue to speak of European Union merely do so as a defence mechanism because they have absolutely no intention of doing anything concrete about it. I should like therefore to say how much I am looking forward to Mr von Weizsäcker's speech and I would hope that his position will be more akin to that of Parliament than of the Council.

Mr Fanti (COM). — *(IT)* Madam President, ladies and gentlemen, we of the Communist and Allies Group, like other people, are concerned. Yesterday's meeting and the information received by our delegation, which keeps in touch with the Intergovernmental Conference, have only heightened our concern. We all very much welcomed this Conference, which has now reached the half-way stage — it is due in fact to finish at the end of November — but everything appears very gloomy.

The proposals put forward by the Commission and various governments, not only regarding the powers of the European Parliament but on the various subjects under discussion — the internal market, new Community policies, political cooperation — not only differ from one another — and there is nothing very much wrong with that; indeed that could enhance a debate that must reach more advanced conclusions — they are proposals based, when all is said and done, on different conceptions of the European Community. And that is the real crux of the question: there still prevails a non-Community conception. These proposals express once again the governments' limited vision, the conception of the Community as being still based on intergovernmental relations. In other words, the interests of each individual government take precedence over interests of a more general character.

And I think, moreover, that the attitude assumed by the French Government is the most resounding example of this. No sooner do we get away from the general political view, as expressed in this Chamber by President Mitterrand — no sooner do we get away from this overall strategic view, than the bureaucratic, administrative conception of the various ministerial departments prevails. That is why I think it is right and incumbent upon us to focus attention on the work done by the European Parliament.

This work was done patiently and carefully, and a detailed draft was put forward that owed nothing to vested interests to be defended or protected. At this

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point we have to say: what is to be done? What shall we ask of the Commission? What shall we ask of the Council? Our answer must be very clear. What is needed is bold action, not compromise measures — aimed at the lowest common denominator — not a low-profile legal debate. We have to show great ability to govern, we have to understand the underlying meaning and future significance of the decisions that must be taken today in order to secure the future life of the Community, and of the people of Europe who must equip themselves for the challenge of the year 2000. That is why brave decisions are necessary, otherwise everything becomes vain and useless. If we do not do this — and I am not threatening, merely making an objective observation on the inability to take decisions on major objectives, which are, for that matter, the only ones to involve people, especially the young — this inability will be reflected in a continuous, debilitating strain on the institutions and everything the Community stands for, as well as between Member States. One does not need to be a prophet to foresee how the strains, contrasts and clashes even will get worse, and will not be limited to the institutions of the Community — Parliament, the Commission, the Council — but will inevitably affect relations between Member States, raising a question-mark over the very existence of the Community.

Recently, in the Italian Senate, the main political parties — those of the government, and those of the opposition — committed the government to taking as the basis of its proposals and its participation in the Conference the draft treaty approved by the European Parliament. But how can the Italian Government, of whatever colour it may be, support the association of the Parliament with the decision-making power of the Community on all legislative and budgetary matters, and in the meantime make effective its participation in the preparation and approval of the final draft treaty? That is why we are appealing to the governments' sense of responsibility. And I think that the resolution that the European Parliament will adopt at the end of this debate must be taken to the Intergovernmental Conference, no longer by a limited delegation, but by the Enlarged Bureau of the European Parliament.

(Applause)

Mr Cicciomessere (NI). — *(IT)* Madame President, our question raised two basic points that have already been debated by other Members. The first of these concerns the role of Parliament — that is to say, for what reason, at what stage, and at what time the European Parliament can intervene in the process of altering the Treaties. And here there is a clash between two different point of view, with on the one hand those who would like to consider the European Parliament as a spectator where possible eventual agreements between Member States are concerned, a spectator who can applaud the achievement of positive results or, at most, boo if the results are not positive, as

appears to be the case from the documents that have been presented to us.

On the question regarding the role of the Parliament in this process the same conception that we have of the European Community and the relationship between its institutions applies — the development of the Community itself. Obviously, if there is not the will to associate Parliament adequately, that is already to some extent indicative of a certain conception of the Community's development that is obviously negative, and that in no way reflects or respects what Parliament has already indicated and has already decided.

The second point we raise in our question is, I think, the resolute one, in the face of the evidence of the failure of the Intergovernmental Conference. We have there a hodge-podge of subjects — problems of little importance — that are kept on the go so as to conceal the central point — the basic disagreement of the governments on the setting up of the European Union on the lines indicated by Parliament. That is what we have to discuss — all the rest may or may not be of interest to us, but in any event they are side-issues. The basic problem is to check and ascertain whether the governments are substantially in agreement on those lines — I am not talking about the details — and want to build the European Union. Well, it is abundantly clear that they do not. Despite the efforts, the quite considerable attempts made by some governments — including the Italian Government — there is not this determination, and we must recognize this fact. The resolution approved by the European Parliament clearly shows the road that can and must be taken. There are no other roads — only the roads of paralysis, the defeat of the hope for European Union, and the paralysis of our work, which has increasingly less sense and less significance. And that road is indicated perfectly clearly in the resolution, when the time comes to ask those governments, who are anyway in agreement with the principles of European Union, to go ahead. There are frequent examples in history of States that, for objective reasons, political reasons, are able to go ahead and take the road that, subsequently, is taken by the others. Well, that is precisely what we can and must do. There are no other alternatives, and we want to know whether the failure of the Conference is to be recognized, along with the impossibility of reaching agreement on the points indicated by Parliament, and whether, therefore, it is intended to proceed along these lines — that is to say, to act by a majority of those who are in agreement on the principle of a European Union.

Mr Spinelli (COM), chairman of the Committee on Institutional Affairs. — *(FR)* Mr President, Madam President, formally speaking, the oral question from the Committee on Institutional Affairs which I am presenting is addressed to the Commission. But it is also addressed to the Council, or, to be more precise, to the Intergovernmental Conference.

Spinelli

Mr Delors, I know that, at the Conference, you defended Parliament's request for full involvement in the drafting of the final text on the reform of the Community and political cooperation. I know you fully share Parliament's point of view that the reforms of the Community and political cooperation have to be covered by a single treaty and coordinated in the overall conception of the European Union.

On behalf of the Committee on Institutional Affairs, I should like to thank you, Mr Delors, and the Commission for adopting this attitude.

I shall have less to say about the content of your proposals both on political matters and powers and institutional affairs. Certainly your proposals are more advanced than those some governments have made, but, like the others, they are stuck in a groove and the real decision-making power stays in the hands of the Council — which is the main reason for growing paralysis in the Community.

The fact that the power is slightly hidden basically alters nothing. But I don't want to spend any more of the few moments I am allowed on the slender results the Conference has so far produced on reform. On only one point, I think, has the Conference clearly achieved something — the formal refusal to give Parliament the right to take part in the drafting of and final voting on the text.

Yesterday, in terms bordering on insult, the Conference told us, having planned information meetings with our President, that it understood our institution's concern and that, in the same spirit, the Conference would be submitting the results of its work to Parliament, i.e. that it would be reporting to it.

When we invited it to say whether, once it had reported on the final text, it would be prepared to consider the report as the outcome of a first reading and cooperate on any changes with Parliament, the answer was clear — there would be no second reading. In the case of something as important as the reform of a political body that is supposed to be democratic and already has a directly-elected Parliament, this means that this Parliament is cut out of the whole constituent procedure and looks rather like a vast, busy café where people express opinions with no political weight behind them.

Parliament is faithful to the spirit and the method of its draft and does not consider it to be intangible, something to take or leave. It is prepared to seek every avenue to real progress based on a broader consensus. What it is unwilling to accept is its draft being thrown out and Parliament itself being kept in limbo and insignificant as far as the consultation procedure is concerned.

The Committee on Institutional Affairs suggests, Honorable Members, that this debate end with a vote

on a resolution it has adopted unanimously, so that Parliament's will is set down in writing. By this resolution, Parliament first, does not accept the Conference's answer, second, claims the right to genuine participation and, third, calls the governments's attention to the risks of the serious institutional crisis that would threaten the Community if the governments endorsed the Conference's decision. Everything points to the fact that the governments must go back on this decision and take our request seriously.

(Applause)

Mr Formigoni (PPE), *chairman of the Political Affairs Committee.* — *(IT)* Madam President, ladies and gentlemen, I rise to explain the oral question put to the Commission by the Political Affairs Committee, of which I have the honour to be chairman, on the work of the Conference of representatives of the governments of Member States on institutional reform. This question was put down before the documents prepared by the various departments of the Commission were published, or the proposals of the various Member States were made known.

I should like now to express and confirm the concern that has already been outlined in this Chamber, at the proceedings of the Intergovernmental Conference; and, at the same time, I should like to express the hope that the European Parliament will adopt a clear position in regard to these proceedings. I had the honour of being present, yesterday, at the unofficial meeting between the European Parliament and the Conference, together with President Pflimlin and Mr Spinelli — a meeting which, unfortunately, only confirmed earlier negative information and impressions.

I should like to recall, Madam President, ladies and gentlemen, the hopes that were aroused, not only in Parliament but in the mind of the European public, by the European Council Summit Meeting of last June. From that time, a new prospect seemed to be apparent. I think it is our duty today to warn public opinion, and the representatives of the governments, of the serious setback that it would be to disappoint those hopes. I should like to say clearly, ladies and gentlemen, that we must point out to the representatives of the governments that what is at stake here is not only the personal destiny of 434 Members — that is not what interests us — but, above all, the democratic representation of an institution that was elected by universal suffrage, but to which, today, it is not proposed to grant powers equal to the effort, the commitment, that was asked of almost 250 million citizens — almost 300 million citizens, with the accession of Spain and Portugal to our Community.

I do not think that we can consider direct election to the European Parliament as a passing occurrence, which is why an institutional change is necessary that will make it possible for the European Parliament to

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play an effective part in the decision-making process. As we all know, on the question of the powers of the European Parliament, proposals were put forward by four national governments — the German, Italian, French and Dutch Governments — in addition to the proposals by the Commission itself. In my view, despite various positive points, which we shall certainly regard hopefully, none of the proposals can meet with our full agreement. The previous speaker emphasized that there is no longer any talk of co-decision with the European Parliament, except in the document presented by the Italian delegation: instead, rather less clear-cut terms are used — collaboration, and consultation.

We claim a role for Parliament in the preparation of the final document of the Conference. I can only associate myself with the words spoken yesterday by the President of our Parliament, Mr Pflimlin, when he reminded us all that the powers and areas of competence taken away from the national parliaments must not be conferred solely on the Council of Ministers. It is indeed strange that a democratic organization — which the European Community certainly is — should take powers away from democratically elected institutions such as the national parliaments and give them, not to another elected institution such as the European Parliament, but simply to the Council.

In conclusion, Madam President, I should like to stress again that, in order to achieve concrete results, the Conference must put in hand institutional reform at all costs. For such reform to be valid, there are three points that must be borne in mind at all costs. First, any new powers must be tied to detailed institutional reform, and must form part of a single legal framework. Secondly, the institutional changes must give Parliament real powers of co-decision, and majority voting within the Council must be generalized. Finally, all of the present policies should be involved when revising the Treaties, and the new policies inserted in the framework of the Treaties.

(Applause)

Mr De Gucht (L). — (NL) Madam President, at its second plenary sitting the Conference of Ministers has completely swept away whatever hopes or expectations the European Parliament might have had. In one very brief statement. Mr Spinelli has summed it up well. The Ministers are in effect telling us: 'We shall ignore your contribution during the Conference, and when it is all over we shall come and tell you what we think about it'.

Madam President, it is quite breathtaking to observe the amazing blindness of these Ministers, who have come here as the representatives of heads of state and government who have all solemnly declared, in what must now be seen as a quite bizarre statement, that the European Parliament is the conscience of Europe, the

repository of its democratic legitimacy and the hopes and aspirations of its peoples, while they themselves, these very same heads of state and government, whenever they are required to sit down at the same table, not only are not capable of reaching any agreement, but are not even prepared to show the slightest respect for the contribution made by that same Parliament.

One can only react with utter astonishment to a Community that is not prepared to adapt to the needs of the future, that is not prepared to adapt in terms of majority decision-making and the powers of this Parliament. Of course they may well go so far as to agree at some point about extending Parliament's powers in one direction or another, but when it comes to providing the means and resources for actually exercising them, it will of course be a different story. It will be a variation of the common transport policy, a policy that has existed for no less than twenty years on paper, but without a single instance of its ever having been implemented in practice.

Equally breathtaking is the blindness that is displayed again and again in the repetition of the same worn-out stock phrases. Our question today to the Commission is really a way of asking: Is there anything left to hope for? I can already hear the answer: 'We have lent our support to your position, we are doing our best at this Intergovernmental Conference, and we shall continue to do our best'. I am even prepared to believe that they mean what they say. But I also believe that the time has come for the Commission's commitment to be taken a stage further, that it must, as the second half of the democratic tandem in Europe — and those are the Commission's own words — intervene in the Intergovernmental Conference by saying: You, the Ministers, must either decide very shortly to take significant action, to agree that Parliament must be involved in your decision-making, to agree that the proposals of the Intergovernmental Conference must be discussed afterwards in serious terms with Parliament, or you must come out clearly and say that you want none of that, that this whole Conference of Ministers is a façade — and that is the impression that is being given — and we, the Commission, are not prepared to play along with this any longer. Either something has to happen that will allow us to work together to build the Europe of the future, and you, the Ministers, will be prepared to act as parents to the Europe of the second generation, or you must declare your preference for the role of ineffectual *fin de siècle* monarchs, preferring to await the end in their 17th and 18th century palaces where the gold leaf is gradually beginning to peel, but were you feel comfortable behind your national four walls while thinking that you had better come up with some more hollow European rhetoric to help sell the place.

We as a Parliament are no longer prepared, Madam President, to go on playing this game. And for the Commission too the time has surely come when it should start to think seriously whether even the Trea-

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ties as they now stand can allow it to continue much longer to try to reconcile its role as guardian of the Treaties with perpetually — however much in good faith, as I fully recognize, but perpetually — playing second fiddle.

(Applause)

Mr Goebbels, President-in-office of the Council. — *(FR)* Madam President, ladies and gentlemen, my colleagues at the Conference of representatives of the governments of the Member States are aware of the political interest this House has in the work now being done and have agreed to let me reply to the various questions that have been raised. I should like to say that I am speaking in my own name.

The vagaries of the presidential rotation process gave Luxembourg the chair at the Intergovernmental Conference — all the more important for being rare in the history of the European Communities. You can be sure that the Luxembourg presidency will lead the work of the Conference according to the Grand Duchy's tradition of commitment to Europe.

With your permission, Madam President, I should like to give a general answer to the various questions, which deal, I think, with three main subjects — the working methods of the Conference, the European Parliament's involvement in this work and the progress the Conference has made so far.

Let us start with the way the Conference works. The work on the Community is prepared by a preparatory group and the work on political cooperation by the Political Committee and the Conference itself ensures that the two blend. The basis for the work was initially laid down in part by the European Council itself in Milan. And, as you know, the European Council then had a thoroughgoing debate on calling a conference to draw up a treaty on a common foreign affairs and security policy, based on Franco-German and British drafts, the amendments to the EEC Treaty pursuant to Article 236 of the Treaty required to implement institutional adaptations in respect of the Council's decision-making process, the Commission's powers of execution and the European Parliament's powers and extension to other fields of activity in accordance with the proposals made by the Dooge and Andonnino Committees, as mentioned elsewhere, and in the light of certain Commission proposals on the free movement of individuals.

Furthermore, as soon as the Conference started work, and as the presidency pointed out in a letter to you on 9 September 1985, it confirmed that it wanted to look at the draft treaty the European Parliament had adopted on 14 February 1984. The Conference also said it was willing to examine any other proposal your Parliament wanted to make.

In a practical manner such as to make for faster progress in the short time available to the Conference, the presidency asked participants to submit any contributions in the form of draft articles. In each field, the contributions and corresponding chapters of the European Parliament's draft treaty establishing the European Union and the report of the Dooge Committee are reproduced in the official documents of the Conference and distributed to participants.

Should the work of the Conference lead to one treaty or two? In a note to the Conference, the Commission came out in favour of a single treaty and it considers that it is legally possible and politically necessary to achieve the objective with just one instrument while maintaining the present duality of subjects and legal systems. Most of the delegations felt it would be premature to take up position on this question yet.

I now come to the European Parliament's involvement in the work of the Conference. The Conference decided, quite independently of the legal constraints arising from Article 236 of the Treaty establishing the EEC, that care should be taken to ensure that the European Parliament could be involved, practically, in the work of the Conference rather than just be kept informed of how things were going. This gives Parliament an opportunity to put its point of view. And this is why the Members of the Conference met your President yesterday and propose to meet him — and any leading figures he wants to take with him to the next meeting of the Conference — again.

As President — and this we already did yesterday — I propose to present you with the main options emerging from the Conference so you can say what you think about them.

The Conference has agreed to submit the final outcome to Parliament and, having taken proper note of Parliament's proposals, has invited me to set out the following position as defined by the Ministers themselves. And I quote — The Conference called on 22 July 1985 is a Conference of Governments of the Member States within the meaning of Article 236 of the Treaty and both the spirit and the letter of that Article must be fully respected.

It is the duty of the Chairman of the Conference to see that this happens. Since Parliament is kept regularly informed of what the Conference is doing, I conclude that we are responding to your institution's concern on this point.

In the same spirit, the Conference will put the results of its work before Parliament. It will report to it, that is to say. The Conference, by common accord of the Member States, will adopt any amendments to the present Treaty. This is an obligatory procedure if forms and governments' prerogatives are to be respected. The agreed provisions on ensuring that the European Parliament is kept informed complete, but

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do not change, the procedures in the Treaties that constitute the law common to us all.

I now come to the state of advancement of the work of the Conference. A second meeting — although as far as substance is concerned, I have to admit it was the first — was held on 21 October. In view of what is at stake, there is nothing surprising about the differences of opinion that occur as soon as we touch on fundamentals. For some people, the inclusion of new aims in the Treaty cannot be conceived as so many isolated acts, but has to be done in the light of a concept — aims, dates and procedure — laid down in the Treaty of Rome itself. Others prefer a detailed approach, a pragmatic one as they call it, consisting of revising a few specific articles. We make no secret of the fact that they include certain Member States which are still waiting to be convinced of the need or even the point of a revision of the Treaties.

In this general spread of ideas, it is nonetheless comforting to realize that everyone is making a constructive contribution to the work — which is based on a considerable number of proposals of considerable quality, drafted as articles of a treaty, sometimes with explanatory notes. Although the new fields of technology and the environment are of not negligible interest in the proposals under scrutiny, it is the role of the European Parliament and the internal market that I feel are the main focuses of the present discussions. At all events, the Ministers themselves spent most of Monday on these two topics and on the Commission's powers of management and execution.

Because of their scope, these areas reflect the very aim of the Conference — to move the Community into new fields by adapting these institutional instruments at national level. The gradual establishment of the internal market over a period to end on 31 December 1992 is fully in line with what was started a quarter century ago. It is a priority political objective, the legal consequences of which, some delegations feel, are too uncertain to be accepted as they stand. It is clear that, as the internal market is a vast subject that touches on almost all Community activities present and future, any completely new provisions on it have to be examined in detail so as to ensure that the desired qualitative leap forward does not veer towards the unknown. Simpler and less global formulae are being envisaged. But care must be taken to see that the general aim, which has several times been unanimously recognized as a vital precondition for the future economic and social development of the Community and the Member States, is kept as intact as possible. The second major subject debated on 21 October, one which is of very great interest to the European Parliament, is the matter of its powers. This is the subject on which the biggest number of formal proposals have been put forward. Everyone agrees that the European Parliament has to be more closely involved in the decision-making process by actually taking account of its position in the final decision.

Many people feel this should be done without making any fundamental changes to the current balance between the roles and powers of the institutions. The projected methods of association range from broader consultation to a new form of cooperation or even co-decision-making, through the formalization and generalization of the present consultation procedure. Realism dictates that we should start by focusing our ideas and imagination on the definition of the arrangements for and field of application of a procedure for cooperation between the Council and the European Parliament whereby Parliament has the right to have a real influence on the decision-making process and the means of doing so, without pointlessly complicating the process or weakening the original role that the Treaty gives to the Commission.

Madam President, Honorable Members, before concluding, I should like once more to point out that the Conference did not debate the draft treaty on political cooperation at the Monday meeting. The Political Committee, which is responsible for preparing this side of the ongoing negotiations and has already held a number of meetings on the subject, will be trying to complete this work at the next meeting, scheduled for 7 and 8 November, and will inform the Ministers of the results of its deliberations at the Conference meeting of 19 November.

The time has of course not yet come for us to form a conclusive idea of the changes of failure or success of the Conference of Governments of the Member States. Parliament no doubt remembers that the conclusions of the Milan Council, which led to the calling of the Conference, were not unanimous. And if the 10 Member States and Spain and Portugal are still actively and constructively involved in the Conference, this positive and encouraging factor is based, in particular, on the clear commitment that the Conference, in its make-up, its procedures and its way of concluding, should from start to finish, comply with the demands of Article 236. The Article in question is the equivalent of the one which we in most of our countries know as the institutional amendment procedure. The presidency refuses to countenance any strategy of division between the Member States, as it is aware that this is one of the difficulties that the governments may have to cope with in their national ratification procedure at a later date. The presidency has no desire to add anything to the factors of failure which now exist. Hence its stringency in applying the rules of Article 236 of the Treaty. Parliament's interest, I think, cannot be otherwise. So once we have embarked upon the Treaty revision procedure, we all have to do all we can to see it to a proper conclusion, in the interests of and in line with the European Union.

We have never denied the fact that a major imbalance between the economic content and the politico-institutional content of a change in the Treaty would probably doom this undertaking to failure. The only real chance of success is to strengthen and maintain the

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close link that exists between the opening of Community powers and policies to new aims and ambitions, combined with an institutional reform that both boosts and speeds up the decision-making process and, most important, gives the European Parliament the scope that will contribute to its power and its role in a significant manner.

The presidency has gone into this operation without blind optimism and without perverse pessimism either. It finds it difficult to accept that those governments which have publicly expressed the ambitions and objectives they assign to the Conference can, bearing in mind the difficulties that we were all aware of before it started, agree to the ongoing reform being reduced to something which is not a clear manifestation of a determination to advance on all fronts.

The European Parliament certainly has its share of responsibility in seeing that the process we all wanted reaches a proper conclusion. This is why I wanted what I had to say, Madam President, to be clear and unequivocal.

IN THE CHAIR: MRS CASSANMAGNAGO
CERRETTI

Vice-President

Mr Delors, President of the Commission. — (FR) Madam President, Honourable Members, the Commission welcomes this debate and hopes that other discussions will follow as the work of the Conference unfolds.

I am speaking directly after the Luxembourg Presidency has summarized in full of the work of the Conference quite simply because the Commission feels it is its duty to tell Parliament what it has been doing at the Conference.

Its action has been based on a method suggested by the presidency and one which had the advantage of not generating an institutional debate, which would soon have turned into a fruitless clash over dogma, between the Member States from the word go. This is why the Luxembourg Presidency asked participants to start by discussing what the aims of the European Community should be over the next 20 or 30 years — we do not, after all, call intergovernmental conferences every year — because we can draw practical lessons for the powers of the Community from these aims and, ultimately, look at all the institutional consequences.

This, I think, was a wise method, because, although the points of view were not maintained, we were at least able to avoid fruitless clashes. If there is pragma-

tism, that is where it lies. But in the eyes of the Commission, that is where it has to stop. We are, I repeat, aware of the exceptional nature of an Intergovernmental Conference and we also hope that we shall be able, through the spoken and the written press, to draw the attention of the citizens of Europe to the importance of this Conference. Even if it were to fail, it would still be an event with a capital E, if I can put it like that.

The proposals which the Commission has made form an ambitious but coherent and realistic whole. The coherence, as I shall have the opportunity of explaining, is the result of a link between the different proposals tabled when the Conference started work. The realism is forced upon us by what we are humanly able to achieve — and not just politically either in the present state of maturity of the European idea and the trends in our different nations and peoples.

Before justifying the ambitious, coherent and realistic nature of our proposals, there is one question I ought to answer and that is whether the European Parliament's work has been of use to the Commission. The answer is yes it has. And this is not merely a polite yes. Let me tell you how we based our ideas on the European Parliament's draft treaty.

First of all, we asked for there to be just one treaty, a single instrument, so that there would be no decision to launch us, once and for all, along parallel lines towards economic and social integration on the one hand and political cooperation on the other. You don't need to be very good at mathematics to know that parallel lines never meet . . .

We cannot both call for European Union and make a historic gesture whereby the two branches of European construction are set on separate paths for ever!

And it would be misusing the word Union to think that we would have established European Union once and for all by replacing the European Council with a European Union Council. In much the same way, there would be a profound change in institutional logic and the Community democratization process if there was a general secretariat of the European Union. This would be proof of daring, but the sort of daring that leads people to turn their backs on the Community way of doing things and the very spirit of the Treaty of Rome itself. The Commission will, of course, be very vigilant about this.

(Applause)

Secondly, we based ourselves on the draft treaty to ensure the legitimacy of the European Parliament by involving it in the decision-making process. I shall have an opportunity to come back to this in detail when I explain the whole import of our proposal.

Thirdly, we also used Parliament's draft treaty as a basis for restoring the Community's ability to take

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decisions. This, along with Parliamentary involvement, is the essential point in the institutional field.

Ladies and gentlemen, there would be no point in reasserting our aim of establishing an internal market and of making commitments on technological cooperation or the environment if we were to go on as we have done over the past few years.

Yesterday Mr Spinelli told the Intergovernmental Conference that a large part of the measures on the internal market could already be taken by a qualified majority under the Treaty of Rome. It has not been done. Why? Because the institutional system as originally designed was deformed by the Luxembourg Compromise, whose perverse effects need no demonstration, and by the behaviour of the Member States. Today, the Community does not only find it difficult to take decisions but it finds it difficult to act because the Commission's powers of execution are constantly under surveillance by the many committees the Council forces upon it. Every day the Commission has to go through a veritable obstacle course set up by Council experts.

Fourthly, we used Parliament's draft treaty to clarify the question of powers. In your treaty, you make very clear distinction between exclusive and concurrent powers. It is a distinction which should enable the countries that are most reticent about reforming the Treaty to rally to it once and for all.

It is not a question of transferring all powers in a certain field in a sort of night of 4 August, but of realistically pushing forward national and Community powers and — I think you will appreciate this — of ensuring the vital balance between the prerogatives of the national parliaments and the mounting power of the European Parliament. And I think we should not forget that, from this point of view, some of our democracies are founded on well-established rules.

It is also in the light of the draft treaty that the Commission is putting forward the idea of potential power to allay certain fears. I am thinking here in particular of the field of monetary affairs, although the Commission has not yet tabled any texts on this and I have to talk to the Ministers of Finance about it first. We can hope to include monetary cooperation in the treaty if we define potential power first. This idea of potential power appears in Article 11 of Parliament's draft treaty, which explains how to go from cooperation to joint action. There are other articles along the same lines, but I don't want to bore you with quotations.

Fifthly, it is by taking the aim of solidarity outlined in the preamble to your draft treaty (and stressed again when you mention convergence and regional policy) that we made our proposal on strengthening economic and social cohesion. This will no doubt be one of the most explosive problems the Conference has to deal with.

Sixthly, it is in the light of the philosophy behind your draft treaty that we are calling on the governments, begging them even, to apply the principle of subsidiarity, particularly in technological matters.

It is nonetheless senseless for our States to spend considerable sums on research at national level (add them up and compare them to what Japan and the USA spend and we are level) when these efforts are compartmentalized and that some of them are not being grouped together, in the name of the principle of subsidiarity, at European level, thus preventing us from having the best allocation of resources and I would even say the greatest budgetary rigour.

(Applause)

Lastly, it is in the light of your draft treaty, on the basis of it, that we are calling for the European monetary system to be integrated into the Community process.

Those, Honourable Members, are one or two illustrations of the usefulness of your work, at least as far as the Commission proposals are concerned.

I now come to the design of the Commission's overall proposal — on the understanding that whenever we have tabled texts at the Conference, we have transmitted them to the President of this House immediately. But perhaps it is a good idea to outline the overall philosophy. It is based on four essential points — one, founding the relaunching of Community construction on fact; two, fixing new frontiers which are both anchored in our traditions and a symbol of hope to our young people (this is the meaning of the proposals on environmental technology and culture); three, fixing the ways of taking decisions and action that will make the Community more effective; four, gradually involving the European Parliament in the process of decision-making and control so as to justify its being elected by universal suffrage.

Of course, discussion in the Intergovernmental Conference itself is difficult, as it is a question of translating political, financial and economic objectives into legal and institutional terms. The reading of the texts is difficult, of course, and even the dialogue between the people attending the Conference is not easy. We have to alter the Treaty and adopt a package deal because we must confirm a political trend and because that political trend is anchored in legal texts and imposes constraints on us all when it comes to applying them. If we were only asserting the political objective, we would only be repeating what five or six European Councils have done without results. There is considerable good will, but the sinner never repents and, above all, he never mends his ways. So the only way of getting the sinner to do better is for him to lay down his own constraints. This is partly what the reform of the Treaty is doing, if you don't mind an

Delors

evangelical analogy from someone who has no competence in the field.

(Applause)

I now come to the four constituent elements of the Commission proposal. The basis for the relaunch first of all. I repeat, the Commission sees the realization of a large market, greater economic and social cohesion within the Community, monetary cooperation as a means of convergence and a way of stimulating our economies and, lastly, the mastery of technology as a factor of modernization of our economies (and, therefore, of a solution to our problems of growth and employment) as being indissolubly linked.

The Commission would see it as a failure if any one of these four points were set aside. It would mean there was no foundation for recovery over the next 20-25 years, even if transitions and time limits for the achievement of certain objectives, particularly in monetary matters, are arranged later on.

Let us take the large market first. The establishment of the common market was at the heart of the Treaty of Rome. It has not been established. The Commission is firm on one essential point which is the subject of a good deal of criticism from certain governments — that the large market has to be defined as an area without frontiers. Why? First of all because European firms, which are in the starting blocks, have to be given a clear signal, a commitment from which there can be no retreat, that the large market will be a reality in 1992. I assure you that, if this signal is given, the European firms and the organizations that support the idea of a large market will immediately draw the relevant conclusions. It will be a factor of revitalization of the European economy.

(Applause)

But, if we start by saying that the expression 'area without frontiers' is ridiculous, idealistic and pointless, then the process of chipping away at the idea will start, if I can put it like that. For if we maintain the frontiers for one reason, we shall keep them for other reasons too, and we shall combat unemployment by sending extra officials to control the internal frontiers. Feudal Europe will continue. And secondly, a Europe without frontiers is a sign to the citizens who live in it. There was a committee on a People's Europe. Our Heads of State and Government mention it with raised eyebrows when they talk about the Commission moving too slowly. And every time we tell them that it is inside the Council that there is the opposition of one or other of the governments!

But what better sign can we give the citizens, Honourable Members, than to tell them that, tomorrow, they can travel about in the Community without any papers, that they can go and study where they like, settle where they like and take own economic chances? That

is the best way. That is the symbol of the People's Europe.

(Loud applause)

But the large market is acceptable to neither the Commission nor to certain governments unless we make sure that this Community of ours has a certain degree of economic and social cohesion. If we refuse to discuss this, then the Heads of State and Government must remove the term 'Political Union' from their vocabulary. A Political Union can only exist on the basis of a minimum of coherence and cohesion in the unit that is claiming to achieve it.

The Commission's proposal on economic and social cohesion is a balanced one. It cannot be amended, because, if we amend it, then we fall into the fair returns, those sordid budgetary discussions, or we void it of all its content. In this proposal, we say that Europe will not absolve any Member State from needing to make a national effort to take up contemporary challenges. But if the State does this, it can count on the economic and monetary cooperation and even on the spirit of solidarity of the other members. The two proposals are linked. That is why our conception of cohesion is both political and economic and not just budgetary.

(Applause)

That is also why we welcome the Danish proposal about employment and the working environment, as it means that Denmark — which was not the greatest fan of the Intergovernmental Conference — is bringing positive proposals to this field and not only to this field. This proposal has the merit of underlining the fact that economic and social cohesion is also based on a minimum European social area. We shall take this into account when expanding our proposal.

Third comes monetary cooperation. The idea here of course is to show how the European monetary system, which everyone thinks has had six successful first years, can be something that strengthens European construction as such, not just economically, but politically too, and that the economies can be made to converge more around this monetary cooperation. But be careful. We cannot lay down prior conditions for monetary cooperation, as monetary cooperation helps economic convergence, just as economic convergence helps monetary cooperation! So there is a dialectical relationship between the two.

By inserting in the Treaty extremely careful monetary provisions which leave each country to decide on all the important steps, we intend to do one thing — to facilitate in the coming years, without any legal obstacles, the strengthening of monetary cooperation and the creation, around it, of an area of economic and social dynamism.

Delors

Fourth and last, the mastery of technology. I mentioned this just now. It is vital — basing ourselves on what the Community is able to do and no more, on the experience we have obtained, particularly through the Esprit programme, this being the most outstanding example — for us to develop our contribution to the mastery of technology which is, in our eyes, something which stimulates our growth and, in some sectors, helps create employment. There must be a minimum of cooperation. We propose that it should be as part of a multi-annual programme and then in sectoral programmes, which can be tailor-made, as it is impossible to stop three or four firms or three or four countries from advancing if it is to the benefit of the Community as a whole. Lastly, I should like to emphasize the fact that I am personally irritated by the debate as between Community powers and the Eureka programme. Since the two projects are there, they ought to be made completely complementary, without indulgence in quarrels based on vanity.

(Applause)

This then is the foundation for recovery. As we see it, it is indispensable. We should of course have the greatest reservations at the end of the Conference if any one of the above elements were removed. But we think we need new frontiers. We need new horizons because, although some of us with grey hair who have known Europe since the start have kept their motivation — and I shall come back to this in my conclusion when I talk about the moving appeal President Pflimlin made yesterday — we must also think of the younger generations. These younger generations will only look favourably on Europe if Europe is generous with its development aid and if it looks to nature, to the balance between man and nature — the environment — and if it develops a European approach to culture, a message, at a time when the technological challenge could well silence us culturally. It is by taking these various things, and technology, into account that we shall manage to give the young people the message that Europe is not a tired old lady but someone who is leaving the Intergovernmental Conference with a spring in her step and with need of the youth of today.

(Applause)

As to the methods of taking decisions and action — and before talking about the European Parliament, which is the cornerstone of the whole edifice and no doubt the most difficult point — we have proposed changing the way decisions are taken in the Council. In other words, we have abandoned the proposal we made at the European Council in Milan.

Why? This ought to be explained because one of the delegations took it up. In Milan, we did not know that there would be an Intergovernmental Conference and we wanted to kill two birds with one stone, as the proverb has it. We said, to you on 7 January and before that and even before anything was said about

the Intergovernmental Conference, that the large market was the pivot of the recovery of Europe. But creation of this large market meant first voting by a qualified majority, so, in Milan, we proposed to the Heads of State and Government that Parliament basically have the decisive part in institutional foundations by reorientating the system. That is to say that Parliament's intervention would move us from the unanimous vote to the qualified majority vote. This proposal, which we wanted included in the Spanish and Portuguese accession treaties had it been accepted at the time and had there been no Intergovernmental Conference, gave Parliament a leading role in the process of change.

But since there is an Intergovernmental Conference, we should go further than the proposal made in Milan. There is no point in using this procedure. The Council itself has to change its procedures. So we propose two essential things. One, in the new treaty, the qualified majority vote, in particular to achieve the aim of the large market, to achieve sectoral technology programmes and for certain aspects of economic and social cohesion. And two, we ask the Council to set deadlines for decision on a Commission proposal or amendments from Parliament, as the other institutions do when they set deadlines. The idea is to avoid what we have so often seen — proposals that have never been studied. They have been set aside and, as Mr Spinelli said yesterday, some have been hanging about for years.

So, without renouncing any of its prerogatives, the Council has to set its own deadlines if the institutional system is to start functioning again.

(Applause)

For there would be no point in giving Parliament the opportunity to propose and amend or giving the Commission back its powers if the Council is free not to take decisions. The system is unworkable, that is obvious.

I have already had the opportunity of talking about the Commission's executive powers and I shall not dwell on them now. All I say is that, once the Council has taken a decision, the Commission must have the means of implementing it without being constantly checked and held by national officials. And if that doesn't work, the European Council claims the right to change the Commission! We are responsible to you and we ask to be responsible to them. But please let us get on with our work! That means the advisory committee must be the rule. When the problems are more difficult, there could be a management committee or a regulations committee. Honourable Members, if this question were not raised because it is not spectacular, any reform undertaken later could be doomed to failure, for there would remain this swamp into which all policies, all proposals made and decisions taken but not implemented would sink.

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I now come to the European Parliament's involvement in the decision-making process. Here we must thank the German delegation for clarifying the problem by making a distinction between consultation-conciliation, cooperation or co-decision and the assent on constitutional matters.

I should first of all like to point out that the Commission proposal, which is aimed at getting Parliament's assent on all constitutional matters, (four articles that I shall not give here), is very important. It must be considered on its own merits and not overlooked.

I now come to the heart of the problem, cooperation or co-decision. Let us not for the moment fight over words. Here I shall make a distinction between the budgetary question and the rest, which is very important.

In the matter of the budget, we currently have dual authority. We did not propose this text because we did not think the European Parliament wanted to go any further. As far as I, a citizen of Europe, am concerned, I do not much like this budget procedure. I think it tends to encourage irresponsibility. My dream would have been for the European Parliament to have the authority to raise taxes, within a certain margin, to supplement the budget. This would have been more logical.

(Applause)

But I think if we did that, the accusation of angelism and voluntarism that some delegations already make would be greater. In the end, we have adopted an average profile.

That only leaves the legal matters in respect of which, I think, the problem should be simplified. The Council currently has the legislative power and, in fact, the executive power too. It has them both. Compared to this, Parliament has the power of consultation and conciliation and, compared to this, the Commission has sub-executive power. In order to have its powers of execution re-established, the Commission suggests that the Council use self-restraint. The idea is to reverse the burden of proof. As things stand, the rule is to prevent the Commission from getting proper powers of execution and the exception is when the Commission manages, as in the case of the integrated Mediterranean programmes, to obtain a certain amount of room for manoeuvre. So the basic situation has to be overturned and the rule has to be execution of the decision by the Commission with exceptions. If this rule is not written into the Treaty, then nothing will have changed. And the same goes for Parliament.

Some delegations have said that we cannot give something to Parliament without taking something from the Council. Of course. There is no need to have a chair in constitutional law, to appreciate this, as Mr de la Palice so neatly put it. The question is, will the

Council agree to self-restraint? We propose a simple constraint. Once Parliament has amended a Council proposal and the Commission is in favour of Parliament's amendment, the Council has to reject it unanimously and within a given period of time.

So the Council has to make this concession. If it does not, what this means is that we want to keep a system in which the Council has all legislative and executive powers. In which case, we have to say so. In any case, it is better to speak about these matters clearly. The Council has to use self-restraint in two ways. *Vis-à-vis* the Commission, if it wants to keep the powers of execution, then it has to decide that for itself. *Vis-à-vis* Parliament, when a thorough examination takes place, and there are two sides, Parliament persisting and the Commission supporting, it has to reject it unanimously.

These are the constraints the Council has to set itself if it is to boost the effectiveness and increase the spirit of democracy in the Community. If it fails to do this, then everyone will feel the consequences.

I conclude with the question of the Committee on Institutional Affairs, since I brought up Mr Habsburg's question when I spoke about the single treaty.

Honourable Members, the question is a simple one. No-one need get worked up! Are the governments on one side of the barrier and the Euro-MPs the other? Who created this barrier? Is it impassable?

Yes it is if one confines oneself to procedure — which is something we did not do, I should like to remind you, in the procedure that led to the revision of the European Parliament's budgetary powers in 1975. No if you look at what is at stake. And that is more important. Yesterday, Mr Pflimlin, with all his experience as a European militant and all his faith, left aside the procedures and touched us all by telling us we were all on the same side of the fence and that it was our collective effort that would enable us to get the European train back on the rails and give a positive signal at last to stop some people sniggering and others being sceptical, to put heart back into our firms and our unions and our young people. We are on the same side of the fence.

What Mr Pflimlin wanted to say yesterday was simple. History is challenging us and our peoples are watching!

(Loud applause)

President. — I have received from the Committee on Institutional Affairs a motion for a resolution, with request for an early vote, winding up the debate on the oral question (Doc. B2-1066/85). The vote will take place at the next voting.

Mr Sutra da Germa (S). — *(FR)* Madam President, Honourable Members, I shall begin my speech almost like a procedural motion to the President of the Council. As the first speaker from the European Parliament to follow you, I should like to say, with all the respect I owe you but the greatest of firmness nonetheless, that we can in no way consider you as a personal guest here in this House.

(Applause)

What you say binds you as President of the Council, even if you don't want it to. Your good will, your person and the good will of the Luxembourg presidency are not under attack. I ask you to ask your colleagues a question on our behalf, a clear and simple one. — Do you want war? Do you want war between the institutions?

A moment ago, the President of the Commission was playing the part of mediator between the European Parliament and the Council. But I, as a simple MP, do not feel I have to be so careful. I should like to tell you that my group will be backing the proposal from the Institutional Committee by a majority that you have boosted with your insulting attitude of last night. I am satisfied with the dual evolution of our Parliament. For the first time a text reflects both the European Parliament's draft and the Commission's proposals. It is no longer a case of all for the European Parliament, as sometimes happens, or all for the Commission and its proposals, as happened a fortnight ago. My group is very keen on this and I said as much plainly two weeks back. We have a positive appreciation of the Commission proposals. I should like to say that representing the Council of States is a noble task and one of size, but if you create a break and a clash between the European institutions, Parliament and the Commission, on the one hand, and the Council on the other will bear full responsibility for it. We do not want it. I welcome Mr Pflimlin's words whereby we are all on the same side of the fence. But all the conditions have now been created by the Council to put back the barrier between it and the Community institutions.

(Applause)

The power the European Parliament is calling for has already been lost by the national parliaments. This is a body that does not exist in the eyes of the Treaties. The present Conference has become Coreper's arbitration of the debate between its own power and the power of the European Parliament. How pathetic to see a so-called Intergovernmental Conference come to that!

I should like to find one or two reasons for hope in this cloudy sky. At my party's congress in Toulouse a fortnight ago, Laurent Fabius, the Prime Minister said: 'We want to advance on the European institutional front'. And he clearly stated that this meant more majority votes and less unanimous ones. He

went so far as to say that we 'shall no doubt sometimes be beaten on these votes, but that is essential if Europe is to advance'. Coming from a country which forced the disastrous Luxembourg compromise on us a long time ago, this phrase takes on its full meaning. The proposals he made about currency and technology and European industry are eminently positive, but I am forced — and these terms are serious, but I shall use them nonetheless — to wonder whether the officials who represent my country are aware of what the Prime Minister said. And I recommend that they all reread the speech the President of the French Republic gave in this House too.

(Applause)

I should like to end by speaking to the Commission. You will be the politicians and the embryo of the European government if you can lean on the legitimacy of the European Parliament elected by universal suffrage. By defending us, you assert yourselves. You, the Commission, are also at the crossroads of destiny. It is the Council that chooses the Commissioners and the Council that chose a man of the political stature of Jacques Delors as President. It is the Council that wanted us to be elected by universal suffrage that wanted to give the Commission and Parliament the dimensions they have yet it now looks like a wilful child frightened by what it has created and by its own audacity.

I do not want my words to sound exaggeratedly pessimistic. I count on the Commission's mediation. I count on the good sense of you all and on the efforts of the Council to keep us from the rift that would be so terribly harmful to the construction of Europe — and the Council is taking all the negative measures here — in the light of which the Community institutions, Parliament and the Commission, would be grouped together against the Council. This would be a disaster for the construction of Europe. The Council has to control itself before embarking on this.

I shall say one last word, Mr Goebbels. Your good will and the good will of the Luxembourg presidency are not being held up to question. But there will perhaps come a time when the presidency has to say 'I refuse to take Parliament the text you have given me'.

(Applause)

Mr Klepsch (PPE). — *(DE)* Madam President, ladies and gentlemen. It could be suggested that we have helped consciously to bring about the present situation, and that now we are forced to take action. The long-awaited Intergovernmental Conference has begun, and the proposals are on the table. Among them is the proposal of the European Parliament which — to pick up where Mr Sutra left off — was welcomed in this House by the French President, Mr Mitterrand, not so very long ago in June 1984, shortly

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before the second direct elections to the European Parliament. He also suggested that this proposal should be the guiding principle in the further development of the European Community.

We were pleased with the statements made today by the President of the Commission, Mr Delors. But it must be made clear that the old story that speeches are made about subsequent action leads inevitably to the point where words must be followed by deeds. I am sure you all know the famous episode in Greek history about a sportsman boasting about how high he could jump to whom it was said: here is Rhodes where you claim to have jumped so high — jump! The Intergovernmental Conference is our Rhodes.

We have listened to outstanding speeches in the House from several Heads of State — I have just referred to Mr Mitterand's. I could also have quoted from Mr Karamanlis or Mr Pertini who has just recently spoken here. They were outstanding speeches which received the approval of a large majority in this House. I am sure that Mr von Weizsäcker will not disappoint us today.

However, those in government who have political responsibility must take action as well as make speeches. Nobody can take our responsibility away from us either. The 260 million Europeans who elected our Parliament demand that it should look after their interests. I represent a group which received the votes of over 30 million European citizens who gave us the mandate to look after their interests.

What today is this Intergovernmental Conference all about? I must say honestly that it concerns the political will to develop the European Community further. Political will is lacking, and we risk instead embroiling ourselves in the muddle of imaginary or actual national interests of the ministerial bureaucracies.

We also are concerned with this problem in the preparation and organization of this Intergovernmental Conference. It is obvious that very real interests are the stumbling block to further development. The fields of influence of powerful lobbies are limited when it comes to finding solutions to specific questions relating to the decision-making process and to actual decisions themselves. Only the political will of those responsible will therefore help.

There is, however, the kind of sham fight the national parliaments must be wary of, that is, that of seeing their own rights reduced too much by us in the European Parliament. The draft treaty that we submitted is such a fair document that it should help to allay such fears. Our present aim, together with the national parliaments, should be to strengthen the democratic foundations in the Community, because the actual controlling power of decisions enjoyed by the people's representatives is diminishing all the time. It cannot, how-

ever, be replaced by equally well qualified experts and officials.

President Delors submitted four principal areas for action to us. They can be subdivided otherwise, but in the basic principles I must say that Mr Delors's opinions coincided with those of my group and this House. The European Community will not only have to be revived but given new aims and the possibility of taking its place in the world in the future. However, I know almost no leading statesman who has not clearly expressed this view.

I could read out a long list of names of people sitting at the negotiating table today of who will be meeting at the Summit tomorrow, people who share the view that we can only resolve the future of Europe together.

Facts speak for themselves, and if we look at the bills before us here today with a critical eye, it is understandable that Parliament should have misgivings about the risk of wasting too much time in arguing about unimportant details and minutiae at the expense of the more important solutions which we are expecting.

I should like therefore on behalf of my group to deal with four basic needs: first, a Community and a Council capable of making decisions, an efficient Commission — we stress all the points Mr Delors has made —; the strengthening of the democratic foundations, that is, the participation of the European Parliament, as a representative of the European people and electorate, in the decision-making process of the Community, and not as a spectator but playing an active role. Second, the completion of the complex of questions vital to the extension of the Community — internal market, economic and monetary union, modern technology, environmental protection. Third, a Europe which has a workable common foreign policy. I fully support this, and my group has always believed that it will not be achieved by the mere renaming of institutions, but by providing the Community with the powers which enable it to deal more effectively and speedily with the situation.

My fourth point concerns these disputes about the participation of the European Parliament in this Intergovernmental Conference. My group gives its full support to President Pflimlin's declaration on the matter. I should like to point out to the Council that Article 236 does not in fact state that Parliament must participate in all phases of the work and before the conclusion. This, however, does not imply that it cannot do so. It worries me somewhat when the so-called spirit of the Treaty overlooks or threatens to overlook that fact that we are a Community of democratic countries and that the elected representatives of the people of Europe are available to work together with the government of this project. My group is wholly in favour of pragmatic solutions and the completion of

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this complex of questions. We do not believe it is crucial to get involved in legal wrangling. However, there were complaints about the spirit of the Treaty, and that applies also to Article 236.

The European People's Party believes that the Intergovernmental Conference must make a far-reaching decision. None of us is under the illusion that another Intergovernmental Conference will be organized so very soon, and that this increases the responsibility of delegates to the present one. We are ready to assume our share of the responsibility, but we address an urgent appeal to the Council to come out of its own shadow once and for all and to jump over the hurdles it has made for itself. The hurdles confronting the Commission, to which Mr Delors referred, apply also to the Council, which however, is forever creating more hurdles for itself. We should overcome these and attempt, in a freer, purified atmosphere enter the next stage of development on the basis of a positive outcome of the present Intergovernmental Conference.

(Applause)

Lady Elles (ED). — Madam President, before I start I would like to make it clear that it is my colleague, Sir Jack Stewart-Clark, who will be speaking on behalf of the group.

I welcome this opportunity to say a few words on this matter and to congratulate in particular Commissioner Delors on the very helpful and positive speech that he has made to the Parliament today. I think this has been one of the best contributions and the best assurance that this Parliament has of the cooperation, support and solidarity of the Commission in its fight for the citizens of Europe.

I would like to comment on the fact that it is the European Council that has time after time called for a real internal market. Council after Council has called for this in speech after speech. It was also made in the beginning of the programme submitted by Lord Cockfield to the Commission and to this Parliament. For whom is the internal market not working? It is not working for the citizens of this Community. The Commission estimates that £ 8 billion a year is being lost because of frontier delays. Who is the loser? The citizen of Europe. Yet it is the Council that is delaying and apparently holding back decisions needed to make that internal market possible.

We know, the Dooge Committee knows, everybody seems to know, that you cannot have the proposals put forward by Lord Cockfield carried out by 1992 if there are not radical changes in the ways in which procedures are implemented. It will not be 1992, it will not be 2092, unless this Intergovernmental Conference comes up with some positive proposals.

The history of the last 10 to 15 years proves that their objective and the programme of the Commission can-

not be realized. There were 763 draft proposals before the Council as of 1 June 1985. Over 250 of these proposals were tabled in the last six years, and only recently two draft directives were adopted on architects and pharmacists, one proposed 17 years ago and one proposed 16 years ago. These draft legislative proposals are hanging like swords of Damocles over the citizens of Europe. Surely there must be a better way of handling this than the way that the Council has seen fit to act on behalf of the Community in these last years.

I would propose, specifically — and I do not think that it is a bad thing to put some specific proposals before the President-in-Office of the Council and the Commission — first, that no draft proposals should remain before the Council if two years have elapsed since Parliament delivered its opinion. There may be certain derogations to this rule, but it should be a rule of procedure.

Secondly, it is no use amending the Treaty to introduce majority voting instead of unanimous voting if you do not strictly confine the veto to specific vital interests and write certain special procedures into the internal rules of procedure of the Council of Ministers. It is no use amending the Treaty unless you take that measure. Nor is it in keeping with the advisory and consultative role of the Parliament envisaged by the Treaty that time and time again substantive amendments proposed by large majorities of this Parliament on behalf of the citizens whom we represent are either rejected, overridden or totally ignored by the Council of Ministers. This cannot be the spirit in which the Treaty was drawn up. I follow the good British principle, Madam President, that what is not forbidden is allowed, and I hope the Intergovernmental Conference will therefore look at methods to see that Parliament plays a much greater role in the decision-making process. I do not want to take up time now with matters of detail.

But I would like to point out to the President of the Commission — and I hope this message will be transmitted to him — he said, if I understood him correctly, that he did not make any specific proposals on the budget — that the Byzantine methods that are now used between the Commission, Parliament and the Council are both intolerable for those who are working the system and totally incomprehensible to those who either benefit or lose from the budget decisions.

This Parliament has adopted resolutions time after time, either unanimously or by a large majority, to the effect that compulsory expenditure should be abolished, that there should be no difference between non-compulsory and compulsory expenditure. While I think there should be an agreement between the institutions to recognize certain rulings on budgetary discipline, other institutions must recognize that this distinction is absolutely intolerable.

Elles

If this distinction is maintained I would warn this Parliament that there will be no possibility for making new proposals at European level for new policies which are obviously of benefit to the Community.

One other point I would like to make is the right of this Parliament to receive petitions. We are not getting the assistance we need from the Community, particularly from national governments. Yet the rights of the citizens we represent are sometimes aggrieved by the way Community law is implemented through national legislation and by governments and governmental agencies. Parliament's rights in this matter should be recognized and I hope will be included in proposals from the Intergovernmental Conference.

Finally, Madam President, we are presented in this Community with a great opportunity. The responsibility will be on the heads and shoulders of leaders in the Intergovernmental Conference if something positive does not come out, if the role of Parliament is not reinforced and the people who will suffer are those people to whom both we, as well as national parliaments, are responsible, and that is the citizens of Europe whom we represent.

(Applause)

Mr Spinelli (COM). — *(IT)* Madam President, in the first place I am sorry to note that in a parliamentary debate such as this one, whilst the Commission and the Council have 30 minutes speaking time, Members have only 30 seconds in which to express their opinions. Because of this time factor, therefore, I will limit what I have to say to a few precise observations.

The President of the Council, Mr Goebbels, told us that Article 236 of the EEC Treaty does not allow Parliament to be associated with the procedure for modifying the Treaties that is provided for by them. Now we in no way dispute the application of Article 236, which is to say that, in the end, it is the Ministers who should sign the agreement and send the text for ratification. What we are calling for from the Council is a political self-restriction commitment, as it were, not to sign any act until the agreement of Parliament has been obtained. This does not violate Article 236, and it can therefore be put into effect, if there is the political will to do so. Otherwise, we have to note that that will is lacking. *Tertium non datur.*

I would like to reply on only a few essential points to President Delors, who gave us a detailed explanation of the extent to which the Commission has taken Parliament into account.

On the question of monetary policy — he said — the Commission has been guided by Article 52 of the draft treaty of union. No, he has misread that article, because in it we say that, where monetary policies are concerned, decisions shall be taken by a qualified

majority of the Council and of Parliament, whereas he states that the national monetary authorities will retain responsibility for all initiatives. It is precisely the national monetary authorities — that is to say, the governors of the central banks — who sabotaged the progression to the second stage of the 'Werner Plan' and the European Monetary System. Ought this responsibility, then, to be in their hands? Is this 'accepting Parliament's point of view'?

On the budget, President Delors said that he would have liked to propose something that, it seems, Parliament did not ask for. President Delors, did you by any chance read, in the draft treaty approved by Parliament, the part where we propose doing the budget very differently from the way in which it is done now? With the present system, every year, starting with the first budget approved by the elected Parliament, we face a crisis, because the way of calculating revenue is wrong, the way of distributing expenditure is wrong, and, finally, the procedure between the Council and Parliament is wrong. We are proposing something very different which, however, has been entirely ignored and, what is more, they now have the impudence to say that Parliament did not ask for it!

We have also proposed deadlines for decisions by Parliament and by the Council, and majority voting; but, whereas the deadlines for Parliament are laid down in the Treaty, the reservation has been made that those for the Council are to be decided in the Rules of Procedure of the Council itself. And what if the Council did not decide them, or changed them? Finally, this Community is paralysed because the Council has decided that, in all cases where majority voting was prescribed, it would not vote unless unanimity had been reached.

As far as the Commission is concerned — and this will be my last observation — well, it was not strong enough in defending the prerogatives that it needs in order to become a real executive centre. It is we that defended them for it! Why, for example, does the Commission maintain the unhealthy system of management committees and consultative committees — which Parliament regularly condemns every time a resolution is adopted in accordance with this practice, which makes it possible for the Council to take back certain important powers of management, and which should not be allowed — if the Commission really intends to be the nucleus of the European government.

There are many other observations that I have to omit. All of this shows, however, Mr Delors, that you are very persuasive in what you say, but not always very convincing.

(Applause from the left)

Mr Nord (L). — *(NL)* Madam President, our group will vote in favour of the motion for a resolution

Nord

tabled by the Committee on Institutional Affairs. But we shall do so without illusions. The situation as regards the Intergovernmental Conference is not a good one. Not for the first time in the history of the Community, are we experiencing the phenomenon of our national statesmen making fine-sounding speeches and announcing glittering policy declarations, only to refuse ultimately to take the very decisions for which they themselves were the first to create the expectations.

We are now being told that there must be better political cooperation, that Europe must take up the technological challenge, that we must finish creating the internal market by 1992, yet certain of our governments refuse to accept the institutional reforms that will be absolutely necessary for achieving those ends, and want us to believe that the common problems that we all face in the twentieth century can be solved by falling back on 19th-century structures. If that is the course actually adopted, Madam President, then the Community will first begin to stagnate, and then it will disintegrate, and it will do so at a time when the world political situation calls on us more urgently than ever to make concerted efforts as Europeans.

I am not saying this for the pleasure of being pessimistic for its own sake, but because any realistic assessment compels us to recognize that the situation at the present time is not a happy one. But is that any reason for us to lie down and look on the Community as just one of any number of constructive experiments in history that got off to a promising start but were wrecked in the end by human failings? I do not believe so, Madam President, and I am strengthened in saying that by what the President of the Commission, Mr Delors, has just said. I believe that at this decisive moment in the history of the Community, the Commission and this Parliament have both the duty and the opportunity to take such joint action as is necessary to get those governments that are still prevaricating at least to commit themselves now to decisions that will give the Community the new dynamism that are going to need in the decades to come.

So I do not think that the present depressing situation need be any reason for us to give up the struggle, rather I consider that the time has now come for Parliament and Commission — and I again say thank you to Mr Delors for what he has just said — to act together to do what is our clear duty, which is to ensure that this Community will not only continue to exist but will continue to hold out to European-minded people the future prospects that are their due and which the Community was originally established to realize.

IN THE CHAIR: MRS PERY

Vice-President

Mr de la Malène (RDE). — (FR) Madam President, Honourable Members, the construction of Europe is,

as we all know, going through a difficult patch today and will no doubt be going through an even more difficult one tomorrow.

The slipping of the Community system into a free-trade zone, which is already far too evident, is likely to get worse and be accompanied by an ever more marked dilution of the European reality. Our budgetary and financial problems are already giving us an idea of the difficulties that we will have to tackle.

Certainly Europe intervenes everywhere, in the most essential things and in the tiniest details, but very often, all too often, no-one takes any notice of the proposals that are made or the decisions taken more or less jointly.

Certainly the big, imposing façade is there, Summits meet, Councils are held, the Commission brings out directives and regulations and Parliament debates. But what weight do these decisions carry in the everyday life of our nations?

As we all know, there is no alternative to building Europe. We have to choose, to follow all avenues and to use every way that will lead to a righting of the situation. And the improvement, and the strengthening of the way the institutions run is one of these and my group gives a clear yes to the question of whether it has to be followed. Yes, the decision-making machinery has to be strengthened. Yes, the role and the operation of this House have to be improved — and there is a lot to do. Yes, the Commission has to be given the means to act. And yes, our cooperation has to be given the means of effective action.

But how? In its time, we mentioned this dissatisfaction (not to say disquiet) that we felt at the decisions on procedure taken in Milan. For internal policy reasons and where maximalism has a part to play, it was hoped to decide by a majority, i.e. against one thing or another, to call a conference which would decide unanimously. This was a wager, at least, but one that would be impossible to win if forcing the play on substance were now added to forcing the play on procedure. The conference would be bound to fail if that happened and it would be a disaster for Europe. You only need to look at the proposals of the governments and even the Commission, which, with only one exception, go in different directions. This will no doubt be a parenthesis. Double talk — not to say incoherence — by the governments which come here to speak and then go and made quite different proposals elsewhere can and must be condemned. But Europe does not need this failure and we have to do all in our power to try and avoid it. We do not want all or nothing. On the contrary, we think we should advance step by step, with tenacity, whenever the opportunity arises and we are sorry we did not do so in Milan. Neither do we believe in the two-speed political Europe which leaves those who don't want to go fast enough by the wayside. No, our line of thought

de la Malène

does not follow that of the Committee on Institutional Affairs, not as far as the vast majority of my group is concerned, at any rate. Once again we find ourselves faced with what may be pleasant and what are certainly utopian proposals, but they are also dangerous ones in the present climate.

Once again, we must not make the load too heavy. We must not force the play on substance as we forced the play on procedure in Milan. The Conference must achieve something for the institutions and for the internal market and everything must be done to see that the outcome is positive. This means progress, at least in the coming months and the coming years, of the vital edifice we are trying to build together.

(Applause from the right)

Mr Christensen (ARC). — *(DA)* Madam President, we have a saying in Denmark that, if you hold out your little finger to the Devil, he will take the whole of your hand. I could not help thinking of that when I read the motion for a resolution from the Committee on Institutional Affairs. The governments in their infinite bounty have promised Parliament that it may give its opinion on the result of the Intergovernmental Conference on European Union. The motion for a resolution refers to this promise, with the interpretation that Parliament will be required to examine the result of the Intergovernmental Conference, amend it and finally vote on it. If the text adopted by Parliament does not coincide with that of the Intergovernmental Conference, there will be a procedure of consultation, presumably until the parties reach agreement. This is to be done — that is what the motion says — despite the fact that the Treaty of Rome does not even concede Parliament a right to be consulted in the event of Treaty amendments. It does not do this, as the representative of the presidency emphasized earlier today, because we are dealing here with an agreement, a treaty, entered into by sovereign States, in which no supranational institution can have any right of veto whatsoever or even a right of co-determination on amendments to the basis of cooperation.

About the Intergovernmental Conference I will only say that we have advised our country's government against taking part, because the aim of the Conference is union. We demand that the Danish people be consulted, in accordance with our constitutional rules, by a referendum, and we note that, according to the latest opinion poll, only 3% of Danes support the incorporation of our country into a European Union.

Mr Romualdi (DR). — *(IT)* Mr President, ladies and gentlemen, the news of the meeting between our delegation — consisting of President Pflimlin and Messrs. Spinelli and Formigoni — and the chairman of the Intergovernmental Conference is not good, and is far from reassuring for the future. And the statements

made this morning by President Goebbels and President Delors have certainly not improved the position. They tell us once again that, when the time comes for words to be replaced by concrete action, the will of Member States, in favour of the draft treaty of European Union — which was adopted by our Parliament — is as weak and uncertain as could be imagined. We duly said that the worst that could happen to our draft treaty was that it should end up in the hands of a committee, which would study and discuss it and then refer it to another committee, and so on, as is the case with all of those things to which there is no intention of saying 'No', but on which there is no agreement as to a solution. The attempt to get the project examined directly by the parliaments of the respective countries was a short-lived hope. We immediately had the Dooge Committee, which was inevitably more ready to devote its efforts to shifting the initiative into the Council's sphere, putting it under the influence of the mentality and method of working of the Council — and hence in the somewhat modest climate — from the human standpoint, even as Mr Delors reminded us this morning — of the commitment of our States to the European ideal — than to attempt the concrete legal and political implementation of the draft treaty of Union, so genuinely claiming for Parliament its legitimate, hoped-for rights. However, in this dismal climate we came to the eve of the Milan Summit with a vague plan for promoting the calling of an Intergovernmental Conference — on which many were not in agreement — together with other projects — one British, one Franco-German, and others that were even more gradualistic and restrictive. It has to be said that it was the impetus given by the then Italian Presidency, as the Commission itself said a short time ago, that was successful in making the Milan Summit a great success, and which led to the calling of the Conference to which Parliament, its Constitutional Committee and its Bureau, meeting in Milan the day before the start of the Summit, and the authors of a document that seemed a threat more than a request for commitment, gave their full support. But many went so far as to say — unwillingly and perhaps for reasons of political camaraderie — 'yes' to the Conference, convinced however in their hearts that nothing or very little would come of it, at least in the sense hoped for by Parliament — making real progress, that is, on the road to Union, and therefore to a new treaty, and leaving behind Britain and other States who had said 'no'. Now the Conference is nearly finished. I say 'nearly' because the Conference has not closed, and because we do not know very much about its conclusions. We know that in the document that the Conference will publish the States do not accept conciliation with Parliament. We know that they will submit it to Parliament, but in practice only for Parliament's information and not acknowledging Parliament's right to amend it, nor the desirability of its doing so. But that is as far as procedure is concerned. With regard to the content, we know nothing so far, or very little. Last night the Committee on Institutional Affairs, which has already drawn up a document that was perhaps

Romualdi

excessively severe and inflexible, responded with a great sense of proportion and responsibility and amended the document, which we shall vote in favour of, without relinquishing any of its claims, but realizing that the dialogue between the institutions must continue, and that the Conference, which was called under these circumstances more for reasons of political propaganda than out of any conviction, cannot now allow itself the luxury of achieving total failure. That would take all of the steam out of our pro-European spirit, and would precipitate a moral and political crisis that would hit all possibility of our continuing to work for a great economic Community in the hope of increasingly deep-rooted political integration. It would be a dangerous step backward. Not, of course, of a definitive nature, because, luckily, there is never anything definitive in man's history; but a serious step backward that would give more strength to the arms of those who do not believe in Europe — those, President Delors, who do not feel they are in the same boat as we are, and who are ready to celebrate every failure. And this must not be, if only because — despite the enormous difficulties that are in its way — the Community is inevitably destined to go forward.

Mr Van der Waal (NI). — (NL) Madam President, for those who are concerned to point the Intergovernmental Conference 227 in the direction of truly fundamental change in the content of the EEC Treaty, the road ahead will be a hard one to travel.

The proposals that the different Member States have tabled for the Conference show so little continuity that it is still quite impossible to anticipate what the final outcome might be. The basic question before us with this motion for a resolution is: How can we influence the outcome of this Conference? In that connection it is understandable that the resolution keeps consistently to the original assumptions as set out in the draft treaty of European Union. If Parliament puts itself firmly behind these, it will at least be making it clear that it will not lightly give up its ideals.

Yet it is only fair to ask whether the best approach to the issues before the Intergovernmental Conference is to appeal so one-sidedly and exclusively to the draft treaty. Ultimately the proposals by the *ad hoc* Dooge Committee and the Commission will also have to be considered. It seems to us that it would make a successful outcome of the Conference more likely if the European Parliament were to let itself be guided by these items, and did not widen the discrepancy between its own position and that of the governments of the Member States unnecessarily.

The motion for a resolution also refers to the democratic legitimacy that the European Parliament is supposed to have acquired from the European public. It seems to me, Madam President, that Parliament would have more claim to that statement if it were to come out clearly in favour of changes in the ways European

cooperation functions, changes that really would appeal to the imagination of the public. We are not thinking here in terms of the ambitious draft treaty, but of concrete practical improvements in the running of the Community that could contribute substantially to Europe's economic renewal. There is no question that something of the kind should be done as a service to the citizens of all the Member States.

On the positive side we welcome the fact that the motion for a resolution calls for formal working relations to be established between the European Parliament and national parliaments. The Diligent report going back to 1981 had already pointed in that direction. This will enable the parliaments to complement each other's activities and to offset some of the shortcomings in the supervisory function of national parliaments.

Finally, Madam President, is it not going too far to ask for the European Parliament to be involved in the approval procedure for the final outcome of the Intergovernmental Conference? Is it not, apart from the lack of any legal basis for this, somewhat unrealistic and possibly counter-productive to ask for an outcome that will have been achieved only after extremely difficult negotiations to be called in question and submitted for renewed consultation? Will Parliament not thereby risk making the existing process of institutional contacts even more complicated than it is already, and might we not possibly jeopardize the chances of some modest progress by holding too strictly to our own ideals?

Mr Cohen (S). — (NL) Madam President, it would be a dangerous precedent if solutions were to be found at the Intergovernmental Conference to a number of problems, but not the problem of how to extend the powers of the European Parliament. Dangerous because the exasperation and resentment at the lack of democracy in our Community are increasing, and because the exasperation will get worse if solutions are actually found for certain secondary problems relating to the extension of Community activities without improving the democratic content of the Community. Form and content go hand in hand. As the Community increases in size, so too will the need for democracy naturally come to be more strongly felt. There will then be a real danger that some national parliaments will try to exert more influence on decision-making, and may end up by unravelling whatever progress has been made towards speeding up the decision-making process.

I can just imagine that the end result of that could well be to lead us into what I might call a Community of Twelve with twelve Danish situations. That is not of course the intention. I therefore also believe that it will not be enough, in campaigning for the widening of our powers as a Parliament, for us simply to seek greater authority. We must also give serious thought to

Cohen

what kind of future we want our Community to enjoy, and to the significance of our Parliament in its construction. I therefore also wonder if we should not proceed gradually to involve Parliament in the decision-making process by qualified majority. I can for my part well imagine that different forms of qualified majority might well be possible depending on the type of issue to be considered. A solution on those lines would do more justice to two distinctive features that this Parliament now displays, and will continue to display for years to come, namely the existence of nationalist and party-political elements in this House.

One thing is certain, and that is that an increase in this Parliament's powers must not be at the expense of the Commission; it must rather be at the expense of the Council. But I would prefer not to discuss the matter in terms of this being at the expense of either, because I would much rather see it in terms of greater democratization and of widening the legitimacy of the Community. That is what really matters, and not simply because legitimacy as such is so necessary, but because the need for it is increasing all the time as the structure of the Community changes.

This kind of approach will perhaps not lead to a definite solution to the problem, but it will probably be worthwhile to consider the problem more carefully in these terms. I certainly wish the Luxembourg presidency much courage and wisdom — and I am sure it will need them. We have about another two months before the end of the Conference. It now looks as if the official end will not in fact be the real end. But be that as it may, the next two months are going to be very important, and the Luxembourg presidency will have a major role to play. Insofar as I know the Luxembourgers at all — and I do know them a little — I have every confidence in them. But it may well be necessary to exert pressure from time to time. The Commission is on Parliament's side, perhaps not the full hundred percent that we would like, but at least it is heading in the right direction. And in the light of the Luxembourg presidency and the standpoint of the Commission, I believe that there are still some grounds for optimism, the more so in that Parliament can still devote a number of debates to this question if it thinks that this will bring a better and speedier final outcome. I would not however go as far as my compatriot Mr Nord, who gave us a very pessimistic speech. We must stay optimistic, because the objective we are defending, a favourable outcome to the Conference, is important, not just for Parliament, but for the Community as such, for the European public, and for our expectations in this Community for the rest of the twentieth century.

(Applause from the left)

Mr Giavazzi (PPE). — *(IT)* Mr President, ladies and gentlemen, the Milan Summit, in approving — albeit not unanimously — the setting up of the Intergovern-

mental Conference, made clear that it was to proceed towards European Union. And anyway, that this was its purpose is not seriously challenged by anyone. Consequently, the drive towards Union and the search for its implementation must not only underlie all the work of the Intergovernmental Conference but must be the measure used in overcoming obstacles that most of the time are only in appearance of a legal nature but are, in fact, aimed at paralysing the mandate that was given.

The political determination expressed by the Summit cannot be distorted in the execution of a mandate that was the fruits of this determination. Those who did not agree with these political decisions cannot, today, reverse that situation; but — above all — those who did agree with this political decision must find the strength to carry it through, and not allow themselves to be influenced and have the initial situation reversed — otherwise the spirit of the mandate given to them will be distorted.

Any deliberate restrictive interpretation of Article 236 does not properly interpret the mandate — it betrays it. For the correct interpretation of that mandate, which is a guarantee of the very survival of the Community, and no mere rhetoric, the essential aims must be achieved. That can be done in different ways, but the essence must remain; the timing may differ, but the result cannot be evaded. These essential points are also reiterated in the amendment, put forward by members of our group, to the resolution of the Committee on Institutional Affairs, which closes this debate — the implementation and relaunch of the Community, which are irretrievably, indestructibly linked to appropriate institutional reform. A reform that, on the one hand, will make the decision-making process effective and, on the other, will make it democratic, with Parliament being truly, and not merely formally, part of that process; and that, finally, by strengthening the role and powers of the Commission, will also make the action of the Commission what it should be — effective, efficient and possible.

The extension of powers without including the action that follows from them in a single Community legal framework means forcing the Community to take a great irrecoverable step backwards, and paralysing for all time the process of unification. The danger of two treaties that divide instead of unite is not hypothetical. The danger also, that at each initiative the Community will split up instead of uniting is just as real, and just as much to be avoided. Achievement of the internal market within a precise deadline, an adequate response from the Community to the needs of the moment in the political, social, economic, and monetary fields, the development and restoration of its equilibrium within a framework of solidarity — none of this can wait. The Intergovernmental Conference must give an answer to all of this, and Parliament calls on it to do so, conscious of its prerogatives and its duties. This, and nothing else, is the spirit underlying the action of

Giavazzi

Parliament in formulating a draft treaty that summarizes in itself the aims to be pursued, the means of achieving them, and the will of the citizens of a Europe that is not, and must not be, an abstract vision but a present, necessary concrete reality.

(Applause)

Sir Jack Stewart-Clark (ED). — Madam President, the British are known for their patience, and I shall be true to my national colours, note the outcome of this week's Intergovernmental Conference meetings and express the earnest hope that we are making big progress towards effective conclusions in December. At the same time, should we not recognize that an increasingly ludicrous situation is developing, not only in the Community institutions, but also *vis-à-vis* public opinion throughout the Community?

Firstly, as Lady Elles said this morning, over 750 matters still sit in front of the Council to be resolved, largely on account of fear of voting. It is time to break the logjam, even if it means deciding upon half and letting the other half lapse. Then, as President Delors said, let the Council decide upon deadlines!

Secondly, the European Parliament is spending hours of committee and plenary time on matters on which the Council has already deliberated. We have, therefore, to improve this ridiculous decision-making process. Directives and other measures, at the very minimum, should only go to the Council after Parliament has given decision.

Thirdly, Parliament still does its work in three places. It must be the most ridiculous sight in the world that we have our secretariat sitting in Luxembourg far away from us, and yet the Council will make no decision on this matter. I say it is now up to this Parliament to take its own initiative and to say that we will decide where we are going to work if the Council cannot decide for us.

Fourthly, there are endless moans from national parliaments, not least my own in Westminster, about the transfer of sovereignty. It is, in fact, an erosion of democracy by transfer of powers to the Council. We are a European Community based on democracy; the European Parliament is the guardian of democracy; if we allow this Parliament to continue without powers, we do so at the peril of Europe's freedom.

Fortunately, we have people of vision and courage. I have opposite me a wise and still inspired colleague with fire in his belly. We see a revitalized Commission, and I welcome the speech of Mr Delors this morning. I know he is supported by Mr Ripa di Meana, a brave, intelligent and persuasive man. I know we have in my own Commissioner, Lord Cockfield, somebody who intends to see that results are in the internal market. So my group supports the principle of subsidiarity,

particularly in technology, a move towards integration in the European Monetary System, and with the free movement of capital, services, people and goods to create a real common market.

But I say to the Council of Ministers, and particularly to the Luxembourg presidency, do not let this opportunity for decision lapse! Go into history as the smallest Nation State which made the greatest move forward! You had Mr Schuman before you. Let us see what Luxembourg can do and not that Luxembourg passes out of this presidency without having been noted! We, this Parliament, rely upon you to make sure that you get the decisions which we are looking for. Mr President-in-Office of the Council, ensure, as you have said, that this Parliament is fully involved in the decision-making process! We ask that you make it come true.

(Applause)

Mr Iversen (COM). — *(DA)* Madam President, in 1972 the then Danish Prime Minister, Anker Jørgensen, said that the fact that a million Danish voters had said 'no' to EEC membership was a reflection of the fact that the European Community concentrated too much on problem which did not concern people. It is a tragedy today — 13 years later — to see that the Community is still preoccupied with castles in Spain, while 18 million people are without work and while the problems of the environment grow bigger with every day that passes.

The establishment of a Union will not solve any of the great social and economic problems besetting the populations of the ten Community countries. If this self-important Parliament starts to flex its muscles on this question, as Mr Spinelli and others want it to do, the European Parliament will only succeed in excluding itself completely from the decision-making process in the Community. The Danish people are today even more sceptical towards EEC membership than in 1972 — with good reason.

Against that background the only reasonable and correct conclusion is that Danish membership of the EEC has not long to go.

Mr Gawronski (L). — *(IT)* Madam President, ladies and gentlemen, the European Parliament has today to decide whether it must alter, and to what extent, the strategy followed so far with regard to institutional reform.

Some of you probably see as unrealistic the approach followed so far by the Committee on Institutional Affairs, which continues to refer to the draft treaty of European Union that was adopted by us last year, and would prefer to vote now on the merit of the various proposals lying on the table of the Intergovernmental Conference.

Gawronski

In my view, on the other hand, the obvious difficulties under which the Conference is currently conducting its discussions in an effort to find agreement for a minimum degree of reform must put pressure on us not to abandon prematurely our positions of principle. The experience of recent weeks shows, in fact, that only if we have avowedly ambitious aims will we be able to escape from the system of vetoes and counter-vetoes, that today leads Member States to find agreement around a common denominator that grows increasingly smaller, and get on, instead, with the process of Community integration.

Whatever legal instrument is preferred — a new treaty, or the reform of the old one — there are certain principles that must be satisfied to ensure that the reform that we are looking for shall really be worthwhile implementing.

In the first place, it seems to me to be indispensable to continue to link — as the Luxembourg presidency has done so far — the extension of the Community's powers — the internal market, and the launch of new common policies, not to mention technology — to procedural reform and the reform of the institutions that will have to administer these new policies.

And then, as regards the institutional situation, it would in our view be a mistake to go along with the Council's tendency to identify the problem of institutional reform with that of the powers of the European Parliament.

The temptation is great — especially for a Parliament that is increasingly frustrated by its own manifest powerlessness, as ours is — to accept the very modest increase in our powers, in exchange for our approval of the draft that will be produced by the Conference.

But it would be dangerous to give in prematurely. Many governments are in fact proposing an alteration of the powers of the European Parliament, enabling it to prevent the Council, by a qualified majority vote, from taking decisions that the Parliament does not consider acceptable.

But we all know only too well that the problem of the institutional machinery of the Community is not that it lacks brakes but, quite the reverse, it has a tendency to come to a standstill too often. And the most powerful brake is at the Council level, not that of Parliament. So long as the Council continues to use and abuse the Luxembourg compromise — and any important decision can be blocked by just a single Member State — what is the good of increasing our amending powers if every controversial decision is then blocked by the Council? What is needed is a Parliament that is able to force the Council to decide — not a Parliament that is able to block the Council still further, as President Delors reminded us, moreover, a short time ago.

(Applause)

Mr Verbeek (ARC). — *(NL)* Can twelve nations, twelve peoples, twelve histories possibly become one? Economically, politically and perhaps also militarily? That is the basic historical question that the dominant forces in Europe require us to confront. This process is, say its advocates, at a low point. Disintegration and integration are wrapped in each other's grasp like two wrestlers. We must aim for unification, according to the myth, and myths must never be questioned. They must be believed in, faith in them must be upheld. The United States are a union, the Soviet Union is a union, and so Western Europe too now has to become a union.

Who wants it? The public? How do we know? Farmers? What have our farmers to thank our large-scale, capital-intensive, industrial-style agricultural policy for? The unemployed? What promise can a technology-intensive Europe hold out for them? The Third World? What do economically colonized peoples have to expect from the superpowers? Markets, competition, producers of technology and accumulators of capital are what are pushing us towards unification. Not democracy, not social, regional and cultural identity, not decentralization, not anything on a human scale making for stability or security. Free markets and democracy are incompatible, because it is always the strongest who win out.

That principle is also being pushed to the fore in politics. They are now talking about a two-speed Community. Let Greece, Ireland and Denmark decide later. Let Spain and Portugal join little by little. Two speeds. But we all know what happens in a marathon. Second place is no place at all. Two-speed is the new word for two classes at every level, including the political and institutional. Two speed is here identical with advances for capital and reverses for labour. And 'differentiation' is the new vogue word that is already beginning to leak out from the Intergovernmental Conference in Luxembourg.

The question that matters today is whether the European Parliament's voice will be heard. We must have no illusions. The draft treaty of 14 February 1984, our colleague Spinelli's life's work, is heading straight for the shelf. So is this Parliament's resolution of 17 April 1985 contained in the Croux report. For with the processes that have now been set in motion, parliamentary democracy is just something grafted on like an appendage, an appendix that the organism can dispense with. Markets, technology, capital, the fast-growing technological-military-industrial complex in Western Europe, will be content with just a handful of politicians in key positions to be used in the national governments, in the Council, in the Commission and on the diplomatic circuits.

As for the European Parliament, it is left groping in the dark. That is the measure of what passes here for democracy. We can of course get very indignant about all this, but that merely reveals a failure of insight. The

Verbeek

causes, the historical-material processes that we are all so good at legitimizing are what we now have to start analysing. Only then will we begin to grasp why parliamentary democracy is being pushed further onto the sidelines. Those at the top will be able to do whatever they please. Democracy will be left to melt like an iceberg in the hot waters of the economic, technological and political wars that are now being fought out.

Mr Ulburghs (NI). — *(NL)* Madam President, I listened with great attention to the statement by Mr Delors giving us his picture of the situation in Europe.

In broad outlines, I agree with him, but I should like to distinguish certain priorities. Firstly, concerning the European market. The competitiveness of the Community will indeed have to be increased, in particular against the aggressive economies of Japan and the United States. But I want to stress the importance of expanding the internal European market as distinct from competitive external markets. We would then be able to concentrate more on intensive forms of employment directed towards our own needs. I agree that we need a stronger European technology, but it must be in terms of qualitative economic improvement that will leave a place for activity on a small-scale. We need only think of the failure of the Mansholt plan, as our colleague Mr Verbeek has just said.

Secondly, the European Community must be directed above all to the welfare of the European public, with the accent clearly on an ecologically sound economy, a peace economy and an economy of solidarity in which social forces are strengthened in the interests of the weaker elements, the weaker regions and the Third World. Nor must the free movement of citizens and goods come to be perceived as a threat to the superb mosaic of cultures that goes to make up all the different peoples of Europe.

Finally, I want to make an appeal for greater participation by the European public in the institutional reforms that will be necessary. That is why I am a supporter of stronger powers for the Commission. Its authority must be widened. So too must that of the European Parliament. The European Council on the other hand must have its powers reduced, because, in my view at least, its influence, more likely than not, will be a negative one. Development should always come from the bottom up. That is why we generally like to support any initiative tending to strengthen participation by the European public in the European decision-making process.

3. Welcome

President. — Ladies and gentlemen, may I on behalf of you all welcome the delegation of the Spanish Cortes, led by our friend and colleague, Mr Medina

Ortega, who have taken their seats in the Official Gallery.

(Applause)

This is certainly the last session at which they are present in our Parliament as visitors before joining us very shortly on the benches of this Assembly!

(Applause)

And I trust that the final work of the European Parliament/Spanish Cortes Joint Committee will be as effective and fruitful as possible.

4. Intergovernmental Conference (continuation)

Mr Megahy (S). — Madam President, the British Labour Members of this Parliament have always opposed the proposals for institutional reform, particularly the proposals that led up to the draft treaty. We feel that they do not in any way provide an answer to the massive economic and political problems facing the Community.

Nor can we subscribe to the oft-repeated view of Members of this Assembly that they are speaking on behalf of the people of Europe. The Ministers who meet in the Council have been elected to form the governments of their countries. On whose behalf are they speaking? The impression is very often given here that there is a tremendous head of steam generated in favour of institutional reform, whereas the EEC's own public opinion service shows that 4 out of 10 people in the Community are completely indifferent and apathetic to the kind of proposals being talked about at the present time.

We see these proposals as a smokescreen diverting attention from the real policy changes that need to be made if we are to do something about the problems, in particular the problem of unemployment. Of course, the resolution is ostensibly about procedural matters. I think that these procedural matters themselves conceal a growing rift within Parliament as important groups begin to consider the right point at which to desert the draft treaty. The answer that has been given initially by the Council of Ministers may rally a little bit more support to the Spinelli proposals. However, I see Mr Spinelli as being very much in the position of the grand old Duke of York in the English nursery rhyme. He has got to the top of the hill and is unwilling to go down again. In the meantime all his troops are beginning to mutiny. They are all beginning to think of ways in which they can disengage themselves from a treaty which quite obviously is not going to get any consideration at all from the present Intergovernmental Conference. It will be interesting to see which particular crumbs they will accept from the table.

Megahy

I take no great pleasure in the failure of the Intergovernmental Conference. I wish it had never taken place. I predicted that very little good would come out of all this institutional talk. I am opposed to many of the other proposals that have been put forward and are being considered by that Conference at the present time. All of these are designed to tighten the provisions of a treaty which is based on industrial free trade and agricultural protection. I think the mixture of those two is, in fact, inimical to any progress in dealing with our problems.

Various amendments have been submitted by Mrs Castle and others setting out clearly the policy changes that we think could be made, and could be made at the present time, without any institutional changes. They include emphasis on the action of the Member Governments of this Community, the use of public resources to stimulate demands, cooperation in planning the joint action needed to cope with the massive problem of 15 million people unemployed. All that could be done without institutional change. Indeed, if the same energy was put into looking at the solution of these problems, then I am certain that we could get the right kind of policies.

I see the kind of changes being talked about at the present time as making it more difficult for those governments which would want to pursue policies of full employment. Should we get a Labour Government in the United Kingdom — and I hope we do — dealing with the problem of an 8 billion pound deficit in manufactured goods and with the clapped-out economy left by the present government, then the tightening of the present restrictions will, in fact, make it more and more difficult for it to achieve its policy of full employment.

Therefore, we are completely opposed to the Intergovernmental Conference and we will vote against this resolution.

Mr Clinton (PPE). — Madam President, today we are getting down to essentials. This Parliament produced the draft treaty on European Union which has given rise to the work of the Dooge Committee and the Adonnino Committee. An immense amount of work by able and very experienced politicians has gone into all this. There is now no shortage of material on which, and from which, the Intergovernmental Conference should be able to reach the right conclusions.

In Milan 7 of the 10 Member States gave people in the Community to understand that they were fully committed to going the maximum distance along the road towards European Union. There was also reason for hope that others would follow later. I am personally hopeful that the rumours that have arisen in recent days bear no relation to what the eventual outcome will be later on. However, these circumstances make it

imperative that this Parliament lay clearly on the line what we expect from the Conference. That is what we are trying to do here today. We started this great campaign and we must do everything possible to see it through. We are asking for the minimum that we see to be necessary for the further development of the European Community, for finding solutions to existing problems and for ensuring peace and progress in the future.

Serious lessons should have been learned from the failure of the Community to respond to the pressures of the recession that started approximately 12 years ago. In my view there has been far too much vacillation, procrastination and blowing hot and cold on the part of Heads of State and Government about surrendering to the Community the sort of powers necessary and the resources necessary to overcome the appalling unemployment situation and the unrest that has remained with us for far too long. There is serious concern also that the promised and expected convergence is not taking place. In fact, the rich and poor areas are moving farther apart. Regional policy, which is so necessary in bringing about a greater degree of convergence, is moving at a snail's pace simply because the Council refuses to agree to the necessary budgetary provisions.

I am being very serious when I say that some Member States are jealously and selfishly holding on to what they have and refusing to share. There are others — and I am thinking particularly now of the weaker Member States — who are still very nervous and suspicious that if the Community gets the power it needs to act effectively on behalf of all the Member States, the stronger powers will not be sufficiently concerned about the progress and welfare of their weaker partners.

We hear far too much about the countries that are the net contributors and far too little about the greatest beneficiaries. It is always very easy to see monetary transfers but not nearly as easy to quantify and pin down other benefits. For example, I know from my own experience that the bulk of the money that Ireland received from the common agricultural policy was returned very quickly to Community countries for industrial products. What I am trying to say, Madam President, and trying to put into words is that what is needed most is less selfishness, less extreme nationalism and a broader, bigger attitude particularly on the part of those who can afford it. It would be fair to ask me at this point where Ireland stands at this time. I regret to say bluntly that I do not know. Nor do other Members in this Parliament know where their governments stand. We have all listened to lofty and high-sounding speeches from Heads of State and Government, but they now seem to have gone back into their own selfish cocoons. Europe has been eaten up by selfishness and greed, and the Japanese, Americans and others are laughing all the way to the bank at our expense. The time for diplomatic language has gone.

Clinton

We have been elected by the people of Europe to come to their rescue. I listened this week to an experienced politician say that if things are done too quickly, they do not take root properly. All I can say in reply to this is that unemployment has taken root in Europe and is now being fed on growth hormones by the very people who have been given the responsibility for finding solutions.

This Parliament cannot simply go on taking it on the chin. I hope I have made myself fairly clear, Madam President. Unless sense comes from somewhere, this Luxembourg Conference is going to be another huge fiasco. In the words of our distinguished President: 'We are being challenged by history and the people are listening, especially the young people'.

(Applause)

Mr Patterson (ED). — Madam President, the Australians have a very rude word for us English — they call us whining pommies. That is one for the interpreters. It means we are always complaining about things going wrong. I have a nasty feeling that those in the Commission and the Council might think that we here in the Parliament have become whining parliamentarians because we do nothing but complain.

I think, having heard the reports of the President-in-Office and the President of the Commission, there are some positive aspects to this Intergovernmental Conference, and I do not think we should ignore them. After all, political and constitutional changes are not ends in themselves. They are supposed to create a framework for the achievement of more important objectives. I think that it is an important gain that everybody's minds have been concentrated on how to achieve the internal market by 1992. Now, Mr Megahy complained about the progress the Intergovernmental Conference is making because he does not like a free market. I welcome the progress made in the Intergovernmental Conference because I do. I think we ought to admit that.

The President of the Commission pointed out that Mr Spinelli had said that the existing Treaties in many respects are quite adequate to achieve the internal market. I think we should not neglect either the fact that the Council itself is beginning to discuss reforming its own internal procedures, quite apart from any Treaty changes. Which brings us to the question: do we need Treaty changes in order to achieve the internal market?

I notice that the Commission, in its latest proposals, has distinguished two areas. First of all it is proposing that majority voting should apply normally in general matters, but it has produced a reservation on two areas, namely fiscal approximation and the free movement of persons. This presumably reflects political reality. If it does, then we welcome it.

For example, I believe that there are some virtues in retaining unanimity. Why is there virtue in unanimity? Because it avoids the awful opposite problem that if you fail to secure unanimity and there are minorities who are unsatisfied you have to provide derogations. This raises the possibility of a two-speed Europe, the real problem which some other speakers have addressed themselves to. In the case of the internal market, the idea of a two-speed Europe is nonsensical. Either you do have tariff barriers, or you don't. The idea that some have it and some don't does not mean one internal market, it means two, three or four markets.

Therefore, I hope that the objective is kept in mind. We want a free internal market for everybody with no derogations and no 'two speeds'. That is why I am rather disturbed to see that in the latest Commission proposals their Article 2(b) appears to allow certain Member States to opt out of the directives which would create the internal market. I was rather attracted towards the original Commission Article 4, which said that if the Council of Ministers by 1992 had not achieved the necessary directives and legislation, then all the derogations in the Treaties would be removed, all goods would be in free circulation, the 'cassis de Dijon' would apply everywhere. A brilliant suggestion! I really would like to know from the Commission why they have now modified this because, after all, it is really what the Treaty is about.

My conclusion is that we are not going to get the perfect treaty which the Spinelli proposals would have provided. We are not going to get, I suspect, even a new treaty which satisfies most Members of this Parliament. But we are going to get something, and it would be very bad for this Parliament, and for Europe, if we were to neglect that, if we were to complain all the time because at least some progress is being made and it is being made in the one fundamental area, freeing Europe from the shackles of red tape and creating the jobs, which of course is what our electorate really wants us to do.

(Applause from the benches of the European Democratic group)

Mr Filinis (COM). — *(GR)* Madam President, in connection with the need to increase the European Parliament's authority, on behalf of the Internal Greek Communist Party I would like to express our clear support for the views put forward to our colleague Mr Spinelli. Because above all we want a united Europe of its citizens, its peoples, its workers, and not the essentially fragmented Europe of selfish class interests, the interests of State bureaucracies.

Secondly, we appreciate the positive spirit of Mr Delors' intervention. It is quite correct that there can be no useful progress in a frontierless internal market, without simultaneous development of the Com-

Filinis

munity's economic and social cohesion. However, I would like to stress the following points: Whereas there are very specific proposals for the integration of the internal market by 1992, the same is not true of the general and essentially vague promise relating to cohesion. True cohesion can only come about when the economic levels of the Community's countries converge, with support for, and extension of the present common policies, and especially when we have secured the necessary economic means, i.e. a common budget that exceeds today's unacceptably low level.

Mrs Tove Nielsen (L). — (DA) Madam President, it is entirely natural that in a Community such as this — it began with 6 Member States, grew to 9, then to 10 and will soon consist of 12 Member States — adjustments should be needed as new elements enter the picture. It goes against nature to assume that everything can stay as it was. That is not the way things are. I therefore have great difficulty in understanding the monsters which some attempt to conjure up, for they are so unrealistic that you just cannot take them seriously.

But grand words have been used and many phrases. It is not Parliament I am talking about here, which is a shining example of the fact that we have genuine European cooperation. I am thinking of the grand words and the many phrases which have been coming from the Council for so long. We must get away from rhetoric and deal with everyday realities, the facts of daily life, and try to solve the problems they raise. Unfortunately the Council of Ministers has not made much progress there, and in my opinion it is due to the fact that they have not learned to think and act in a European spirit — if they ever act at all. For that is where the question mark has to be placed.

A two-speed Europe or a Europe *à la carte* would be a deeply deplorable thing. As a member of Venstre, Denmark's Liberal Party, I am happy to say that my party is an outspokenly pro-European party, and that is something we are not ashamed of, something we want to work for. We therefore hope that there will now be a more realistic debate, so that we can join in creating a better Community for us all. We are pressing for that. We are confronted by major unresolved questions and, as has been said many times, the only alternative to this Community is a better Community. That is what we want to work for: a better Community, which can function effectively.

Mr Vandemeulebroucke (ARC). — (NL) Madam President, Honourable Members, the Milan Summit may have given us some grounds for new optimism, but as the discussions have proceeded, and as the documents have come to our attention from the Intergovernmental Conference, the initial optimism has had to give way to a deep pessimism.

A lot has been said — rightly, of course — about the transfer of powers according to the subsidiarity principle. But just as important is the manner in which the institutions will function in the future. The President-in-Office, for example, spoke of an overall balance between the institutions, but simultaneously there are proposals on the table that are diametrically opposed to that aim. How else for example are we to interpret the idea of setting up a standing secretariat of the Council? And it is also clear that no one is prepared to come out directly against the Luxembourg compromise. The last thing anyone is prepared to do is help improve the rules of the democratic process. And what will become of democracy if the role of the European Parliament is confined to that of a consultative body? It is to the credit of the Commission President Mr Delors that he has come out against this negative development, and on that count he has earned our full support.

Mr Seeler (S). — (DE) Madam President, ladies and gentlemen. A whole series of proposals on the extension of the powers of the European Parliament awaits deliberation at the Intergovernmental Conference in Luxembourg. On closer examination of these proposals it is apparent that many words do not really say very much.

For example, it was suggested that there should be more consultation of Parliament, with the express exception of consultation in matters of Community relations with Third World countries. Therefore, this is a step backwards from the already existing participation of Parliament in the so-called Luns-Westerterp procedure. Thus, the all-embracing concertation procedure is being suggested but at the end, we find in Article 149 a lapidary 'After completion of the conciliation procedure the Council shall decide'. Here also, the Council has the final say.

Thus, cooperation between Parliament and the Council on specific legal acts is being suggested. Parliament is being given two months to prepare its decisions. As we heard from President Delors, the Council does not need to adhere to any timetable. It does not need to decide at all, thus perpetuating the present dilemma. The question of unanimity or the right of veto is not the problem at present — the real problem is the Council's failure to decide in so many instances.

This is not the democratic participation of the European Parliament in Community decisions which we have been demanding. What is the sense of developing Eureka as Europe's response to the technological challenge of the USA and Japan if we cannot provide the necessary decision-making structures? What is the sense of completing the common internal market by 1992 if, at the same time, we are told that several national governments and finance ministers do not even consider handing over the question of the harmonization of taxes, especially VAT, to the Com-

Seeler

munity or ensuring real cooperation between the Council and Parliament?

Thus, Europe remains an empty shell providing a theme for superficial Sunday speeches. To Mr Megahy I can only say this: if unemployment is to be fought successfully in Europe, then we must give the Community the corresponding competence.

(Applause from the benches of the Socialist Group)

There is also a draft treaty for the provision of European Political Union. On closer examination of the texts it is apparent that it amounts to no more than putting into treaty form the solemn declaration of Stuttgart. Nothing is mentioned of the decision-making structures necessary for such a Union. We can only conclude that little trace remains of our draft treaty. There is no mention of a genuine consolidation of the Community and its democratic structures.

My respected colleague Mr Megahy, with disarming frankness and clarity, illustrated earlier his inability to grasp the philosophy of European Union. To what does the United Kingdom owe its opportunity to stand up and be counted politically in the world if not to its membership of the European Community and the consolidation of its position?

(Applause from the benches of the Socialist Group)

Only a developing Community can provide its States and peoples with the opportunity to preserve their national identity. If we are to achieve this, we must struggle with each other. We must, therefore, act to prevent the Conference of Ministers in Luxembourg and the European Council from the idea of making Europe and the peoples of Europe into a football in the game of nationally oriented politics.

(Applause)

Mr Penders (PPE). — *(NL)* Madam President, the timing of this debate is unfortunate. Who would have thought that the Intergovernmental Conference would have come to such a dead end as quickly as it has? This Conference has been under an unlucky star ever since its inception. Although there is now a draft treaty of European Union on the table, and despite the extremely valuable work done by the Dooge Committee, we are once again being treated to the edifying spectacle of ministers and diplomats rushing to reinvent the wheel.

We are naturally glad that a certain agreement looks like being possible on the new treaty texts, on the internal market and on new technologies. I also welcome the new Commission proposals on Council decision-making in relation to the internal market. It is very satisfying also to see that it is proposed that the words 'unanimous vote' are to be replaced in a large number of places by 'a qualified majority of votes'.

But one requirement has been ignored here, Madam President. Nowhere has a single word been said about getting rid of the Luxembourg compromise of 1966. Yet the Dooge Committee made a brave effort to try to have the right of appeal to vital national interests removed from the table. But now we hear absolutely no more about it. As a result, those who opted for European Union are left in an exposed position.

And then there is the position of the European Parliament. It is particularly regrettable, Madam President, that the Commission's proposals do not contain the words *co-décision* ('joint decision-making'). This was however one of the points raised by the Dooge Committee. It is a great pity that Parliament's natural ally in the world of the EEC institutions, the Commission, dare not go even as far as a Committee of government representatives set up by the European Council. A depressing development. Equally depressing is the realization that the Ministers of the Ten in Luxembourg managed to reach an accord on the exclusion of the European Parliament from the review process as the sole point of agreement among them. How right our President Mr Pflimlin was to assert that there was a lack of democracy at Community level. The national Parliaments have indeed been shorn of part of their sovereign powers, though not to the advantage of the European Parliament, but of the Council of Ministers.

If you are serious about the commitment to democracy in Europe, then by definition you must be prepared to give the European Parliament the last word, even if it is only a negative last word, and even if it is confined initially to a limited area of application. That is the essence of parliamentary democracy, and there must be no more verbiage about a balance between the institutions. I am inclined to think, Madam President, that the Conference could well fail to reach a conclusion before the December European Council, and if so that will place a very demanding responsibility on the Netherlands presidency.

(Applause from the centre)

Mr Avgerinos (S). — *(GR)* Madam President, the institutional reorganization of the Community is undoubtedly the most important strategic subject to be debated by the Community's bodies during this part-session. A reorganization of this type should be discussed in terms of the aims it is called upon to serve, in other words the formulation of political, economic and institutional frameworks that will enable the Community to deal more decisively and more effectively with the challenges of today and tomorrow, with the battle for the Europe of the year 2000.

In our view, the key themes are economic recovery and cohesion, technological reconstitution, the upgrading of political cooperation and credibility, improvement of the quality of life for Europe's citizens, enhancement of the Community's international

Avgerinos

prestige, and the renewal of our cultural heritage and historical links. All these can be included and promoted within two more general frameworks — the political and the economic.

We consider that these two areas are inextricably linked. Political convergence presupposes economic convergence, a commonality of interests, problems and attitudes. A commonality that can only be secured by moving along lines of harmonious and convergent economic development. Otherwise, the institution of political and organizational patterns for cooperation and common expression conceals the danger that the smaller countries will not be able to ensure an integrated expression and promotion of their interests. And that, colleagues, is not in my view consistent with the free and democratic Europe which we, as its Parliament, aspire to.

There are at present two policies related to convergence of the economies. First, integration of the concept of the internal market, and second, the structural policies. Our basic stance is that the latter should not become the poor relation of the former, nor the alibi for exacerbating the economic inequalities within the Community.

First of all, because such a thing is morally and politically unacceptable, and contradicts both the spirit and the letter of the Treaty of Rome. Secondly, because to undermine the development potential of the less well developed countries presents perhaps the greatest threat to the Community's economy as a whole. What purpose will it serve to facilitate the transport of goods and services within the Community by abolishing technical and taxation obstacles, when there will be no purchasing power to consume them?

Enlargement, with the accession of two countries with substantial structural weaknesses, increases the importance of the problem. Despite this, on the basis of the proposals for discussion at intergovernmental level, the problem becomes still worse.

Firstly, because the cohesion of the European economy is being linked exclusively with the procedure for creating the internal market.

Secondly, because there is no reference to a convergence of the levels of development, the fundamental point of the triumphant Stuttgart declaration known as the Genscher-Colombo plan.

Thirdly, because while it is proposed to do away with unanimity in the internal market sector, unanimity is to be retained in connection with the possible creation of new policies in the sectors of economic convergence and the disposition of new resources.

Fourthly, because no such new policy is proposed. If to the above we add the weaknesses of the budget, which are based on two areas very much related to

convergence, the financing of the enlargement and the structural funds, we can all understand the dimensions and cause of our anxiety.

We believe in the need to create the internal market. At the same time, however, the planning of policies for dealing with its destabilizing consequences for the weaker economies, and the upgrading of the budget's developmental role are prerequisites for the economic cohesion of the Community, which will in turn produce a basis for economic and institutional convergence.

The European Parliament has played an important part in our movement along these lines. Beyond doubt, there is a need for the new Europe. However, if it is to fulfil its historic role it must above all be a just Europe as well.

(Applause from the benches of the Socialist Group)

Mr Estgen (PPE). — *(FR)* Madam President, I congratulate the Luxembourg presidency on its determination in not going in for sterile exercises of pure verbalism at the Intergovernmental Conference, but on doing its best to maintain cohesion among the Member States of the Community.

Confidence in the Luxembourg presidency is considerable, but we must still be careful. The essential mission of a Parliament that has been voted in by more than 260 million voters is to control European activity and say clearly and unambiguously what we know the will of our peoples to be. So I should emphasize the fact that our prime concern is not to provoke a sterile question of institutional philosophy. What is important to us is to create a Europe that is palpable and credible for our citizens. That is why we want the large internal market, the Europe without frontiers that Jacques Delors described. We want a minimum of social and economic cohesion and we want to relaunch Europe at the head of modern technological developments and thus combat unemployment. We want a Europe that respects nature and its own culture.

If we are to achieve all this, then the Commission has to become operational once more. It has to retrieve its powers of decision. But is not the fact that some members of the Conference fundamentally despise Parliament the heart of the problem?

Ladies and gentlemen of the Council, listen to Jacques Delors. His words are worth their weight in gold as far as our future generations are concerned. This is very serious. We refuse to let countries that do not have democratic régimes join the Community when some of our own ministers are fundamentally anti-democratic and want at all costs to vest the legislative power and the executive power in the same body in the Community.

(Applause)

Estgen

We do not want an institutional crisis, but we do not want a Europe which, as Mr Delors put it, is like an old lady on a feeble ox either. We want the Europe of tomorrow to be a young woman, in the full bloom of youth, riding a fiery bull.

(Smiles)

You must realize that we are determined to unmask the European eunuchs in the corridors of power and on the Council stage. Once we cling to legal formalism, we are in the same situation as a football club discussing the regulations instead of going out on the field and scoring goals. Luxembourg must again become the foundation for relaunching Europe on the path to new horizons. It will in any case be a very faithful and infallible mirror of the European maturity of our governments and their political stature in face of an historic challenge. I hope they will not stand against what our peoples want and our young people expect.

(Applause from the centre and the right)

Mrs Van den Heuvel (S). — *(NL)* I should like to make a formal protest at the comparison Mr Estgen has just made. I do not feel that this applies to me personally, but I do have the feeling that old ladies matter just as much as young ones, and so I find the comparison inappropriate.

(Applause)

(The sitting was suspended at 12.25 p.m. and resumed at 3 p.m.)¹

IN THE CHAIR: MR NORD

Vice President²

5. Topical and urgent debate (motions)

President. — I have received, pursuant to Rule 48(2) second sub-paragraph, the following objections, tabled and justified in writing, to the list of subjects for the topical and urgent debate tomorrow morning.

(The President read out the list of objections)³

These objections will be voted on without debate.

¹ *Between 12.30 p.m. and 1.10 p.m. Parliament met in formal sitting on the occasion of the visit by Mr Richard von Weizsäcker, President of the Federal Republic of Germany: see Annex.*

² *Verification of credentials: see Minutes.*

³ *Topical and urgent debate (objections): see Minutes.*

I propose that we vote on two motions concerning the motion for a resolution by the Rainbow Group on the electoral procedure for the European elections in Spain (Doc. B2-100/85).

The first motion is from the European Democratic Group to delete this motion for a resolution from the list.

The second motion is from the Rainbow Group which would like to see its motion for a resolution taken under Section III. If the first motion is adopted, the second motion falls.

I therefore put to the vote, first, the motion by the European Democratic Group.

(Parliament adopted the motion)

Mr Vandemeulebroucke (ARC). — *(NL)* I was not aware that there was a prior request to remove the item concerning the election procedure in Spain from the list. Our request was that this item should be brought forward, and we had asked for a vote by roll call. You are denying us the possibility of having a vote by roll call on this resolution, or on the placing of this resolution on the agenda, by giving priority to its removal without allowing us the opportunity to secure a vote by roll call. There is in fact a political significance being given to these two votes, and we regret this intensely.

President. — Mr Vandemeulebroucke, I must contradict you. As you know, when a vote is taken it is the most far-reaching motion that is put to the vote first. The most far-reaching motion was to delete this resolution. It was for this reason that no roll-call vote was requested. I can only propose a roll-call vote when a request is made in writing. Given that the first proposal was adopted, your proposal automatically falls, including the roll-call vote you requested. I have merely applied the Rules and I ask you to believe me when I say that I had no hidden political motives. That is not my business. When I am seated in this Chair, my job is to apply the Rules and to see that all Members receive the treatment to which they are entitled under the Rules.

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President. — I now propose that we vote on a motion from Mr von Wogau and others to include the motion for a resolution on controls at Zaventem Airport as item VI (Doc. B2-1119/85).

Mr von der Vring (S). — *(DE)* Mr President, this matter was settled by a letter from the Belgian Minister, Mr Tindemans.

Mr von Wogau (PPE). — *(DE)* Mr President, that information is incorrect. The letter related to the Members. What we want are simplified clearance arrangements for all citizens of the European Community. That is what concerns us.

(Applause)

(Parliament adopted the motion)

6. Intergovernmental Conference (continuation)

President. — The next item is the continuation of the joint debate on the Intergovernmental Conference.

Mr Fich (S). — *(DA)* Mr President, much of the time and energy of the Intergovernmental Conference on the Community's future were taken up with a discussion of how the European Parliament can be given more prerogatives, more power. I say that this is a waste of time. At least one country, Denmark, will not accept under any circumstances that more power should be given to Parliament, and I fully agree with that view. The European Parliament is and will remain a consultative body within the Community system, and the power must remain with the Community's Council of Ministers. This principle is firmly established and, since all Treaty amendments must be adopted unanimously by the Community countries, any such proposal for more power to Parliament does not stand a chance.

I will give reasons why I do not want power for Parliament. I will give reasons why in my opinion the power should remain with the Community's Council of Ministers. It is because the Council of Ministers holds the right of veto. The Luxembourg Compromise deals precisely with the decision-making procedure in the Council of Ministers and, since the right of veto along with the Treaty of Rome is the basis of Denmark's membership of the Community, it is clear that in our view the right to take decisions must remain with the Council of Ministers. This does not mean that we are against democratic control. Any country has the right to subject what their ministers do and say in the Community's Council of Ministers to parliamentary and democratic scrutiny, just as we do in Denmark. This does not mean that we do not see any value in the European Parliament. We think that such a place, as a meeting place, as a forum of debate, can play a crucial role in the debate on the Community's problems and future.

While we want to retain the right of veto, I must emphasize that we are opposed to any abuse of it. We also think that the Council of Ministers should vote according to the rules laid down in the Treaties, but provided every country continues to have the right to impose the veto on issues it considers vital. In actual

fact it could be quite interesting if the Council of Ministers voted a bit more than it does at present. For that would show clearly what countries are not in favour of the decisions to be taken, what countries are blocking cooperation in the European Community. If they voted a bit more often, it would certainly yield some quite interesting results, for then we should have confirmation of what can be seen from the proceedings of the Court of Justice, namely that the countries which talk most about union are precisely those countries which are repeatedly censured for failure to observe the rules we have.

I would like to see the discussions at the Intergovernmental Conference deal more with the content of cooperation, instead of all this theorizing about the external form the cooperation should take.

Mr Herman (PPE). — *(FR)* Mr President of the Council, your reading of Article 236, pleading inescapable legal constraints, derives from a legal view which is purely formal and therefore inadmissible on the part of a responsible political institution. As any intelligent lawyer knows, what is not forbidden is allowed.

As for the spirit of the Treaties, which you dare to invoke, your lawyers should be told to go back and read the preamble to the Treaties and reminded of the most signal achievement to come out of them, direct elections to this Parliament. The unpalatable truth that you should have admitted instead of taking shelter behind the hypocrisy of legal quibbling is that no legal instrument would have prevented you from consulting Parliament had you wished to. It follows that you had no such wish.

(Applause)

The fathers of Europe — Schuman, Adenauer, De Gasperi, Spaak — were not afraid, unlike you, to listen to what the citizens had to say and they had the prudence not to leave officials to take decisions in the people's stead. You are doing the opposite. You dare not listen to this Parliament. You do not want to take its opinions into consideration and you shelter behind the sententious opinions of officials of the national administration, which events and history generally prove totally wrong in the end.

Nor should you, in the dialogue which you seek to enter into with us, even if you speak in a personal capacity only, which we regret, be giving both the questions and the answers. Let me quote something you said word for word: 'Given that Parliament is being kept informed regularly of the progress of the proceedings of the Conference, I note that, on this point, we are meeting the requirements of your institution'. Well, Mr President, this evening, when we come to the reading of the motion for a resolution, for which we shall be voting by a large majority, you will see how our requirements are met.

Herman

With regard to Parliament's powers, and more specifically its involvement in the decision-making process, you tell us that the governments look favourably upon this, but still without fundamentally calling in question the existing balance in the respective powers and roles of the institutions.

Here we have the finest piece of sophistry in the history of this Community: it takes some doing to say one thing and its opposite in a single breath.

(Applause)

Mr Ephremidis (COM) — *(GR)* Mr President, the questions we are debating refer mostly — not to say entirely — to procedural matters concerning the manner and degree of the European Parliament's participation in the discussions and the decision-making processes of the Intergovernmental Conference on the amendment of the Treaties.

However, for us Members of the Greek Communist Party the main interest attaches to the matters of substance, some of which were mentioned by Mr Delors as well. In other words, the creation of the internal market, the limitation on the right of veto, the instituting of political cooperation, and its extension to matters of security. We are radically opposed to these notions, irrespective of whether the European Parliament adopts a greater or a lesser role in the decision-making process. Our opposition is due, first, to our well known view that our country should break away from the EEC, as the Treaties stand today. Secondly, to our conviction that the amendment of the Treaties now being promoted will make things worse, and will have more negative than positive consequences for our country, in the political, economic and social sectors. It will also act against national autonomy and our unfettered economic development. We consider that despite any wishful thinking, whether at the Intergovernmental Conference or from Mr Delors, about convergence of the economies, etc., the situation will not change, because all that is already embodied in the Treaties but operates in reverse, to the cost of working people in Europe, and especially in the less-favoured countries. For that reason we also condemn the blunder of the Greek Government which, in a spirit of wishful thinking, is agreeing to relinquish the sovereign rights of our country.

Mr Zagari (S). — *(IT)* Mr President, ladies and gentlemen, I do not want now to measure how far the Intergovernmental Conference has fallen short, in relation to the Milan Summit: Mr Herman has just done that superbly, as did Mr Seeler this morning, confuting proposals whose fine exterior still fails to conceal their lack of content.

It is said Parliament's resolution is utopian, unrealistic, not of this world: in the normal way the Socialist

Group, which is particularly aware of large-scale problems such as unemployment and the injustice and anxiety of the Third World, would not vote for it; but it will vote for it, because the Socialist Group realizes that only the political unity of Europe can hope to solve these problems.

I should like to say a special word of thanks to President Delors, for having made such an effort to see things from the outside — he, who more than anyone else, is accustomed to seeing things from the inside. From the outside, that is, but from the standpoint of those who are looking at us, and not from the standpoint of ourselves, who are looking at each other as between separate institutions.

And this is the point — I would say — that enables me to start where President Delors left off. There is a challenge, and the people are looking at us; the young people do not know where to go, blinded as they are by technology, and anxious to link it up to culture — both fields with which the Community is out of touch.

It is not enough to say that we are late with our industrial revolution. That is true: in reality, we are late with a political revolution — the revolution, that is, that the European Parliament expressed with the message implicit in the draft treaty setting up the political Union.

The truth is that the delays, ladies and gentlemen, are getting worse, and that — paradoxically — the clearer the internal and external challenges become, the fainter and more distant is Europe's answer. The more examples one sees of renationalisation, the more irresistible seems the tendency to change the Common Market into a free trade area. The answer can be found in our Community experience. We have lulled ourselves for years on end, from about the '60s onward, with the illusion of continuous growth and the creation of a political Europe that had moved on from the economic Europe — and we were deluding ourselves. Then, we ran after the Reagan economy, mistaking a short-term driving force for a beneficial model.

They are the years when the cart was put before the horse, in the obstinate belief that politics spring from economics. In actual fact, Europe was a political project, not an economic one. That is why the only strong point in this distressing institutional relationship is the European Parliament and its draft treaty of Union. The Commission has understood this, and it is also what, now and again, though rarely, even the Council, in its enlightened moments, tries to understand. How else can Mitterand's speech, here, and the Milan Summit be explained, except as enlightened moments, moments when it is moreover realized that global challenges require global responses. But for global responses to be valid, it is absolutely essential that there should be the necessary resources available.

Zagari

For these reasons we wish to keep the draft treaty of Union; we shall vote for this resolution, because it is a political sheet anchor that we all need. The Commission needs it, the Council needs it, and on this basis we can light up our horizon.

Mr Glinne (S). — *(FR)* Mr President, the majority of the Socialist Group has always supported the draft treaty on European Union. Indeed it was our eminent former Member, Willy Brandt, President of the Socialist International, who made a speech in this Chamber at the very beginning of the parliamentary term which started in 1979 in which he supported proposals which were later to be incorporated into Mr Spinelli's report. And it is François Mitterrand, President of the French Republic, who, through his initiatives at the European Summit meetings, has brought home the very high priority attached by the socialist family to the need to ensure that the construction of Europe proceeds along lines favourable to the interests of workers, to the protection of fundamental liberties, to peace in the world and to the necessary intensification of the North-South dialogue. This means opting for a Europe which is both coherent and capable of playing a purposeful role in the world, a role which should lead humanity to peace and justice.

Over the past few months the socialist parties, for instance in France, Germany and the Benelux countries, have clearly stated their support for the development of the European Union. However, our support has been rather more pragmatic than that of other European political movements, since we have always seen Parliament's draft treaty as the beginning of what will undoubtedly be a long and difficult process.

It is with this in mind that I stress the importance of what was said by our President, Mr Pflimlin, in his statement yesterday. The European Parliament, which was responsible for reviving the debate on the establishment of the European Union, must keep abreast of its progress and cannot now be treated as though it had nothing to say about the proceedings and results of an Intergovernmental Conference which has been convened to this end.

Mr President, for all the efforts made by the President-in-Office of the Council and despite the reassuring words that we heard this morning from his representative, Mr Goebbels, we still cannot say that we are satisfied with the way in which Parliament is being involved in the work of the Intergovernmental Conference.

As Willy Brandt said in this House in July 1981, the future of the Community is something which Parliament cannot leave the diplomats and administrators to get on with. What is at stake is not the future of bureaucracy but the future of our peoples. We therefore do not want to see the democratization of the Community being hampered by coming into conflict

with the need to improve its efficiency. One cannot, on the pretext of not wishing to obstruct the machinery of the construction of Europe, prevent the democratically elected Parliament from playing its role in the formulation of an innovative decision.

In this connection, Mr President, we are grateful to the President of the Commission, Mr Jacques Delors, for the illustration that he gave us this morning of what could be done in the way of combined strengthening of the role of the European Parliament on the one hand and the efficiency of the Council on the other.

Mr Goebbels, President-in-Office of the Council. — *(FR)* Mr President, ladies and gentlemen, if it were the spoken word which ruled, this Parliament would not lack for powers.

What a succession of acerbic comments I sat through this morning! The discussions at the Intergovernmental Conference were compared to the political debates of the tap-room, the members of this Intergovernmental Conference were likened to feckless kings vegetating in crumbling castles.

There are even some Honourable Members of this House who want to have no truck with progress in the construction of Europe. Fortunately though, Mr President, the thunderbolts, which I shall be sure to pass on to those to whom they were really addressed, were not all that I heard.

I heard many speeches which were very reasonable, very measured, very positive and above all very encouraging to the Luxembourg presidency. In particular, I was struck by the message from a Parliament which is concerned to bring all the legitimacy vested in it by direct elections by universal suffrage to bear on the future construction of Europe. Personally, I believe in your Parliament, or rather, to put it in a way which will please my friend Mr Rogalla, our Parliament.

I stood as a candidate in the last elections to the European Parliament, and for the present I am the first alternate on the list for which I was a candidate. Needless to say, then, I am with you in your campaign. Some Honourable Members took offence this morning when I announced that I would be speaking in a personal capacity in my preliminary address, which I am incidentally still doing. Speaking 'in a personal capacity' allows me to report on an Intergovernmental Conference which is not an institution. I have thus been able to express myself freely, without submitting the text to the conference. This was therefore more than a linguistic precaution; it was the option which enabled me to speak clearly rather than in the wooden language produced by the habitual preliminary vetting by ten pairs of eyes.

Goebbels

Mr President, before commenting on some of the criticisms, which I found positive on the whole, I should like to pay tribute to Mr Delors for the speech that he made this morning. With his usual good sense, he showed us what I believe to be the way forward. The Presidency knows that the Commission under the presidency of my friend Jacques Delors is its best ally in this difficult exercise with which we are currently entrusted.

The criticisms made to me included the charge that the Luxembourg presidency has been sticking timidly to the inauspiciously named Luxembourg compromise. That is not true, Mr President. Ever since Luxembourg took over the presidency, we have been holding votes in various Councils, as recently as yesterday in fact, but always conforming, of course, with the Treaties, and as you know the existing Treaties place major limitations on the scope for any majority decisions.

Mr President, it is not my place to turn the tables and criticize the functioning of your Parliament, but a comment from Sir Jack Stewart-Clark caused me, as a member of the Luxembourg Government, to bridle. You will know what I am referring to: the powers that Parliament is eager to acquire, particularly in regard to the permanent fixing of its seat. Allow me to speak very frankly on this point. I understand the efforts of parliamentarians to rid themselves of this image of a travelling circus associated with a Parliament which finds itself having to carry on its business in any one of three different European towns. But I am constantly amazed at the way in which these same parliamentarians never miss an opportunity to hold their meetings at venues other than the normal working places of our Community and your committees and political groups seem to take a certain pleasure in choosing particularly far-flung spots for their meetings on occasion.

(Protests)

The other day, for instance, I attended a meeting of the ACP-ECC Consultative Assembly at Inverness where conditions were certainly not ideal, whereas, in Luxembourg for instance, a perfectly equipped conference-room was standing empty.

After that digression, ladies and gentlemen, let me come back to the essential themes of our debate. Various speakers referred to the speeches made to this House by various Heads of State or Government. This morning we heard a very intelligent and encouraging address from Mr President von Weizsäcker. But while there has indeed been a profusion of fine words — I do not refer here to Mr von Weizsäcker's speech — and while laudible professions of European faith have been made, it has to be admitted that they have not always been acted upon. The Luxembourg presidency can but hope that these same Heads of State or Government will remember their own words when it comes to the final phase of the Intergovernmental

Conference. Here again, though, one should harbour no illusions. There are some Heads of Government who have not yet made any such professions of European faith and, since any proposal to amend the Treaty will necessarily have to be agreed unanimously by all the Governments of the Member States, you will readily appreciate that it will not be easy to achieve this necessary unanimity. It is also true, Mr President, that a conflictual situation exists between the European Parliament and the Council, one which runs deeper than the normal democratic conflict between institutions with different roles and powers. It is true that the Council and the European Parliament meet each other on unequal terms and that the institutional balance between executive and legislature prevailing in each of our Member States is not to be found at Community level, a situation which would make Montesquieu turn in his grave, to borrow a happy phrase coined by Mr President Pflimlin. It was without question an historic error and above all a very serious political misjudgment to introduce direct elections by universal suffrage to this Parliament without at the same time giving Parliament means commensurate with its ambitions, consistent with its legitimacy. But the mistake has been made and we must deal with the situation as it exists and endeavour to correct it, although this will be no easy matter, as you know, Mr President.

The Presidency presides but decides nothing. Consequently, it cannot decently be blamed for everything that goes wrong or held responsible for all the contradictions inherent in a Council comprising ten Member States — soon to be twelve — anxious to safeguard their prerogatives and interests.

There are matters on which the Council has been unable to agree. These disagreements, these sometimes very deep-seated political divergences, are being replicated and even amplified in some cases in the Intergovernmental Conference.

As you will remember, the decision reached at the Milan European Council was not easily achieved. Following Milan, the Luxembourg Presidency inherited an Intergovernmental Conference convened in the teeth of opposition from some of the Member States — and not the least influential, at that — and therefore had to bring a cautious and shrewdly tactful approach to this exercise, the outcome of which could not be predicted. In my humble opinion, Mr President, while we are under an obligation to achieve results, there can obviously be no guarantee that we shall succeed. Thus, in order to achieve the necessary outcome, this qualitative leap forward which is the aspiration of the great majority not only of this Parliament but of our peoples, the Luxembourg presidency had and still has to find ways of making progress within the framework set by the existing Treaties.

It is for this reason, Mr President, that we have adopted an approach which some have called exces-

Goebbels

sively legalistic. We have applied the letter of Article 236 of the Treaty establishing the EEC. What does this Article 236 say?

'The Government of any Member State or the Commission may submit to the Council proposals for the amendment of this Treaty.'

In other words, the initiative can come from the Governments or from the Commission, but not from your Assembly. To continue with the text of this article:

'If the Council, after consulting the Assembly and, where appropriate, the Commission, delivers an opinion in favour of calling a conference of representatives of the Governments of the Member States, the conference shall be convened by the President of the Council for the purpose of determining by common accord the amendments to be made to this Treaty'.

We consulted your Assembly on the calling of the Intergovernmental Conference. That is what the text stipulates. And to complete the text of Article 236:

'The amendments shall enter into force after being ratified by all the Member States in accordance with their respective constitutional requirements'.

Here again, there is unfortunately no reference to your Parliament.

The text is therefore clear. The presidency must be ever-mindful that any amendment to be made to the existing Treaty must be determined, I quote, 'by common accord' and therefore has no alternative to applying the whole of Article 236 and nothing but Article 236.

Parliament is now telling us, as Mr Herman, I think it was, pointed out just now, that there is nothing in Article 236 to preclude consultation of this Assembly. And it is indeed true that there is nothing in Article 236 about the possibility of consultations. The Intergovernmental Conference is therefore free to seek opinions where it chooses and to make progress reports in all imaginable and desirable quarters so as to provide information and elicit opinions, and the Intergovernmental Conference will remain at liberty to act on any opinion, recommendation or proposal that it may receive.

But when all is said and done, Mr President, it is not possible to stretch the meaning of Article 236. Only the Government of one of the Member States or the Commission can bring forward proposals for amendment of the Treaty. Moreover, as Article 236 stands at present, any such amendment must be ratified by the national parliaments — and they alone — of all the Member States.

Mr President, ladies and gentlemen, I am aware that this state of affairs is very unpalatable and even frus-

trating for a European Parliament elected by universal suffrage, but any attempt by the Luxembourg presidency to go beyond Article 236 would be bound to fail. This morning, you will remember, President Delors was telling us that at the last meeting of the Intergovernmental Conference some government representatives had already asserted that any extension of the European Parliament's powers could not have the effect of curtailing the powers of the other institutions, those of the Council in particular, a standpoint which in my humble opinion stems either from faulty logic or from a degree of bad faith on which I would prefer not to comment. But you will also take my point when I say that the presidency is having to pick its way through a minefield and that we cannot oblige the Intergovernmental Conference to adopt a procedure involving the European Parliament more directly in its proceedings.

The Conference has undertaken to submit the outcome of its work to Parliament, in other words to report to you. I am aware that there have been discussions in this Parliament about the scope of the word 'submit'. I have no great linguistic pretensions and therefore do not propose to speculate unduly on how widely the word 'submit' could be interpreted. This morning, for instance, Mr Croux attempted an exegesis of this word as used in the letter from President Poos to President Pflimlin, arguing that 'to submit the outcome of a negotiation to someone would be tantamount to inviting that person's judgment on the outcome', to quote the words used by Mr Croux.

While on this subject, I am unable to resist the temptation to quote Amendment No 11 tabled yesterday by the same Mr Croux to the motion for a resolution proposed by the Committee on Institutional Affairs on the proceedings of the Intergovernmental Conference. Mr Croux has called for the incorporation of a new paragraph (a) as follows: Parliament instructs its Committee on Institutional Affairs — I am quoting Mr Croux — to study the proposals submitted to the Intergovernmental Conference by the Member States and the Commission, and to compare them with the draft treaty and submit its conclusions to the President to enable him to inform the Intergovernmental Conference of them before the Conference concludes its business. I really cannot imagine that Mr Croux intends to give virtually dictatorial powers to the President of this Parliament by calling for the results of the work done by your Committee on Institutional Affairs to be submitted to the President's judgment.

Nevertheless, ladies and gentlemen, in submitting the outcome of its work to you, the Intergovernmental Conference is not saying that it is unwilling to listen to you and take account of your comments and proposals.

In reply to the speech by Mr Pflimlin, who distinguished between the legal aspect of the matter of Parliament's participation, as determined by Article 236,

Goebbels

and the political will which could be shown by the Conference to pay all due heed to the view of Parliament, President Poos stressed the following points:

First, on the political plane, it is manifestly in the Conference's interest that, by the time its proceedings reach their final phase, its efforts should be endorsed by Parliament to the maximum extent possible. Hence the universal agreement among the participants that Parliament should be able to make known its views on the progress of discussions throughout the process of drafting the treaty, so that a certain consensus may evolve.

Secondly, on the practical plane, in other words ways and means of involving Parliament in the development of the Conference, a pragmatic approach is necessary. For the current phase, the procedure adopted consists in giving Parliament the opportunity to make its voice heard at every stage. Yesterday's meeting showed how beneficial and useful this type of contact can be. With regard to the final phase, the Conference is going to give further thought to the best procedure for ensuring that the formal decisions ultimately adopted are reached in full knowledge and awareness of Parliament's position.

Thirdly and finally, on the legal plane, it is clear — and this no-one can dispute — that it is necessary to abide by the spirit and letter of Article 236 of the Treaty, which does not admit of direct involvement of Parliament in the proceedings or of any formal procedure for joint decision-making in the final phase.

I should like to take this opportunity to stress in this connection that the Luxembourg presidency or, more accurately, the Luxembourg Government fully supports the proposals on the table under which the new Treaty would give the European Parliament the power of approval in constitutional matters.

Mr President, ladies and gentlemen, this morning's exercise was not an easy one for the presidency but it was very important. We hope that the European Parliament will give us its support, even though it sometimes puts us on the spot. However, Mr President, there can be no question of partial success or partial failure, because the Intergovernmental Conference will either succeed or fail, with no half measures.

The presidency will stint no effort to avoid failure. This means that we must be reconciled to the idea of compromise. Here again, we look to the European Parliament for support, but your support should not be confined to the institutional field alone, or to the negotiating procedure. The economic issues — the internal market, technology and so on — provide a lever which should be used, and here again we need your Parliament.

As speakers from virtually all the groups have said, Mr President, there is a wide gap between declarations

made in speeches and the realities of negotiations. Bridging that gap is another of the things that we have to try to do a task to which the presidency will bring all the European commitment which it has, I believe, amply demonstrated. At the same time, the presidency is under a duty to tell the truth, even if the truth is disagreeable. By the same token, we have the right to tell the truth to the Intergovernmental Conference and to refuse to be party to any fudging of the issues, should it be attempted. Needless to say, Mr President, Ladies and Gentlemen, the stance adopted in the presidency of the Council does not coincide in all respects with that of the Luxembourg Government. Luxembourg's position remains what it has always been, so we are still favour of regeneration of the Community, in favour of strengthening the institutions, including your Parliament.

Mr President, I have made full use, perhaps even more than was acceptable, of the opportunity that I have been given to express my views with complete frankness and perhaps even some candour on this Intergovernmental Conference, the outcome of which will, I sincerely hope, be a real boost for Europe's development. As President Delors said so aptly this morning, this is something on which those of us who still believe in Europe, in the face of opposition from whatever quarter, will all be on the same side of the barricade.

Mrs Ewing (RDE). — Mr President, on a point of order, as the Minister saw fit for some reason best known to himself, to make a scathing reference to Inverness and to the fact that it left a lot to be desired — I have forgotten his exact words — I should like to say to the Minister and to put on record here today that what he said is out of line with the recorded views and expressions both in writing and at the press conference which followed the ACP Conference in Inverness when the co-presidents and other senior dignitaries said it was the best organized ACP Conference ever held. I have had numerous letters from the co-presidents, from ACP delegates including many distinguished ambassadors, and from Members of this European Parliament, indeed too numerous to list. As the Member for Inverness and as a Highland Member I can say that we are very keen to offer hospitality to those who come but we are very quick to take offence when we are insulted.

Mr Ripa di Meana Member of the Commission. — (IT) Mr President, Honourable Members, the Commission has followed very attentively your long debate, from which two very important elements have emerged that the Commission would like to comment on aloud.

The first of these is that our Commission's proposals have been very widely echoed here, albeit for different reasons and with some criticism; the active part played by the Commission in the Conference has been appre-

Ripa di Meana

ciated by this Parliament, and that adds, as it were, further responsibilities to the future initiatives of the Commission at the Intergovernmental Conference; responsibilities that the Commission shares with the Luxembourg presidency, which has the arduous — and sometimes thankless — task of coordinating the work and making progress possible.

The second element is that — albeit to different degrees — the European Parliament presents a political — not procedural — problem as to how to contribute efficiently to the preparation of the reformed Treaty, and not be presented with a *fait accompli*. Leaving aside interpretative nuances and procedural disputes, the political need is a real one that cannot be challenged. We have therefore to find the appropriate methods, and the Commission has taken good note of this.

President. — The debate is closed.

The vote will take place at the next voting time.

7. EEC/Central and Eastern Europe

President. — The next item is the report by Mr Bettiza, drawn up on behalf of the Political Affairs Committee, on relations between the European Community and the countries of Central and Eastern Europe (Doc. A 2-111/85)¹

Mr Bettiza (L), rapporteur. — (IT) Mr President, ladies and gentlemen, one of the biggest anomalies in the sphere of international relations is undoubtedly the very rarified nature of contacts and relations between the countries of our Community and those of Central and Eastern Europe. Our Community, which maintains profitable and regular relations with every kind of country in the world, from China to North and South America — and at the beginning of October we

ratified a new cooperation agreement with China — has still not even been recognized by the individual countries forming Comecon.

The aim of this difficult report, which the Political Affairs Committee entrusted to me just at the time when the Soviet Union and other Eastern and Central European States showed an unexpected and almost surprising interest in the European Community, is to offer the executive bodies of the Community — in the first place, the Commission — a pragmatic, gradualistic instrument for removing the many unnatural barriers between the two Europes, and putting the dialogue between them on a more 'Europistic' basis.

The central question that emerges from the motion for a resolution that we shall be voting on tomorrow, and the report that accompanies it, is whether in this still hazy approach stage by the Central and Eastern European countries to the Community, an overall agreement between the Community and Comecon is more opportune, or a series of bilateral agreements between the Community and the individual European States that form Comecon. The opinion, and the majority vote, of the Political Affairs Committee both favour the second option, and these are the reasons why. It was realistically observed that, quite apart from the powerful influence that the Soviet Union exercises on the Central and Eastern European countries, the Community and Comecon are very different in nature. In comparing the two systems, in fact, there are more differences than similarities. First of all, unlike our Community, Comecon is neither a regional nor supranational organ; instead, it is a transnational, intercontinental organ that extends from Europe to Mongolia, and from Vietnam to Cuba. The level of development of the Member States of Comecon is therefore very much more diversified than that of the Member States of the Community. Secondly, Comecon has no common market, no common trade legislation and no common tariff and customs policy; indeed, because of the tendency of each Member State to specialise its production, the economic barriers between them are tending to grow less flexible and more severe.

For the reasons that are set out it is technically difficult for the Community, with its instruments for united action and management at supranational level, to conduct overall negotiations in sectors on which Comecon, by its very nature, is neither cut out to negotiate nor able to do so. Moreover, since the various official bodies in Comecon have no real political or economic powers, they limit their work of guidance to the preparation of a plan of multilateral supplementary measures — a plan that is not binding, but that allows the respective Member States to enter into trade agreements on a bilateral basis. For example, if Bulgaria negotiates an agreement with Sweden, it does so direct, without going through Comecon channels.

I think we have been wise to take account of these real facts, outlining a model of bilateral relations between

¹ The following oral questions with debate are included in the debate:

- from the Political Affairs Committee to the Foreign Ministers on the situation in the Baltic States (Doc. B 2-952/85)
- by Mr Mattina and others to the Council (Doc. B 2-954/85) and the Commission (Doc. B 2-955/85) on relations between the European Community and Comecon
- by Mr Chiusano and others to the Commission on the Agreements on industrial cooperation with the Comecon countries (Doc. B 2-956/85)
- from Mr Pordea, on behalf of the European Right, to the Council on the political implications of a resumption of talks between the EEC and Comecon (Doc. B 2-962/85)
- from Mr de la Malène, on behalf of the European Democratic Alliance, to the Commission (Doc. B 2-963/85) and the Council (Doc. B 2-964/85) on relations between the EEC and Comecon.

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the EEC on the one hand and the individual countries in Central and Eastern Europe on the other. In this way we have also taken account of the objective fact that the economic policies of these lesser Eastern countries — which often themselves emphasize the statutory principles of Comecon as regards sovereignty and equality of rights — are policies that are increasingly tending to develop along national lines. On the other hand, we could see Comecon as a direct counterpart in sectors that do not concern trade. My report, in fact, expresses a hope that it might be possible one day to draft an EEC-Comecon framework agreement for sectors such as ecology, statistics, technological training for young people, the exchange of scientific information and the organization of business weeks. The possible creation of such a framework agreement could prove useful in the long term as regards bilateral economic relations, with a view to consolidating a climate of peace, understanding and cultural collaboration not only between the governments but also the peoples of the two Europes.

Mr Goebbels, President-in-Office of the Council. — (FR) Mr President, I propose to take questions 0-58/85, 0-82/85 and 0-129/85 together, since they are all concerned with the same subject, relations between the Community and the Council for Mutual Economic Assistance, more generally referred to as Comecon.

There now seems to be some movement on this dossier. This is suggested by the statements made by certain representatives of the East European countries and the recent exchanges of letters between the Commission and Comecon. At their most recent meetings, in Milan, the General Affairs Council and the European Council confined themselves to taking note, with interest, of these developments and, more generally, of the evidence of interest in the political role of the Ten evinced by statements made by the General Secretary of the Communist Party of the Soviet Union.

The Council's subordinate bodies are currently working on this dossier and will be defining the position of the Community. However, given the complexity of the subject and the political implications, this process has yet to be completed. It is envisaged that the dossier will be submitted to a forthcoming meeting of the Council for its decision.

I am therefore not in a position at this stage to be specific as to how the Community will react to the most recent letter from Comecon or the line that we shall be taking on the continuation of talks. The Foreign Ministers will in fact be debating this problem at their informal meeting to be held in Luxembourg later this week, on Friday and Saturday.

That said, I should like to restate the general principles which have informed the Council's approach to this subject for many years and still remain entirely valid. The starting-point is the Community's wish to normal-

ize its relations with the East European Member States of Comecon. The present position is that the majority of these countries refuse to recognize the Community. The resultant political, legal and practical difficulties hampering the maintenance of normal relations with these countries are inconsistent with the will for cooperation which was enshrined in the Helsinki Final Act and, moreover, has been re-echoed in many statements made by the leaders of these countries.

It is against this background that the Council declared its readiness to resume the dialogue with Comecon. However, I must make it absolutely plain that it is the Council's view that any framework for mutual relations between the Community and Comecon, whatever form it may take, must under no circumstances impair existing or potential bilateral relations between the Community and the various Member States of Comecon.

Mr De Clercq, Member of the Commission. — (NL) Madam President, the Commission welcomes the opportunity provided today by the European Parliament to exchange views on the important subject of East-West relations. The Bettiza report has also come up for debate at a particularly appropriate time, just as East-West relations are undergoing major developments. The statements by the new Soviet leader call for our attention, and, what is even more important, Comecon is making new moves in the direction of the Community.

The large numbers of oral questions that have been tabled by this Assembly confirm that relations between the Community and its neighbours in Eastern and Central Europe are a matter of wide public interest. It is encouraging to note that in the long and sometimes difficult history of our relations with Eastern Europe the Commission has regularly enjoyed the support of the European Parliament. We are, ladies and gentlemen, very grateful to you for that support.

The Bettiza report will, like all the preceding reports, contribute significantly to the establishment and development of the Community's position on our relations with Eastern and Central Europe. I therefore congratulate the rapporteur, Mr Bettiza, on a far-reaching, far-sighted and well balanced report.

Without wishing to repeat the entire explanatory statement, I think it will be useful briefly to recall certain principles, principles that have from the beginning formed the basis of relations between the Community and Eastern and Central Europe. Our policy has always been based on bringing about constructive relations with each of these countries on a bilateral basis. This principle is fully in line with the standpoint represented by the rapporteur, as clearly stated in paragraph 3 of the motion for a resolution. But normal relations with the countries of Eastern Europe have in fact long been an impossibility. Why? Not because of

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any difference of opinion in economic or trading terms, but on account of a well-known and deep-rooted prejudice on their part against the existence of the Community as such. We for our part have not been standing still. From the moment that some opening to the West became at all possible, the Community, in 1974, made an offer to all the State-trading countries to conclude general trading agreements with the Community. These agreements were to replace trading agreements by our Member States that were at that time due for renewal. We were very sorry at that time that the Eastern-bloc countries did not accept our offer. This position has changed very gradually.

The situation now is still unsatisfactory, but not negative. As the Bettiza report indicates, a number of sectoral agreements on textile products, steel and agricultural products, have been concluded since the seventies with Hungary, Poland, Bulgaria and Czechoslovakia. These agreements proved useful when a solution had to be found to problems with which these difficult sectors were confronted.

Romania has gone a step further. That country now has the closest economic and trading relations with the Community. It is making use of our generalized preferences scheme. We have a trade agreement for all sectors of industry and a joint committee meets annually to discuss, at ministerial level, a variety of often controversial trade problems between the two sides. At present we are considering with Romania whether the existing trade agreement can be replaced by a cooperation agreement. This can be taken as a first indication that certain Eastern-bloc countries are beginning to show a growing recognition of the Community.

I just said that the situation was still unsatisfactory. And indeed, there is still a long, but we may hope less difficult, road to be travelled. Our problems are not confined to the absence or the inadequacy of trade relations with each of the countries of Eastern or Central Europe. None of these countries has for example considered it desirable hitherto to accredit trading missions to the Community, as more than 100 other countries world-wide have done. Another difficulty is that some of these countries are still trying to prevent the Community from playing its rightful part in international organizations and agreements. As the Bettiza report rightly stresses, this sort of conduct stands in sharp contrast to the good will that representatives of these countries have shown towards us on other occasions.

But why do we seek further and more harmonious development of our relations with each of these countries? The question is a good one, and in our view the answer is simple.

Firstly, for general economic and political reasons we seek normal relations such as we enjoy with other countries with a socialist regime, both in and outside Europe. The normalization of relations and the open-

ing of a dialogue with these countries will undoubtedly contribute to an improved climate of understanding between East and West.

Moreover, in recent years a number of trade agreements have come into being that should not be weakened, because otherwise all the parties concerned would be placed at a disadvantage. It is above all the smaller countries that are often the first to appreciate the advantages of trade relations, precisely because they depend more on external trade and usually have greater autonomy in their overall economic policy.

Secondly, for reasons that are peculiar to our trade policy. Trade agreements can certainly influence the flow of trade favourably in both directions. If we take advantage of the major differences between each of the countries concerned we can better satisfy their particular needs and requirements. Similarly, at a time when international competition is constantly on the increase, our industries will have every interest in exploring new markets and outlets.

Finally, because, as your rapporteur Mr Bettiza states, we do not wish to reduce our relations with the Eastern bloc to talks exclusively with organizations, with the result that individual countries fade into the background. We therefore welcome the fact that some of our Eastern-bloc partners, in particular Hungary and Czechoslovakia, have recently begun to show increasing interest in the Community. We regard contact with each of these countries as particularly important. We hope that other Comecon countries will follow this example of bringing both sides together.

The Commission will at all events, as the motion for a resolution calls on us to do, make every effort to continue the existing dialogue and direct it to a satisfactory conclusion. We are now analyzing our relations with each of the Eastern-bloc countries, with the aim of securing a clear indication of the opportunities and future prospects open to us as a whole. As stated, this analysis will be extremely useful in helping to fix our position on any future Comecon negotiations.

The main emphasis in the report before Parliament is on relations with the Member Countries of Comecon, but it also gives ample coverage to the prospects for relations between the Community and Comecon the organization as such.

Among the oral questions included in our debate today, those from Mr de la Malène and Mr Mattina and others refer very specifically to this latter aspect.

I am pleased to outline our point of view on this subject, on which, as Honourable Members will be aware, an exchange of letters is currently in progress between Mr Sytchov, Secretary of Comecon, and the Commission. The publicity given to this exchange of letters should not be allowed to obscure the fact that our dialogue with the Comecon organization began over ten

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years ago. Those years of discussion, from 1975 to 1980, yielded a better mutual understanding of our respective organizations and, in particular, of the institutional and conceptual differences between them and the differences with regard to their areas of activity.

The negotiations aimed at the conclusion of an agreement between the two organizations were suspended in 1980. The central problem, from the viewpoint of the Community, was Comecon's wish for provisions on trade to be included in the agreement. I am anxious to make myself as clear as possible on this point, particularly since the matter of the differences between the two organizations is raised in the Bettiza report and the motion for a resolution.

It is a fact that Comecon, as an organization, currently has no common trade policy, does not have the instruments necessary for applying such a policy, and is not in the process of establishing such a policy. Moreover, economic, political and legal circumstances vary from one Comecon Member Country to another, and each has its own interests. In our view, to bring our current or future relations with these countries under the umbrella of a bloc-to-bloc arrangement, in other words to make Comecon a sort of intermediary between the Community and Comecon Member Countries willing to maintain relations with us, would serve neither our interests nor theirs. At the same time, we made it clear from the outset of our dialogue with Comecon that we were prepared to develop working relations with it in areas in which both our organizations have ongoing activities, where it would be in our mutual interest to establish contact. The specific areas which were mentioned during the earlier negotiations were the environment, economic forecasting, statistics and industrial standards.

It can therefore be stated that we are favourably disposed to the establishment of relations, in an appropriate form, with Comecon as an organization. However, we are not prepared to allow these relations to hamper, let alone preclude, our bilateral relations in trade and other areas with the Member Countries of Comecon, which will continue to take priority in our view.

I put this point of view to the Secretary of Comecon in my letter of 29 July and have recently received his reply. At first sight — I stress, at first sight — Comecon's basic position does not seem to have changed from what it was during our previous negotiations. We are of course examining the reply from Mr Sytchov in the light of the basic objectives of the Community, which are, if I may reiterate them, to normalize relations between the Community and the Member Countries of Comecon, to promote economic relations with each of them according to their particular circumstances and interests, and therefore to avoid a bloc-to-bloc approach.

In examining these most recent proposals from Comecon, we shall also take account, needless to say, of the

more general considerations to which Mr Bettiza has drawn attention in his report, such as the intensification of Central and Eastern Europe, the statements made in recent months by various leaders of East European countries, which appear to indicate a renewal of interest in relations with the Community and its Member States, and the general climate of East-West relations, this last being by no means the least important consideration since, in the East-West context, no individual aspect of relations can be considered in isolation from the rest. This point is stressed by Mr Bettiza in his report, where he very aptly draws attention to the linkage between the three 'baskets' or chapters of the Helsinki Final Act: security and political relations, economic relations, human relations and human rights. None of these subjects can be considered in isolation, since they go together to form a whole.

Whatever our ideological and political differences with these countries, we must not forget that they are our neighbours. They are part of the Europe to which we are proud to belong. They have a common heritage of culture and civilization with us, and it is as dear to them as to us. And I see it as one of the great merits of Mr Bettiza's report that it lays emphasis on our shared past and the interests and needs that we have in common with their peoples.

Rest assured, ladies and gentlemen, that the Commission is prepared to investigate the ways in which we can help to promote contacts of all kinds between the Community and the countries of Central and Eastern Europe. We as the Community appreciate the contribution made to the European mosaic by each of those countries, through its traditions, its history, its culture.

It is for this reason that we hope to continue to deal with each of them individually, not bloc-to-bloc, since that would denote acceptance of the division of Europe into two, but partner to partner. The policy of the community is inspired by neither prejudice nor hostility; it is aimed at forging peaceful links with each of its partners so as to contribute to our mutual prosperity in material terms while at the same time, we trust, helping to promote the cause of peace.

(Applause)

IN THE CHAIR: MRS PERY

Vice-President

President. — The debate is now suspended for Question Time; it will be resumed tomorrow afternoon.

8. *Question Time*

President. — The next item is the second part of Question Time.

President

We begin with questions to the Council

Question No 55, by Mr MacSharry (H-455/85):

Subject: Economic and social situation

At the European Council meeting last December it was agreed that the Community and the Member States should take measures including concertation of economic policies, designed, in the words of the Preamble to the Rome Treaty, to reduce the differences existing between the various regions and the backwardness of the less-favoured regions. Is the Council satisfied that the economic performance of the Community and its poor record on unemployment in the intervening period reflects the expectations of the December meeting?

Mr Goebbels, President-in-Office of the Council. — (FR) The Community has been in a phase of steady expansion since late 1983, but the growth rate is as yet still too slow. The real growth in our collective gross domestic product was a little over 2% in 1984, and it has risen to 2.3% in 1985. The level can be expected to be much the same in 1986. Efforts to combat inflation are continuing to show results in the Community, although prices are still rising fairly rapidly in a number of countries. Similarly, the spread in inflation rates will continue to narrow somewhat during 1986.

Unemployment remains the most worrying problem on the economic and social fronts. Neither the current rate of increase nor that forecast for 1986 gives reason to anticipate any fundamental improvement in the situation as regards unemployment. In the Community as a whole, the total number of those in employment is rising very slowly. The highest rates of increase are in the United Kingdom and Denmark, the latter being the only country where the absolute number of unemployed is declining. Taking all Member States together, the unemployment rate is still rising in 1985 and in all probability will not fall in 1986, but it is important to stress the contribution made during the year by the Community to the efforts of the Member States to promote investment and job creation, especially in the least-favoured regions of the Community.

The loans granted under the new Community Instrument during the first half of 1985 amounted to some 600 million ECU. The bulk of this money went to the productive sector in the form of lump-sum loans to small and medium-sized businesses.

Beneficial effects are also anticipated from the measures financed through the ECSC and the European Investment Bank.

Mr MacSharry (RDE). — I think I can conclude from the extensive reply of the President-in-Office that the Council itself is not satisfied with the way things are

happening. Would the President-in-Office agree with what the Commission says, namely, that present and projected growth rates will not reduce unemployment and that without some concerted action unemployment will be as high at the end of the decade, and does he also agree on the need to devise a strategy for strong job-creating growth over a period of several years? Will he, as President-in-Office, take an immediate initiative in this regard with his colleagues in the Council?

Mr Goebbels. — (FR) Certainly, the Council is not satisfied with the present situation as far as unemployment in the European Community is concerned. The Council can only reiterate the priority that it attaches to efforts to combat unemployment through economic growth which is more creative of jobs, since it is indeed true that the growth that we have currently will certainly not be enough to restore full employment.

Mr Hughes (S). — Is the President-in-Office aware that even where specific Community instruments do exist and can be used to assist the poorest regions, the Community has failed by not applying those instruments responsibly or honestly? Is he aware, for example, that although the North-East of England is listed as one of the most deprived regions in the Community's own synthetic index of deprivation, it has not had one single project approved under the Community's anti-poverty programme and yet regions listed as far less deprived have received assistance? Does he not feel, as I do, that this situation deserves urgent investigation?

Mr Goebbels. — (FR) It seems to me that this question should more properly be addressed to the Commission. At all events I do not have the information to which the Honourable Member refers at my disposal at present.

Mr Marshall (ED). — I thank the President-in-Office of the Council for confirming that the United Kingdom's growth rate in 1985 will be amongst the highest in the Community. Can he also confirm that the rate of job creation in the United Kingdom over the past two-and-a-half years has been greater than in the rest of the Community put together? Would he agree with me that the fight for greater employment is going to be led by small firms? Can he and his colleagues in the Council agree that they will not envelop those firms with more red tape, more social engineering, but will, in fact, cut down some of the bureaucracy which hinders the creation of jobs?

Mr Goebbels. — (FR) I cannot confirm the figures advanced by the Honourable Member. Nor do I consider it to be my role here to comment on matters of domestic policy in any country.

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Nevertheless, with regard to the Honourable Member's claim that the majority of new jobs have been created by small and medium-sized businesses, I think I can say that he is right and that the Council and certainly the Commission will be making even more strenuous efforts to assist such small and medium-sized businesses, which will assuredly spearhead any recovery.

President. — *Question No 56 by Mr McMahon (H-486/85):*

Subject: EEC steel policy

Can the Council inform the House whether any decisions were taken at the Council of Ministers meeting on 26 July 1985 which has resulted in a decision by the British Steel Corporation to close the Gartcosh Plant in Scotland?

Mr Goebbels, President-in-Office of the Council. — *(FR)* The Council meeting of 25 July 1985 was given over essentially to an initial detailed exchange of views on the Community's policy on steel after 1985, with regard both to organization of the steel market and to the rules applicable to financial support by Member States.

No decision was taken at that meeting which could have resulted in the closure of the plant referred to by the Honourable Member.

Mr McMahon (S). — Would the Minister not agree that as that meeting did not make a decision, as there was a meeting last week which discussed the whole problem of the Community steel industry, and as the prosperity of West Central Scotland depends on Gartcosh and a thriving steel industry, particularly Ravenscraig, the retention of which as an integrated steel plant every Member of this Parliament representing Scotland has demanded, representations should be made by the Council of Ministers to ensure that Gartcosh and Ravenscraig continue to exist?

Mr Goebbels. — *(FR)* According to the information available to the Council it appears that the British Steel Corporation's decision was taken for commercial reasons. Moreover, this decision is consistent with the restructuring plans which Community steel producers in receipt of aid are required to draw up and submit for agreement to the Commission.

The Commission takes its decision according to the following criterion: will the general restructuring plan enable the producer concerned to return to viability? It does not seek to influence the various specific measures envisaged. These are a matter for the producer alone.

Mr Rogalla (S). — *(DE)* Would the President-in-Office of the Council agree that the European steel industry as a whole — apart from the case mentioned here by my colleague Mr McMahon — is in great difficulty? Would he be prepared to use all the might he can muster as President-in-Office of the Council especially to begin negotiations with the USA, which contain a whole series of suggestions on the limitation of imports to Europe concerning us, with all the energy necessary to allow the Community to fulfil its role as a major economic power?

Mr Goebbels. — *(FR)* I agree with the Honourable Member that the situation of the steel industry in Europe is still very disturbing and also that decisions taken in America still pose a real threat to the European steel industry.

I myself chaired the meeting of the Industry Council — in the middle of the month of August — which had to address these questions. We came up with an arrangement which has little prospect of lasting, since it is bound to be disputed by the Americans. The European Community was the first to conclude an arrangement on steel with the United States. This arrangement has been adhered to strictly and we have insisted that the efforts already made since its conclusion to limit our exports to the United States should be taken into account fully by that important trading partner.

Mr Fitzgerald (RDE). — In view of the reply to Mr McMahon, and considering that the plant in Mr McMahon's constituency is a further movement in that dreadful slide that we have seen in the steel industry in Europe for ten years now, would the President-in-Office of the Council give an assurance to this House that his priority, as President-in-Office, will be to try to preserve the remaining jobs in the European steel industry, whether it be by negotiation with the United States, or, indeed, any other measures that could protect an industry that has suffered enormously over the past decade?

Mr Goebbels. — *(FR)* I come from a country which has seen a 50% loss of jobs in the steel industry in a matter of ten years. I am therefore in a position to appreciate the concern felt by Honourable Members representing other steelmaking areas in the Community.

As you know, one of the top priorities of the Council of Ministers is to find an arrangement with the United States and the Commission is engaged in very serious negotiations with the American representative, Mr Hutter.

On 17 October the Industry/Steel Council made a second examination of the Community's steel policy

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for the period following 1985, the main points to emerge from which were as follows:

With regard to organization of the market, there was a broad consensus in favour of the Commission's policy aimed at a degree of liberalization in this regard. There nevertheless remained a number of differences over the technical details of how this liberalization was to be implemented, on such matters as the products to be included and the timetables to be adopted.

Turning now to the negotiations with the United States, the Council expressed its deep concern at the unacceptable stance adopted hitherto by the American side, whose demands include a substantial increase in the range of products covered and a reduction in export opportunities for a period which we find excessive.

Mr Cryer (S). — Would the Minister agree with me that since the Council has been considering the question of the steel industry, it ought to examine its policy of liberalization, particularly with regard to countries such as Brazil and South Korea? Would it not be a good idea, when talking of competition, for a fair wages resolution to be applied to all steel imports from those countries so that child labour, the lack of health and safety legislation or of trade union rights should be taken into account when allowing such imports which have been making some impact on the steel industry? Would he take it from me that the steel policy of the Common Market represents a failure? It is a failure because it has resulted in hundreds of thousands of steelworkers being thrown on the dole without any possible alternative jobs in small-, medium- or large-scale businesses. Is it not time that the Council of Ministers, including the United Kingdom Ministers, set its face against putting more people on the dole?

Mr Goebbels. — (FR) I do not agree with the Honourable Member that the steel policy conducted by the Community — for which the Commission has been primarily responsible in recent years — is so disastrous.

While we have indeed suffered severe job losses in all our steelmaking areas, I can assure you that, had it not been for the action taken by the Community, many European countries would now be without any steel industry at all. I share the Honourable Member's misgivings about the conditions that steelworkers have to put up with in certain countries, but I would nevertheless point out to him that any protectionist action by the Community against such countries would solve absolutely nothing.

We must now use the new round of GATT negotiations, which are likely to start next year, to combat all forms of protectionism, including those from which

we in Europe are suffering. So it would be wrong for us in turn to adopt selfish protectionist measures against the rising countries of the Third World.

Mr Hutton (ED). — Will the President-in-Office confirm that it is the Council's role to decide broad policy and not to decide the fate of individual steel plants? And will he further confirm that after State aids are removed, the future of viable steel plants will be best in the stewardship of private companies?

Mr Goebbels. — (FR) I have no wish to take sides in an argument between Honourable Members of this House.

The general drift of what I have been saying is, I think, that it is necessary to have organization of the Community steel market because, without it, so-called free enterprise would have failed in more or less all of our countries.

However, as regards the rules to govern aids and financial transfers after 1985, the Council found that there was a broad measure of agreement on the need to adopt strict arrangements, in accordance with the provisions of Article 95 of the ECSC Treaty.

President. — *Question No 57 by Mr Elliot (H-488/85):*

Subject: Shortage of decent housing and consequential high level of homelessness in many areas of the Community

Does the Council of Ministers accept that the serious shortage of decent housing and consequential high level of homelessness in many areas of the Community, such as in the UK, hinders the free movement of workers and their families?

If so, would it be prepared to urge Member Governments to inaugurate improved housing programmes to ensure an adequate supply of good standard housing, for rental at a reasonable level as well as for purchase, in all those countries where a clearly evident shortage exists?

Mr Goebbels, President-in-Office of the Council. — (FR) The Council reminds the House that Regulation 1612/68, concerning the free movement of workers within the Community, makes provision for equality of treatment in regard to housing between migrant workers and indigenous workers.

In addition, in its resolution of 9 February 1976 concerning an action programme for migrant workers and members of their families, the Council held that particular importance should be attached to measures concerned with housing for migrant workers and members of their families, so as to secure their social and vocational advancement.

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It is in pursuance of this resolution that provision has been made in the budget of Communities for a contribution to the costs of organizing pilot housing schemes for migrant workers.

Further, in its resolution of 16 July 1985 on guidelines for a Community policy on migration, the Council recommended that action be taken to improve the quality of free administrative assistance in the housing field.

It is the Commission's role to ensure that Member States apply the Regulation to which I have referred and to take appropriate initiatives, within the scope of its powers, to translate the resolutions referred to into practical measures.

Mr Elliott (S). — That is helpful as far as it goes, but I wonder if the Council would not accept that in a number of countries there is not a serious problem of homelessness and a serious shortage of adequate housing? This is certainly the situation in the United Kingdom. Is the Council aware, for example, that a recent survey suggested that £20 billion — pounds not ECU — needs to be spent in Britain to restore housing provision to a proper level against a proposed government expenditure level of £600 million? I am not terribly in favour of too many things connected with the EEC but the one thing I thought was particularly important in the policies of the Community was to ensure free movement of workers. How can this happen if workers seeking employment in other Community countries cannot find anywhere to live? How, for example, can a worker from a relatively low housing cost area in one Community country hope to take up a job in, say, the south-east of England — the only part of Britain where there is any work anyway — when the cost of even the most modest housing in that area is around £40 000 (approximately 65 000 ECU) for the smallest flat? Is the Council really satisfied with this state of affairs and should not more be done to tackle the serious problem that exists?

Mr Goebbels. — (FR) I am unable and unwilling to comment on the situation in a particular country of the European Community. Moreover, the problem raised by the Honourable Member goes beyond the scope of the problem of migrant workers with which the question is concerned. But of course I agree with him that housing shortages are not confined to migrant workers alone and that it should not be forgotten that this problem affects many people who do not fall into the category of migrant workers.

It is also necessary to take account of the special circumstances of many migrant workers who, for reasons of their own, prefer to spend only a very limited proportion of their incomes on housing. While I am in principle fully in agreement with the Honourable Member on the need to organize housing improve-

ment programmes, it is nevertheless my view that such measures should be for the benefit of the population as a whole. They should not create new forms of discrimination, whether they favour one category or another. On that, I think, I see eye to eye with the Honourable Member.

Mr Ulburghs (NI). — (NL) In my area, Belgian Limburg, the problem of the housing shortage is acute. But not only has the government hitherto done too little, but subsidies for local authority housebuilding have been drastically cut in recent years. Moreover, the victims of this policy are being punished twice, in that the tenants of local authority houses who allow other members of their families, usually married sons and daughters, to live with them on account of the shortage of decent housing, have this week been subjected to enormous penalties, in some cases in excess of Bfrs 100 000. Will the Council be prepared to act to put a stop to these unjustifiable restrictions and penalties?

Mr Goebbels. — (FR) I find once again that this question goes beyond the scope of the initial question. I have no knowledge of the facts to which the Honourable Member refers. I can only repeat that I am unable and *unwilling* to interfere in the internal affairs of a Member State of the European Community.

Mr Tomlinson (S). — Will the President-in-Office, when he discusses migrant workers in any context, whether it is housing or any other, recognize that in my constituency in the United Kingdom, for example, we have a large number of United Kingdom citizens, Community citizens, of different ethnic origin to the host community, who have exactly the same problems, in housing, in education and all sorts of areas as migrant workers, and that the existing legal basis of the Community is inadequate to deal with these Community citizens?

Mr Goebbels. — (FR) I have discussed migrant workers because that is what Mr Elliott's question was about. I have now been asked another question about the situation in a specific region of a Member State. I have no information on this subject and therefore cannot reply. I would merely say that there is indeed a housing shortage in virtually all the countries of the European Community and that the Community, the Council of Ministers, the Commission and, of course, the Member States will need to take very positive action over the years ahead if this standard of housing on which you have adopted so many resolutions is to be achieved.

President. — *Question No 58 by Mr Fitzgerald (H-498/85):*

Subject: European Environment Year

President

Will the Council outline what it hopes will be achieved as a result of the European Council decision at its meeting in March 1985 to designate 1987 as European Environment Year?

Mr Goebbels, President-in-Office of the Council. — (FR) The Council considers it crucial that further progress be made over the coming years in the protection of the environment in Europe and the rest of the world.

It accordingly hopes that the decision taken by the European Council in March 1985 to designate 1987 as 'European Environment Year' will make a positive contribution in this direction.

Although the Council has not yet received any information from the Commission on the practical content of the campaigns to create public awareness and the demonstration projects that it proposes to mount during European Environment Year, the Presidency intends to give such proposals all the attention that they deserve as soon as they are brought before the Council.

Mr Fitzsimons (RDE). — I thank the President-in-Office of the Council for his reply. However, I have no doubt that he is aware that when the European Council decided to designate 1987 as European Environment Year, it stressed that environmental protection policies can contribute to improved economic growth and job creation.

How does the Council see environment programmes creating employment and how does it propose to reconcile them with the interests of certain industries which create jobs but have a detrimental effect on the environment? This leads me to the final part of my supplementary. Can he advise me and the Irish people I represent to what extent the proposed European Environment Year will take positive action to end once and for all the pollution caused by the operations of the British Nuclear Fuels plant at Sellafield in the UK, which is to blame for serious and unacceptable pollution of the Irish Sea?

Mr Goebbels. — (FR) It is not only the Sellafield problem that is under discussion. I think that the whole of Europe and all European countries suffer from pollution.

I can inform the House that the Environment Council will be meeting on 28 November 1985. The main items likely to feature on its agenda are as follows: large fuel-burning installations, hazardous substances, pollution by the discharge of hydrocarbons at sea, not only in the Irish Sea, sulphur in diesel oil, titanium dioxide, and agricultural sewage sludge. It is also worth mentioning in this connection that the President-in-Office of the Council recently discussed envi-

ronmental matters when he appeared before the relevant committee of Parliament in September 1985.

Mr McMahon (S). — I thank the President-in-Office for his answer and his interest in 1987 as environmental year. I wonder if the Council would consider seeing how much progress individual Member States are going to make to implement EEC Directive 337, on environmental impact assessments, before major projects which impinge on the environment are entered upon?

I am particularly concerned about the continued extraction of sand which is damaging the beach in Brodick, the Isle of Arran, where commercial interests are destroying our incipient tourist industry. There are more serious implications. As Mr Fitzsimons mentioned, any major industrial construction that takes place obviously has an environmental impact. I hope that as part of their project for 1987, the Council will get in touch with the individual Member State Governments and see what progress they are making towards implementing this excellent Directive.

Mr Goebbels. — (FR) If my information is correct, this Directive is in force, and responsibility for monitoring application of it lies with the Commission.

Mr Marshall (ED). — May I thank the President-in-Office of the Council for reading out the list of subjects that the Environment Council will be looking at. Can I suggest to him that the Council might also look at the impact of the speed of vehicles on emissions into the atmosphere.

(Cries of 'Hear, hear!')

Would they please look at the pioneering work done by the Road Research Laboratory, which has shown that if there is a small reduction in the maximum speed of vehicles, this has a tremendous impact on the environment.

Mr Goebbels. — (FR) I can take note of the Honourable Member's suggestions but I would nevertheless remind the House that the Environment Council has addressed itself on numerous occasions to the problems of the impact of high-speed driving on our environment.

President. — Question No 59 by Mr Hutton (H-358/85):

Subject: Implementation of Court judgment in transport case

What action has the Council taken, following the judgment of the European Court of Justice in Case 13/83, to make good its infringements of the

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Treaty in regard to freedom to provide services regarding international transport and the conditions under which non-resident carriers may operate transport services within a Member State, and by what date will the Council have taken all the action necessary to comply with the Court's judgment?

Mr Goebbels, President-in-Office of the Council. — (FR) The Council considers that it is required, under Article 176 of the Treaty, to take the necessary measures to comply with the Court's judgment within a reasonable time, and it is actively engaged in making arrangements to this end.

Mr Hutton (ED). — Given that the Court gave its judgment in this case five months ago, does the President-in-Office not think that a reasonable time might be by the end of this year? Can he tell this House what evidence the Council can give that it is actively engaged in adopting formal legislation in order to satisfy both the Court and Parliament?

Mr Goebbels. — (FR) At its meeting of 24 June 1985 the Transport Council discussed the action to be taken in response to this judgment at length. It was unfortunately found impossible to reconcile the divergent positions of certain delegations, so that the Council was not able to agree on the text of a draft conclusion to determine the degree of priority to be given to examination of the various proposals from the Commission.

I have to admit, to be absolutely frank, that, because no way has yet been found of reconciling the differences to which I have referred, the Council's transport group is finding it very difficult to make progress.

President. — *Question No 60 by Mr Deprez which has been taken over by Mr Herman (H-363/85):*

Subject: The 'trade war' between Europe and the United States involving agricultural products

News has just reached Europe of the 'subsidized' sale by the United States of wheat to Algeria. This is the first case of the application of the new American measures to promote agricultural exports (the Bicep programme, with a budget of 2 billion dollars). The American Secretary of State for Agriculture, John Block, has also announced that other sales of this kind are likely to take place shortly. Thus, the United States has initiated a system for subsidizing its agricultural exports, a practice hitherto applied mainly by Europe. However, Commissioner Andriessen has made it known that the Commission is at present considering the possibility of equipping Europe with the very instruments used by the Americans, notably the granting of credits to the importing coun-

tries. It will thus be seen that a veritable 'trade war' which will be very costly for the two sides, has started between the United States and Europe, even on traditionally European markets such as Algeria. This is liable to increase the difficulties of the trade negotiations to be undertaken within GATT. However, the problems encountered by the USA on the international agricultural markets are caused more by the high dollar and the slackening of world demand than by Europe's common agricultural policy.

What are the Council of Ministers' views on this matter? What policy does it intend to pursue in order to defend European agricultural exports?

Mr Goebbels, President-in-Office of the Council. — (FR) The Council has been informed by the Commission that following the recent sales of flour-making wheat by the United States to certain Mediterranean countries, at subsidized prices well below the normal market level, the Commission adopted measures aimed at safeguarding the commercial interests of the Community in a region which is a traditionally European market.

These measures took the form of an increase in the export refunds on cereals, thus bringing the Community selling price into line with that offered by the United States.

The Council is convinced that the Community must remain vigilant in the defence of its interests. Nevertheless, the Community is still prepared to seek mutually satisfactory solutions through negotiations with its trading partners, taking the view that engaging in a trade war will serve the interests of no-one. Our interests, which are also those of our trading partners, can best be served by strengthening the system of open international exchange and developing trade in line with the GATT disciplinary rules.

Mr Herman (PPE). — (FR) I should like to put the following question to the Council: are sufficient budgetary resources available to continue this reaction to the American offensive and what other kinds of retaliatory action could the Commission take, for instance in relation to the substantial imports of American products to Europe?

Mr Goebbels. — (FR) I think that this question should be addressed to the Commission, since it is responsible for carrying out such decisions. Nevertheless, I should like to quote the conclusion reached at the Council meeting yesterday afternoon in Luxembourg, at which we discussed relations between our Community and the United States.

In Luxembourg yesterday the Council held a general exchange of views, based on an oral report from the

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Commission, on our bilateral trade relations with the United States. In particular, it stressed the importance that it attached to resisting all protectionist tendencies and therefore to maintaining a permanent dialogue so as to find mutually acceptable solutions to the various problems outstanding.

The Council considered that it was essential to prevent any escalation in the number of contentious issues between the Community and the United States, especially in view of the forthcoming start of a fresh round of multilateral trade negotiations.

In this context, it noted with concern the intention of the United States Administration to bring an action within GATT against the refunds on wheat exports applied by the Community which, if it is pursued, could have far-reaching repercussions on GATT and on the ability of the Community to work harmoniously with the United States. The Council accordingly invited the Commission to take appropriate steps to defend the interests of the Community, and I hope, Madam President, that this answer will be to the satisfaction of the Honourable Member.

Mr J. Elles (ED). — I should like to underline that in US-EEC relations today it is essential to keep our communications open. Therefore, can the President-in-Office of the Council please inform the Parliament what contacts have been made or will be made between the Presidency and the US Administration to try to make sure that these communications are kept open? Second, what does the Presidency think of the withdrawal of the US from Unesco? Does he think it represents a growing trend towards isolationism in the United States?

Mr Goebbels. — (FR) I do not think that I should comment here on the withdrawal of the United States from Unesco.

With regard to the negotiations between the Community and the United States, I would point out that the Commission is conducting these negotiations and that Mr Commissioner De Clercq in particular is very actively involved in them. In recent weeks he has had many contacts with Mr Hutter, and he reported to us on these contacts yesterday.

The Presidency, for its part, cannot become actively involved in this dialogue. Nevertheless, as President-in-Office, I recently received a parliamentary delegation from the United-States — a delegation from the House of Representatives — and among the things that I had to say to them was this: if the United States persists in its desire to oppose the European Economic Community's policy on exports, of wheat in particular, to the Mediterranean regions and if the United States does not revert to a more reasonable attitude, there is a likelihood that it could disrupt the political situation

in many Mediterranean countries and it could find itself having to deal in future years not with one Libya, but with many Libyas.

Mr Maher (L). — I was very pleased to hear the statement just made by the President-in-Office concerning trade relations with the United States of America. However, we are speaking here about the grain sector. Would the Minister not agree with me that the strategy of the Council and the Commission in the past may not have been the correct one? The world price, which of course is generally the lowest price operating on the world market — and which is being constantly referred to — is a false premise. How can the relatively small European grain producers ever compete with the vast grain producers of the United States of America? You are not comparing like with like. Therefore, it is a false premise. You must begin to look at things clearly. We cannot ever compete with the vast production units of the United States of America, and we should not try to do so. We are quite different from them.

Mr Goebbels. — (FR) We devised the system of refunds for the very reasons mentioned by the Honourable Member and I am loath to express criticism in this House of the strategy pursued over recent years, for which the Commission has been largely responsible.

Mr Zahorka (PPE). — (DE) Mr President-in-Office of the Council, the next round of GATT negotiations is due to begin shortly. I should like to know to what extent the Council of Ministers is prepared to give the Commission an open mandate concerning the multilateral trade talks and more room for manoeuvre, particularly where free trade in agricultural products between the USA and the European Community is concerned?

Mr Goebbels. — (FR) The mandate given to the Commission will be flexible enough to allow it to negotiate, and I feel that the Commission in turn will be able to approach these negotiations with some degree of flexibility.

President. — Question No 61 by Mr Rogalla (H-420/85):

Subject: 14th VAT directive

Can the Council give a detailed assessment of the progress made on the Commission's proposed 14th VAT directive, in respect of each Member State, and when can deferral arrangements be expected whereby payments of turnover tax due on importation would be made to authorities further inland?

Mr Goebbels, President-in-Office. — (FR) The Council suspended its work on the proposed 14th VAT directive in July 1984, having concluded that it was not possible to reach agreement.

Mr Rogalla (S). — (DE) I should like to avail myself of the opportunity to express my personal opinion that the President-in-Office of the Council is one of the few people who takes the trouble to give a comprehensive answer to a question, not confining himself to the subject as it stands.

However, I am not satisfied that the President-in-Office gave an in-depth answer to my own question requesting a detailed assessment of the progress made in respect of each Member State.

I should also like to know if the President-in-Office shares my opinion that the apparent impossibility of continuing the work concerning the Member States involved ensues from a breach of Article 5, that is, Community preference, and if he is willing to look into the matter once more bearing this in mind, not only naming the States involved but also pointing out their commitments in accordance with this Article of the EEC Treaty.

Mr Goebbels. — (FR) I thank Mr Rogalla for his kind words, but regret that I have to disappoint him again. I am not in a position to name the States which are opposed to adoption of this Directive since, in principle, the proceedings of the Council are confidential. Nevertheless, I know that Mr Rogalla is very shrewd and that he is very well aware which States they are.

Mr Maher (L). — Where revenue authorities in a given Member State charge the full rate of VAT at the point of entry for an imported product and do not take account of the VAT already paid on that product when first purchased in the original country, would the Minister agree that this is double taxation and are the revenue authorities of the importing country legally entitled to charge the full tax?

Mr Goebbels. — (FR) Again, this question goes beyond the scope of the initial question, and I do not consider this the appropriate place to go into such really rather technical matters. Besides, I am no expert, as I very humbly admit. I believe that this is something on which the Court has established case law, by which we must be guided.

President. — Question No 62 by Mr Barrett (H-438/85):

Subject: Tourism

Will the Council state what steps it has taken to approve the initial guidelines put forward for a Community tourist policy as requested by the

Commission in the conclusions to its Community policy on tourism?¹

Mr Goebbels, President-in-Office. — (FR) The Council welcomed the initiative taken by the Commission in drawing its attention to the importance of tourism. In its resolution of 10 April 1984 the Council took note of the initial guidelines for a Community policy on tourism contained in the Commission's communication. It stressed the need to take fuller account of the implications for tourism of Community decisions and the need for consultation on tourism between the Member States and the Commission.

It also invited the Commission to submit proposals on tourism taking account, *inter alia*, of the Member States' conclusions, specific aspects of national policies and Member States' international commitments.

The Council is accordingly ready to examine proposals on tourism when they are brought before it by the Commission.

Mr Barrett (RDE). — To be realistic, I do not think an awful lot has been achieved since April 1984. In view of his reply to my colleague, Mr MacSharry, earlier about the creation of employment, etc., would the President-in-Office not agree that tourism has far more potential for expansion and the rapid creation of employment in the EEC than any other sector? Could he give this House some assurance that the Council, at least during the remainder of his term of office, will therefore give this problem priority in view of its great potential for expansion but, most important of all, for employment, particularly employment for young people?

Mr Goebbels. — (FR) I share the Honourable Member's anxiety over the employment situation in the European Community, and we have in fact discussed it at great length during this Question Time. I also share the Honourable Member's view that tourism is a very important sector of the European economy.

I am told that tourism provides direct employment for four million people and indirect employment for a considerably greater number. These figures demonstrate that it is a very important sector but, of course, not an essential sector of our economy. I therefore do not see how the Council could give priority attention to this side of things.

Mr McMillan-Scott (ED). — I have a responsibility to the Committee on Youth, Culture, Education and Sport for matters of tourism. The President-in-Office has said that it is not a central economic matter. May I

¹ OJ No C 115 of 30. 4. 1984.

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remind him that, in fact, 10% of the Community's gross domestic product derives from tourism? So I put it to him that it is an essential matter.

Does he share my regret that the Luxembourg presidency has not seen fit to call a meeting of Ministers of Tourism to consider what actions the Community could jointly take in this matter? Will he share my welcome of the news that the Commission is finally to produce on 15 November an action plan for tourism? Will he also agree with me that this is an absolutely top priority for the Community in the coming years, with so much unemployment in the Community and with so many employment prospects from tourism?

Mr Goebbels. — (FR) I am in agreement with the Honourable Member that tourism does indeed deserve special attention from the Council. Nevertheless, as matters stand, no meeting of the Ministers for Tourism of the European Community is planned. Because, I must repeat, the Council is still awaiting the relevant proposals from the Commission.

I recently attended a ministerial meeting on economic relations between the ASEAN countries and the European Community. We agreed, among other things, to promote exchange visits and tourist flows between our two regions. Mr Cheysson, who represented the Commission at this meeting, will undoubtedly ensure that the Commission incorporates this aspect into its plans for a Community policy on tourism and, of course, that the Commission submits the necessary proposals to us so that the Council can become more active in this very important field.

Mr Zahorka (S). — (DE) May I point out that foreign transport occupies a large space in the transport policy of the Community? To what extent will the Council of Ministers accept the consequences — also as far as the foreign transport policy is concerned — of the judgment for failure to act, handed down by the European Court of Justice in May 1985, for example, with reference to the common internal market? For example, it is a sad situation in which foreigners may not be employed as long-haul drivers in some Member States, or that in some Member States duty must be paid on foreign transport brochures from other Member States. This can only be attributed to a misinterpretation of the EEC Regulations and EEC Directives.

Mr Goebbels. — (FR) Transport facilities for tourists are clearly among the aspects which the Council will have to examine once it has received the relevant proposals from the Commission. I should not like to go back to the earlier question in reply to which I referred to the problems of the Transport Council. I have to tell the House in all honesty that the Transport Council is experiencing the greatest difficulty in making any progress. Nevertheless, that should not, in my view, prevent us from pressing ahead in the field of

tourism, in the field of free movement and protection of tourists, or from making proposals concerning the working environment in which the tourist industries operate, or, of course, from making proposals concerned with transport facilities for tourists, regional development and, finally, measures to safeguard the European heritage based on protection of the environment and protection of the architectural heritage which, I trust, are also conducive to the development of tourism.

Mr Fitzgerald (RDE). — It is not every day a British Conservative and an Irish Fianna Fáil Member are in agreement. On this occasion Mr McMillan-Scott's question did succeed in eliciting from the President-in-Office of the Council a more favourable attitude to tourism than he had displayed in reply to an earlier supplementary.

My question is this: is the President-in-Office aware not only of the substantial contribution at present being made by tourism in the field of employment but also of the fact that it is an industry which can be developed much further and which has good potential for future employment? Is he not further aware that during successive presidencies the Council appears to have played down the areas where there is potential employment and given more attention to those with little or no potential for growth?

Mr Goebbels. — (FR) I think that I have already answered this question. Certainly, promotion of the tourist industry is very important, from the employment viewpoint in particular, and I am delighted that this is a point on which there is a confluence of views, not only between the British and Irish but also with the Luxemburgers.

President. — We now turn to questions to the Foreign Affairs Ministers.

Question No 75 by Mr Marshall (H-387/85):

Subject: Unnecessary division of families by the Russian Government

Mr and Mrs Leonid Fuhrer applied in 1980 to join her parents in Israel. So far the Russian Government has not acceded to this request. Will the Foreign Ministers meeting in political cooperation discuss this and similar tragic cases which are resulting in the unnecessary division of families?

Mr Goebbels, President-in-Office of the Foreign Ministers. — (FR) The case of Mr and Mrs Leonid Fuhrer mentioned by the Honourable Member has not been the subject of specific discussions by the Ministers meeting in political cooperation.

However, as stated in reply to oral question H 376/85 at the last part-session of Parliament, the Ten have on

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countless occasions brought home to the Soviet authorities their concern at the circumstances of Soviet Jews and members of other ethnic minorities wishing to emigrate from the USSR. They will continue collectively and individually to make representations to the Soviet authorities, reminding them of the importance that they attach to compliance with the provisions of the Helsinki Final Act and the document closing the Madrid Conference, which were freely approved and signed by the Soviet Union.

In this connection, the meeting on inter-personal contacts to be held in Berne between 15 April and 26 May 1986 under the auspices of the CSCE will provide a further opportunity for trying to achieve real progress, on the matter of reuniting families among others.

Mr Marshall (ED). — While I thank the President-in-Office for that answer, would he agree with me that the fate of this family demonstrates the fact that for the Russians the Helsinki Agreement was a complete sham? It illustrates the complete hypocrisy of Mr Gorbachev's claim in Paris that there was no discrimination against the Jewish community in Russia.

I am sure that the President-in-Office of the Foreign Ministers has the support of everyone in this House for maintaining his pressure on the Russians, because the only hope for the Jewish community in Russia is the force of world opinion persuading the Russian Government to change its mind.

Mr Goebbels. — (FR) I do not wish to comment here on the replies given by Mr Gorbachev at that press conference in Paris. However, I stress that I stand by everything that I have just said. Personally, in my capacity as Secretary of State for Foreign Affairs of the Grand Duchy of Luxembourg, I have very often made representations to the Soviet authorities on behalf of members of the Jewish community who wish to emigrate. But I must explain that such representations are most likely to succeed when they are made discreetly, since an unduly clamorous campaign often meets with a counter-reaction, or in fact no response at all from the Soviet authorities.

Mr Alavanos (COM). — (GR) Madam President, for a start I am surprised that Council's President-in-Office can reply positively to a question relating to specific individuals. There seems to be a tradition that at each part-session Mr Marshall will bring up individual cases totally unsupported by any facts. I wish to lay stress upon this, and I think the answers given by the Council of Foreign Ministers, especially when presented in such a general way, ought to be more responsible and better founded in fact. Within the scope of my question, I too would like to address the subject of respect for human rights, as it was put by the General Secretary of the Communist Party of the Soviet Union in his speech to the Conference of Nations in

Paris, and ask Council's President-in-Office whether he agrees with the view expressed on behalf of the Soviet Union, namely that the matter of safeguarding human rights should be set free from hypocrisy, presumption, attempts to interfere in the internal affairs of various countries, and that it should be dealt with in a positive, humanitarian spirit aimed at respect for human rights. Does Council's President-in-Office agree with this view, and if not, why not?

Mr Goebbels. — (FR) I have to admit that I have been unable to fully grasp the meaning of the Honourable Member's question.

Clearly, I most assuredly do not share his judgment of the way in which I have been expressing myself here. It is my firm resolve to express myself with complete freedom in this House. I actively oppose, and if I can speak for the Council on this, which I am sure I can, we actively oppose all violations of human rights wherever they occur in the world, in whatever country, under whatever regime. We shall continue to do so.

President. — *Question No 76 by Mr Ephremidis (H-481/85):*

Subject: Measures against apartheid

The delegation of three ministers acting in political cooperation that visited South Africa did so despite the opposition of the Organization of African Unity and the ACP countries. They met the official authorities of the racist regime but all the popular organizations of the black majority refused to receive them. Meanwhile, the Community still has not taken any significant action against the apartheid regime, despite the opposition to it expressed by public opinion in the Member States.

Why do the Foreign Ministers meeting in political cooperation not take immediate, substantial, decisive and clear-cut measures against the racist regime and what are the reasons that prevent such action?

Mr Goebbels, President-in-Office of the Foreign Ministers. — (FR) Allow me to begin by distancing myself from the wording of certain parts of the Honourable Member's question, particularly where he offers his judgment on the mission carried out by the 'troika' and the decisions taken by the Council of Ministers.

During the September part-session President Poos gave you an account of the visit made to South Africa by the European ministerial 'troika'. In doing so, President Poos told you about the meetings that the 'troika' had with unofficial contacts.

Allow me to repeat today that the European delegation in fact had very useful meetings with representa-

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tives of the churches, the trade unions and employers, with journalists and leaders of the Progressive Federal Party and political movements Inkatha and Azapo. To round off these contacts, the President-in-Office of the Council and the Member of the Commission responsible for external relations met representatives of the African National Congress in Luxembourg on 10 September.

In addition, the Foreign Ministers of the Ten, Spain and Portugal decided at their meeting of 10 September 1985 to keep up their pressure on South Africa and, to this end, to harmonize their approach on a range of restrictive measures and positive measures.

Moreover, as announced on 22 July last, the Ten, Spain and Portugal intend to re-examine their attitude in the absence of appreciable progress within a reasonable time.

The application of other measures, including sanctions, therefore remains on the agenda.

Mr Ephremidis (COM). — (GR) I have no right to pass comment on the President's restraint in connection with the judgement embodied in the question about the 'Troika' mission, but he will no doubt be aware that a large section of the House considers the visit in question to be unfortunate, to say the least. I would like to put a supplementary question.

The Minister said that at their meeting in June the Foreign Ministers had decided to exert greater pressure, and if necessary to take certain specific measures, I mean sanctions, depending on the progress made during the period in question. Have we seen any progress since then Mr President? For example, the day before yesterday we heard of the hanging of a young man, a poet, condemned to death two years earlier. Every day there are dozens of deaths, arrests, and the orgy of violence continues.

This development, then, failed to awaken the sensibilities of the Foreign Ministers and of the President, who said in reply to a previous question that the Foreign Ministers are aware of, and fighting against any violation of human rights, wherever it might take place. Has the orgy of violence not persuaded them to adopt specific political, diplomatic, and above all economic measures in the form of sanctions? Because our present tactics of exerting pressure, of considering the matter, of waiting to see, have been on for years and people are dying Mr President, and there is a danger of armed uprising which would result in a bloodbath for white, coloured and black alike. And this concerns us too, because it could lead to a military conflagration in that whole area of Africa, which could well have more widespread consequences.

Without wishing to tell the President how to answer, I ask him to be specific. What specific steps have been taken after the developments that we have seen?

Mr Goebbels. — (FR) I am perhaps going to surprise you, but I share the Honourable Member's feeling about the hanging of Mr Moloise. The Luxembourg presidency and the Council made direct appeals to the South African Government to grant him a reprieve. Alas, we were unsuccessful, to my deep regret.

The struggle against apartheid is a necessity. Jacques Poos proclaimed in this House that mankind is indivisible and that the right to life and human dignity attaches to all citizens of the world. The duty to respect human rights, of which racism is a particularly abhorrent violation, is enshrined in the United Nations Charter and the Universal Declaration of Human Rights. However, it will not be the Europe of the Twelve which will abolish the apartheid system and build a new South Africa. This is the task of the South Africans themselves, and they alone are in a position to undertake it. We for our part can help them by keeping up the pressure on the existing South African regime. This was the aim envisaged by the Council of Ministers at its meeting in Luxembourg on 9 September and, as I have just said, we are prepared to go further along this course.

Mr Pearce (ED). — Does the Minister not recognize that some of the people being punished in South Africa are criminals who under the law of any country would be punished in the severest way and possibly by capital punishment? Does he not recognize that the situation is greatly changing in South Africa and that some of the worst features of apartheid have been removed? Does he not choose to see that the consequence of sanctions would be to make life worse for the black population of South Africa? Finally, does he not agree that remarks like those we heard from Mr Ephremides just now are more likely to cause a bloodbath there than to prevent one?

Mr Goebbels. — (FR) I am personally opposed to the death penalty anywhere in the world, especially in a country like South Africa, where acts of violence are admittedly committed on both sides. But such violence is provoked by the very nature of the racist regime which unfortunately holds sway in South Africa. I believe that the European Community is under a duty to bring pressure to bear on the South African regime to persuade it to change. Granted, there have been some slight improvements in recent weeks, but they are certainly not satisfactory.

Mr Wedekind (PPE). — (DE) Mr President-in-Office of the Council, if you are doing so much to change things in other countries, are you also doing something to bring about change in South Africa where racist regimes repress in the most brutal way those of black race? Did you know that at the Commonwealth Conference Mr Mugabe said he thought the figure of 30 000 or 40 000 people killed in the struggle for freedom in South Africa to be correct? Are you

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also aware that there is no democracy in any black South African State enabling everybody to participate in free elections, but rather everywhere individual minority races repress all the others. Would you not call this Apartheid?

Mr Goebbels. — (FR) There are democratic States in Africa, for instance Senegal, a country with which I am familiar. There are also shortcomings in regard to democracy and human rights in many African States, of that there is no doubt. But the European Community has always drawn attention to these shortcomings and consistently condemned all forms of racism or apartheid. Time and again we have condemned acts of aggression in certain African countries and we have made representations to many African governments to save the lives of prisoners condemned to death. As I was saying a moment ago, the struggle against the injustices of this world is indivisible. It is a struggle in which the European Community, the Council of Ministers, are very actively engaged.

Mr Adamou (COM). — (GR) Can the President-in-Office of the Foreign Ministers tell us, if he knows, what economic relations the Member States of the Community maintain with the racist regime in Pretoria? In particular, concerning the economic relations of the United Kingdom and the Federal Republic of Germany with that regime: Is it true that 50% of the racist regime's trade is carried out with the United Kingdom, and that the Federal Republic of Germany has invested billions of marks with that regime?

Mr Goebbels. — (FR) I am not in a position to comment on the figures mentioned by the Honourable Member. I do not know whether or not these figures are accurate. What I do know and wish to proclaim loud and clear in this House is that the most effective action against the apartheid regime has been taken by the market itself, notably through the sanctions applied by the European Economic Community, by certain Scandinavian countries, by Canada and the United States. These sanctions have prompted many industrialists and bankers to bestir themselves, and they are now beginning to disinvest in South Africa. You know what this disinvestment has led to: the South African currency has been greatly devalued as a result of this action on the part of the democratic States of this world. I think it is fair to say that this sanction applied by the market has been the most effective of all because it has opened the eyes of even some members of the white population in South Africa.

President. — Question No 77 by Mr Adamou (H-506/85):

Subject: Branches of embassies of the EEC Member States in Denktash's illegal Cypriot state.

Although the Foreign Ministers of the ten EEC Member States, in a joint statement on 10 June 1985 at Stresa in Italy, stressed that they did not recognize the 'Turkish Republic' of Northern Cyprus and the European Parliament, in resolutions of 17 November 1983 and 13 September 1985, 'condemns the action of the Turkish Cypriots in proclaiming an independent Turkish-Cypriot State on the island of Cyprus', various reports now confirm that the United Kingdom and the Federal Republic of Germany are maintaining 'unofficial' branches of their embassies in the occupied territory of Cyprus.

What steps do the Ministers intend taking to deal with this serious state of affairs, which constitutes a blatant contradiction between the decisions of official organs of the Community and the practice of its Member States?

Mr Goebbels, President-in-Office of the Foreign Ministers. — (FR) The Ten have on numerous occasions reiterated their unconditional support for the independence, sovereignty, territorial integrity and unity of the Republic of Cyprus. In their statement of 10 June last, to which the Honourable Member refers, the Ten reaffirmed that they did not recognize the self-styled Turkish Republic of North Cyprus. On the subject of diplomatic relations, the ten Member States maintain diplomatic relations with the Republic of Cyprus only.

Mr Adamou (COM). — (GR) I thank the President-in-Office for his answer, in which he assures us that there are no unofficial Consulates of the Member States in Northern Cyprus. However, I would like to put a supplementary question.

It is alleged on the basis of specific information that Northern Cyprus, which is occupied by Turkish troops, exports to the United Kingdom and the Federal Republic of Germany agricultural products harvested from land belonging to Greek Cypriots, who live as refugees elsewhere in Cyprus. What steps are the Foreign Ministers of the Ten considering to put an end to this illegal and immoral trade, which reinforces foreign occupation and the intention to partition the Republic of Cyprus?

Mr Goebbels. — (FR) I have to tell you that I have no knowledge of the information given by the Honourable Member. I cannot therefore comment on it here.

Mr Marshall (ED). — I thank the Foreign Minister for his answer. Would he confirm that the British Prime Minister made it clear, both before the declaration of UDI and subsequently, that the British Government would never recognize the Government of Northern Cyprus? Would he accept that Lady Young, the Minister of State at the Foreign Office,

Marshall

confirmed that the British Government is wholeheartedly behind the initiative of the Secretary General to bring about peace in Cyprus?

Mr Goebbels. — (FR) I have no knowledge of the statements by the British Government to which the Honourable Member refers, but I have no reason to doubt what he says.

President. — Question Time is closed.¹

IN THE CHAIR: MR PFLIMLIN

President

9. VOTES

Motion for a resolution by the Committee on Institutional Affairs on the work of the Intergovernmental Conference on European Union (B 2-1066/85)

Motion for a resolution

After the adoption of the preamble and recitals A and B

Mr Spinelli (COM), chairman of the Committee on Institutional Affairs. — (FR) Mr President, the Committee on Institutional Affairs has spent an entire meeting examining these amendments and, as always, has made suggestions. I should like it to be asked whether the Committee on Institutional Affairs recommends that Parliament vote for or against each of the amendments, this for the purpose of guidance.

President. — Thank you, Mr Spinelli. Concerning method, I would merely point out that where a resolution has been tabled after an oral question, the same practice is not applied as for other texts, i.e. to consult the rapporteur. But rest assured, Mr Spinelli, that we are not overlooking your position.

Explanations of vote

Mr Sutra de Germa (S). — (FR) Mr President, the Intergovernmental Conference, which was sitting yesterday and the day before, should have the doubtful merit of securing a bigger majority for this motion for a resolution this evening than any we have seen before.

¹ See Annex 'Question Time'.

Although the voting on the amendments shows that the recommendations of the Committell on Institutional Affairs have been very largely followed, I would say to any remaining doubters among us that the conditions for showing political commitment are never ideal. If there are those who have reservations about a particular paragraph, a comma or a misplaced full stop, I would urge tem to prevail upon themselves to overcome their misgivings. Today, we must defend our own institution since, in defending our institution, we shall be defending democracy and the peoples who elected us.

(Applause from the left)

We deplore the fact that the Council, through the Intergovernmental Conference, is embarking upon a course which could well lead to a confrontation between the Community institutions, between the Commission and Parliament on the one hand and the Council on the other. This is not what we want. I paid tribute this morning and I do so again to President Pflimlin for having said yesterday that we were all on the same side of the barricade when it comes to the construction of Europe. The Council of Ministers and the Heads of State at their summit meeting in December would be bringing a heavy responsibility upon themselves if they created a rift between the institutions of the Community, with Parliament and the Commission on one side and the Council on the other. We do not seek this, we have no wish to see it. Let us reaffirm our commitment to democracy and to the people who placed their confidence in us by electing us.

(Applause)

Mr Cryer (S). — Some of us have been criticizing the EEC for a long time, and if we had been wrong we would have had egg on our faces. The truth of the matter is, the EEC has failed to provide jobs, both the CAP and expenditure are running out of control, and now this resolution indicates that the Common Market wants even more powers to take on even more expenditure. It cannot run the system that it has got already. Every time we sit in this Chamber there are complaints about the number of people on the dole and this intergovernmental conference won't create a single new job.

The steel policy is throwing thousands of steelworkers on the dole, like the rest of common market policies.

(Cries of 'rubbish' by the European Democratic Group)

Of course, Tories are shouting 'rubbish'. I agree with them. It is not the common market alone, it is the Tory government in the United Kingdom that is throwing people on the dole as well.

(Mixed reactions)

Cryer

It is a conspiracy between the two when they get to the Council of Ministers. But I certainly do not want to see this institution gain more power, as suggested in this resolution.

Bob Geldof has been here today criticizing the food mountains; and every ordinary voter sees the massive quantities of food and the starving millions and they say something is wrong. I agree with them. I say that we should vote against this resolution to make sure that this empire building, which is growing within the Common Market, is brought to a halt.

(Applause from the left)

Mr Bernard-Reymond (PPE). — *(FR)* Mr President, a minute and a half is not enough in which to give a detailed opinion on the institutional guerrilla war which has broken out with redoubled ferocity between the Council and Parliament.

Nevertheless, as a parliamentarian and a former minister responsible for European affairs who has sat on the Council, I can say this. First, there are faults on both sides. Second, Parliament, which must defend its rights, has nothing to gain from engaging in an institutional power struggle. Third, the separation of powers is a basic principle in all democracies. Fourth, an intergovernmental conference is expected to lead to the conclusion of a treaty by the Member States, to be ratified by the national parliaments. Fifth, however, the Council has no option but to take account of the views of a Parliament elected by universal suffrage which is and will remain its institutional partner. Sixth, the extension of Parliament's powers has now become a historical necessity. Seventh, the proposals from the Commission are excellent. Eighth, Parliament would be well advised to concentrate all its efforts from now on, not on procedural wrangling, but on getting the Council to adopt the Commission's proposals, which were presented in such splendid fashion this morning by Mr Jacques Delors.

For goodness sake, let us learn to distinguish between essentials and incidentals! Let us put an end to this skirmishing and get on with building Europe! This is why I shall be abstaining in the vote presently.

Mr Mallet (PPE). — *(FR)* I shall be voting in favour of this motion for a resolution. The Intergovernmental Conference is an exceptional opportunity. It would be a serious loss if it proved to be a missed opportunity. Without more effective and more democratic institutions, Community Europe will rapidly degenerate into a free-trade area. If positive results are to be achieved, the countries which, in Milan, affirmed their will to go forward must show a united front.

At the same time, it is essential — and this depends on us — for the European Parliament and the European

Commission to work in concert. The proposals brought forward by the European Commission are good. We must give them our firm support. That, I believe, is the most useful thing that we can do.

Mrs Lizin (S). — *(FR)* Mr President, Ladies and Gentlemen, it is as a Member from Belgium that I wish to speak, as a Member from a country of which we have hitherto always had reason to be proud of the role that it has played, despite its small geographical size, in the overall effort of the construction of Europe.

Today I wish to say that I regret the lack of dynamism shown thus far by the Belgian representatives in the proceedings of the Council and the Intergovernmental Conference, particularly the Minister for External Relations, but my main purpose is to appeal to the Minister in the hope that, on 19 November, Luxembourg will be able to count on a firmer attitude from all the Benelux countries, and from Belgium in particular, so that the position of the Presidency will be strengthened.

Secondly, Mr President, I wish to put a proposal to you, since I believe that our Parliament must now come to terms with the need for it to defend both its own role and the dignity of its electors.

I should like to see our Parliament proposing to give all its information offices the task of organizing a large-scale campaign to explain to the public how much the present debate means to democracy, the risks run by Parliament, and the need for mobilization to get our message across. Such a campaign should be on a scale at least as great as the one organized preparatory to the elections and a substantial budget should be allocated for the purpose. This is the only way in which we shall be able to demonstrate our popular impact and to carry the political debate to the places where it should be conducted — on the ground in the Member States themselves.

Mr Christensen (ARC). — *(DA)* The Danish Folketing has decided that the distribution of powers between the Community's institutions should be maintained unaltered and that the right of veto should be retained in the Council of Ministers. It is irreconcilable with this decision of the Folketing to change over to majority voting in the Council of Ministers as standard practice and to give the European Parliament greater influence. That is why the Danish People's Movement against Membership of the European Community has voted for the amendment tabled by Mr Cryer and others aimed at watering down the motion for a resolution. In its present form the motion is entirely unacceptable from the point of view of Danish interests. We vote against it.

Mrs Cassanmagnago Cerreti (PPE), in writing. — *(IT)* With the opening in Luxembourg of the Inter-

Cassanmagnago Cerreti

governmental Conference — which was decided on in Milan by the Summit meeting of Heads of States and Governments — we have now entered on the decisive stage in the battle for European Union; that is to say, the battle to recover the independence of Europe and its Nations.

The President of the European Parliament has firmly maintained — and the Conference has had to acknowledge — the need for Parliament, which started the process of institutional reform of the Community by drawing up the draft Treaty for European Union, to be closely associated with the work of the Conference. Mr Pflimlin duly recalled that the European Parliament, as an Assembly elected by the people, cannot submit, without having a say in their preparation, to the changes that concern it.

That is something that is apparent from the very spirit of the EEC Treaty which, in Article 138, envisages co-decision between Parliament and the Council of Ministers for defining the uniform electoral system for electing Parliament. All the more reason, therefore, for this principle to apply in defining the powers of Parliament, and for the reform of the Community in general.

In this stage, it is Parliament's responsibility to exercise constant vigilance to ensure that the Conference comes to a conclusion with proposals that can make the Community's decision-making machinery efficient. The most serious danger, which must at all costs be avoided, is that the decision-making machinery will still be inefficient even after the reform, and that the right of veto will in fact reappear, which would throw Europe back into the state of impotence that has paralysed it for so long, both where economic and monetary matters are concerned, and as regards foreign policy.

Parliament can only be equal to this task if it retains the active support of public opinion, and with this in view the mobilisation that was in evidence for the Milan Summit must continue, embracing all the political, social, religious and cultural forces, in support of the European Parliament's initiative.

Important statements on the draft treaty of Union that was drawn up by Parliament have already been made by national governments and parliaments. In Italy, all the political parties are unanimous even. And yet, the qualitative 'leap forward' which the new treaty proposes has not failed and is still not failing to elicit negative reactions — some open, some concealed — and attempts to slow down all progress or even get the whole thing dropped.

There is in fact an attempt to avoid conciliation with Parliament, and I therefore consider it essential to call a meeting of the Enlarged Bureau at Luxembourg, on the occasion of the next Summit in early December, so that pressure can be applied to obtain from the Heads

of States and Governments a decision that is consistent with the principles expressed in the new Treaty of Union, as authorised by our resolution of 23 October 1985.

Mr Marshall (ED), in writing. — I shall be voting against this resolution. This topic lends itself to a lot of high-sounding rhetoric. Unfortunately much of the verbiage is out of touch with the realities of life. The fact of the matter is very simple — the Spinelli report is dead. Member States are *not* willing to give up their right of veto. Nothing demonstrated this more clearly than the attitude of the German Government.

Members of the European People's Party and their leader, Mr Klepsch, talk here about their desire to abolish the veto but it was the German Government — the Liberal-CD coalition — who used the veto over milk prices earlier this year. I do not believe that Mr Mitterrand or Mr Kohl wish to lose their right of veto.

Our electors recognize the importance of the veto being retained. A Europe which prevented countries from vetoing proposals hostile to their national interests would be inherently unstable. Europe will progress on the basis of consent — and that would be denied by the Spinelli proposals.

I do not believe that this House gains any credibility by being dogmatically out of touch with its electorate and with the reality of the situation. It diminishes our claim to greater influence in moulding the future of the Community. Let us face up to the realities of the situation and reject this resolution.

(Parliament adopted the resolution)

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Report by Mr Balfe, drawn up on behalf of the Political Affairs Committee, on the human rights situation in Turkey (Doc. A2-117/85)

Explanations of vote

Mr Dankert (S). — (NL) Mr President, following the outcome of the vote on the amendments, I can be unusually brief. As I explained yesterday, the Socialist Group can vote without reservations for the motion for a resolution as submitted by the Political Affairs Committee. The motion has not been amended. We shall therefore vote for the motion in its final form. We are very pleased that the amendment by Mr Klepsch has been rejected.

(Applause from the Socialist Group)

Mr Klepsch (PPE). — (DE) After the vote I am not in a position to adopt the resolution, the decisive fac-

Klepsch

tor being the withdrawal of Amendment No 35 for which a vote by roll call had been requested. If Mr Dankert thinks that, by behaving in this way, we are carrying out the policies of the Socialist International, then I think it is a good thing. My compliments on the matter! We cannot possibly take measures against Turkey which are different from those we adopt towards other countries in the world.

(Applause from the middle)

The applause of the majority of the House leads me to believe that they have decided so. I know now how the Socialist Group intends to use majorities. However this will not encourage me to adopt this decision in the closing vote, a decision which, furthermore, is completely biased.

(Applause from the benches of the European People's Party)

Mr Prag (ED). — My group will vote against this motion. The Balfe report, I regret to say, consists of a long series of grave inaccuracies and misleading statements. Amendments seeking to correct these misstatements of fact were rejected. I said in my speech that right from Recital A the attempt has been made to mislead this House, a gross and scandalous attempt to mislead this House. And Recital A deals with human rights situations existing since the military *coup d'état*. We are talking about the civilian government of today, and only two death sentences have been carried out by that civilian government.

Not only have death sentences virtually ceased to be carried out, but the Grand National Assembly systematically refuses to ratify death sentences. Moreover, there has not been a Turkish regime which has been more concerned with the matter of human rights than the present regime. For the first time — and it did not happen under Ecevit and it did not happen under Demirel either — the government, at the instance of the Grand National Assembly, systematically investigates cases of torture and ill-treatment of prisoners. Since the installation of the present civilian regime — listen to facts, don't shout your silly dogma! — 150 cases of torture and ill-treatment of prisoners by the police have been investigated and policemen have been convicted. That has never happened before in Turkey. It did not happen under the so-called democratic regimes. Because we have such grave dogmatic nonsense, Socialist publicity stunts for their own not very savoury purposes, we cannot vote for such a collection of folly and nonsense — and my group will vote against this travesty of a report.

(Mixed reactions)

Mrs Veil (L). — *(FR)* Mr President, I should like to say on behalf of my group how disappointed we are

that the end of the voting should have gone the way it did.

This is a very important decision and it is an important debate, since there will be a direct effect in that the decision taken by this House will mean that either we shall or shall not have relations with Turkey, in one form or another. I must say that my group voted for the text virtually as it stood in the Balfe report. We agreed with a number of amendments, but very few, and we kept to a consistent line.

We nevertheless hoped that parliamentary relations would be established with Turkey; we have such relations with virtually all countries of the world, including countries which do not even pretend to have parliaments, but have vague organizations and nevertheless maintain relations with us through parliamentary delegations.

(Applause from the benches of the European Democratic Group)

On the other hand, our group adhered to its decision of 18 months ago to reject the setting-up of a Joint Committee. Our position on this has not changed at all. We consider that it would be wrong to establish the special relationship that goes with the setting-up of a Joint Committee, but we regarded the amendment tabled by Mr Klepsch as entirely reasonable. We feel that it is absolutely absurd not to have relations with Turkey on the same level as those we have with other countries which flout human rights just as much if not more, unfortunately, and we felt that some recognition should have been given for the efforts which have been made in the past 18 months, inadequate though they may be.

We accordingly thought that arrangements should have been made for parliamentary relations on some level, not through the Joint Committee called for in the Association Agreement, but such as we have with any number of organizations whose members are not even elected but are regularly welcomed here and treated as privileged friends.

Why should Turkey be the only country in the world to be singled out and the only country with which we have no relations at all?

This is what we were not prepared to accept, and because we find it illogical for the motion for a resolution to adopt this line, we shall be voting against it. We shall do so regretfully, I must point out, because the motion for a resolution stressed certain positive aspects, drawing attention to the efforts which had been made and condemning the violations of human rights — which must be condemned if progress is to be achieved. But if we want a country to make progress towards democracy, we must also appreciate that we

Veil

ought to be helping it to do so, and the decision which has been taken will do nothing of the sort.

(Applause from the Right)

Mr Habsburg (PPE). — *(DE)* I shall vote firmly against this report because it contains points which are just not true. Furthermore, it is setting double standards, as this was so correctly illustrated. Thus, I can be very brief. I agree entirely with the previous speaker's statements. We cannot accept this text in its present form if we want to act even half correctly.

(Applause from the right — interruptions from the left: 'Disgraceful!')

Mr Segre (COM). — *(IT)* Mr President, ladies and gentlemen, I would like very briefly to announce that the Communist Group will vote in favour of this resolution, which seems to us balanced and well thought-out, the result of long and careful consideration by the Political Affairs Committee. We thank the rapporteur, Mr Balfe, for his report.

I should also like to say, Mr President, that I can understand differences of opinion at the end of a debate when the time comes to vote, but I feel very deeply offended by the statement of a colleague who, whilst explaining his vote against the resolution — as he is fully entitled to do — defined this document that was prepared by Parliament as being a collection of unsavoury nonsense.

(Applause from the Left)

Mrs Thome-Patenôtre (RDE). — *(FR)* Mr President, Ladies and Gentlemen, I should like to express my disagreement with the conclusions contained in Mr Balfe's report, because — and I entirely agree with what Mrs Veil has just said — although Mr Balfe does actually find that some progress has been made in the process of democratization in Turkey, he nevertheless finds it insufficient for the European Parliament to change its attitude. I for my part consider that Turkey should, on the contrary, be encouraged to pursue this course. Having visited Turkey last April, I find that these efforts towards democratization are real, although not perfect. You are less demanding in other cases . . . For instance, martial law has been lifted in 50 of the 67 districts, including Ankara and Izmir, and several party political conferences have been held.

Finally, it is my view — and this is an important point — that to run the risk of destabilizing Turkey, whose geographical situation and difficult environment we should not forget, would be a political error on the part of the EEC.

(Applause from the Right)

Mr Pearce (ED). — The risk inherent in this motion was that some political groups might be hijacked by the Greek Members in their ranks playing their political cards — I see some of them sitting back smiling over there now — calling in the bacon and using this as an opportunity to denigrate one of Europe's partners and one of NATO's partners. I urge Members to think about this. Let us try to support the progress in Turkey, not denigrate it. That is, if you believe in democracy and frankly in the case of some of you over there, I very much doubt it!

Let us support NATO also against the Russian threat, unless it is that you want the Russians to conquer Europe. Let us, in short, reject the motion in its present form.

(Mixed reactions)

Mr Wedekind (PPE). — *(DE)* Such a document, such a hotch-potch of lies, stupidity, malevolence, accusations of the worst kind, a document prepared without discernment or judgment, supported by the Communists and the Socialist International, which is not standing up for freedom but rather advocating a break-off in relations with this country, such a document is the essence of hostility. To Mr Danker, Mr Fellermaier or the Greeks who have spoken here, claiming to be benevolent towards Turkey I can only reply: whoever subscribes to such a document is not benevolent but the epitome of malevolence! These hypocritical statements are typical of the incomparable hypocrisy of the entire document! It sets separate standards for Turkey.

Communists and Socialists speak of freedom and embrace every Communist leader, every murderer there ever was in any country. Here, on the contrary, we are dealing with a country on the road to democracy which is making every effort to become accepted into the circle of democratic States, and it is at this country that you level such accusations. It is intolerable, repulsive and disgraceful!

(Applause from the right)

Mr Beyer de Ryke (L). — *(FR)* Mr President, Ladies and Gentlemen, I have to confess to having little taste for the kind of self-flagellation in which a section of this House is engaging. Perhaps those in that part of the Chamber are dedicated readers of the Marquis de Sade. I leave them to their perverse pleasures.

For myself, I readily admit that Turkey is not a Western-style democracy such as we would like to see and that the necessary guarantees and safeguards protecting human rights and freedoms have hitherto been and remain insufficient in that country. But I would point out that before this regime came to power — and it also has to be acknowledged that this regime is evol-

Beyer de Ryke

ing — human rights were too often synonymous with the right to an untimely death and dead bodies were being collected daily from the streets.

Mr President, Ladies and Gentlemen, it is manifestly hypocritical to establish relations with every country in the world. Only this afternoon we were discussing the relations to be established with Comecon, which is natural enough and I have no argument with that, but why in heaven's name, why then should Turkey be 'privileged' to receive special treatment? That is hypocrisy, and I reject it. I shall vote against hypocrisy, against self-flagellation, against masochism, and therefore against the Balfe report.

(Applause from the Right)

Mr Baget Bozzo (S). — *(IT)* Mr President, it is an honour for me to vote in favour of this report, that proves the inadequacy that marks the approach to the problem of human rights. Anyone who really understands Turkish affairs knows that, in effect, Panturkism is based on an essentially military regime that has never known any other democracy than one controlled by the army, and that this is precisely for ideological reasons.

I will give only three examples, one of which I address to the Christian Democrats.

First. The United Nations recently condemned the Armenian genocide, the only vote against being that of the Soviet Union. Well, this Turkish government — this very government — having received from the Pakistani government a certain number of Kirghiz, Uzbeqs and Turkomans, installed them on Mount Ararat, the traditional soil of the Armenian Church, as if in fact to suggest a sort of continuity of that genocide, but with the consent of today's government. I ask the Christian Democrats whether this says nothing to them.

Secondly. I remember that there is a Kurd minority in Turkey, and that the Turks, with the agreement of the Iraqi government, fought the Kurds also in Iraq.

Thirdly. I recall that the Panturkish ideology is what led to the invasion of Cyprus, with 1600 persons still missing, and the violent occupation of part of that region.

Any ideology that leads to the violation of the rights of other nations oppresses also one's own nation. That is why I say that, wherever the rights of the Armenians, the Cypriots, and the Kurds are not recognised, neither will the rights of the Turks themselves be recognised: that by voting in favour of the Balfe report we are voting for the Turks, the Armenians, the Kurds and the Cypriots; and that it is disgraceful to state that the question of Cyprus concerns only the Greeks — as if it did not also concern us! I say only that, once

again, the subject of the freedom of nations is the key to understanding the freedom of individuals, and I hope that those in this Chamber who call themselves Christian Democrats will remember the drama of one million and more Armenians put to death in a genocide for which an ideology was responsible that is subscribed to by this government.

(Applause from the Left — Protests from the Right).

Mr Taylor (ED). — Like the previous speaker, I am also active in the Christian Church; but, unlike him, I would like to display some Christianity towards Turkey. I think there is much in Mr Balfe's report which commends itself: the abuse of capital punishment, the controlled elections, the restrictions on trade unions and the brutality of security forces — all those things would be opposed by Members of this honourable House. But he has been selective, and that is the important issue. He has not referred to the period of two years in which democracy has reigned throughout Turkey. He has restricted his condemnation to the period under which it was controlled by the military regime. It is an unfair and unhelpful report from this Parliament.

Turkey is a major European country. Counting some 50 million people today, it will become the largest country in Europe by the end of this century. It is an important friend of Europe. It is important to Europe that we have it as a link with the Middle East. It is in our interests to improve relations with that great country. I believe we should be talking to Turkey now that democracy has been restored there. I believe that this Parliament should create the joint committee. I regret that it has been rejected in this report.

We encouraged Greece after it recovered itself from a regime of military persons. We should likewise be helping Turkey to recover democracy. That is the role of Europe.

The message today, even if this report is passed, is that more and more people in Europe are becoming the friends of Turkey.

(Applause from the benches of the European Democratic Group)

Mr Fellermaier (S). — *(DE)* I shall adopt this report because, as a longstanding Vice-Chairman of the Interparliamentary Committee which has been suspended since the putsch, I know that the requirement for the re-instatement of this committee must be the return to full parliamentary democracy. Turkey as a country associated to the Community is the only country under international law in a position to apply to become the thirteenth member of the European Community. This throws a very different light on the judgment, Mrs Veil, because we are not dealing with

Fellermaier

just any country, any parliamentary relations, but with a thirteenth country on our doorstep.

I am not adopting this report because I have been led astray by the Greek Socialists or the Christian Democrats as was just attributed to me by a speaker foaming at the mouth who thought he had to reproach the Socialist Group. I am adopting this report more on the ground that, may I remind the ladies and gentlemen on the right-hand side of the House, it was approved by a majority in the political Committee, and this majority is reflected in the Chamber. So please be democratic and recognize this majority.

(Applause from the benches of the Socialist Group)

Mr Brøndlund Nielsen (L). — *(DA)* I shall be voting against this resolution, and I entirely support the intervention of my group chairman, Mrs Veil. Another of my reasons is that I believe democracy is still in the process of development. The former Turkish Prime Minister, Mr Ecevit, was recently on a visit to Sweden, where he said that democracy was constantly growing in Turkey. That is a very interesting statement and acknowledgement, precisely from Mr Ecevit. The major Swedish newspaper, *Dagens Nyheter*, which is known for its critical and competent journalists, had a correspondent in Turkey at the time, who in an article as recently as last Sunday in *Dagens Nyheter* reported clearly on how democracy and debate are continuing to develop. There is therefore absolutely no reason — and it would be foolish of the European Parliament — to steer a confrontation course with such a positive development in Turkey. Some of Mr Ecevit's friends in this Chamber should also reflect on that.

Sir Peter Vanneck (ED). — I am saddened by the way so many of my colleagues here persist in trying to measure Moslem attitudes by Christian yardsticks. It just is not fair to all their efforts to keep complaining that Turkish progress is not fast enough. One cannot instil London democracy in Ankara overnight. What we can do is lead Turkey forward by contacts, notably parliamentary ones, by precept, by example and by friendship. Not by ostracism or by threats.

Above all, Turkey is our bastion on the Mediterranean flank of NATO. When we alienate the Turks, we encourage the Russians. Some of those who spoke yesterday will know that. They should be ashamed of themselves.

We must educate this Moslem nation as to what we understand by human rights. We must do it sympathetically so that they in their turn appreciate our ideals and, meanwhile, become an even more powerful and stable neighbour in a key position in the Western Alliance, standing up against the Soviet menace, standing foursquare with the rest of the free world who count on them so much.

I cannot, therefore, endorse this report.

(Applause from the benches of the European Democratic Group)

Mr Boutos (RDE). — *(GR)* Mr President, immediately after Mr Pearce's speech I asked for an opportunity to comment on the implementation of the Regulation. The Presidency did not comply, though it was obliged to do so. Had I been allowed to speak, I would have protected the Presidency, and dare I say, the House as a whole, from certain exaggerations, moral failures and improprieties that took place at today's part-session, on the part of some colleagues. Claiming that they were explaining their vote, they hurled moral accusations at colleagues and I think it was the Presidency's duty to hold back the speakers from the downward path they were pursuing. Mr President, under such conditions the Presidency's responsibility is very great if it permits the House to deviate from the democratic methods it follows in its work; otherwise, I very much fear that Parliament may degenerate from a House of deliberation into a House of reciprocal hate and accusation, devoid of reason and in which the political instinct will show its most unacceptable face.

President. — Mr Boutos, that was not a point of order.

Mr Boutos (RDE). — *(GR)* Mr President, I think that in this Parliament we should resist such high-handed action in future.

President. — Naturally

Mr Balfe (S), rapporteur. — I should like to begin by thanking the staff of Parliament and my colleagues for their help in drawing up this report.

Despite what has been said, this does not close the door on our association with Turkey. It does undoubtedly mark a difference in interpretation between myself and, let us say, Mr Wedekind or Mr Prag, but it does not close the door. Where progress has been made, it is specifically mentioned and welcomed in the report, because it is important that people in Turkey reading this report realize that we do note the decrease in executions, that we do note the changes that have been made. Nonetheless, by the yardstick which I adopted and which this Parliament has now accepted, those changes were not sufficient, but the door is not closed.

May I say that I feel that the Turkish authorities themselves could have done better with their case. In particular, I think the Turkish Ambassador in Brussels, rather than ignoring the existence of a parliamentary

Balfe

rappporteur, might have done well to have at least sent the odd bit of information through. The fact that he refused to see the rapporteur was not very sensible. If I were the Minister in Ankara, I would be rapping that Ambassador over the knuckles for his sheer diplomatic incompetence.

Finally, can I say a quiet word to my friend, Sir Henry Plumb. Please send Sir Peter to educate the Muslim nation. Ask John Taylor whether he has any interests in Northern Cyprus or in Turkey and please return Mr Prag to somewhere where he can do a slightly better job because he made the worst speech I have heard in years!

(Applause from the benches of the Socialist Group)

Mr De Vries (L), in writing — (NL) I share the broad outlines of the analysis offered by the Balfe report. For that reason I have voted against nearly all the amendments tabled. In particular the continuing and systematic use of torture is a major cause for concern. For that reason the Ten and the other Member States of the Council of Europe must continue to exert political pressure on Turkey. For that reason too, the Joint Committee under the association agreement must not be given a new lease of life by the European Parliament. But the careful first steps Turkey has taken on the way to restoring democracy also deserve to be encouraged. As well as the stick, Europe must also be willing to use the carrot. In human rights cases open condemnation has an important part to play, but so too has encouragement. The European Parliament could have given just such a positive signal with the setting up of a parliamentary delegation, as advocated in the Klepsch amendment. Nor is there any reason to treat Turkey any differently in principle from countries like China or the Eastern European countries, to which we do send delegations, inasmuch as grave and systematic violations of human rights take place in those countries also. The rejection of the Klepsch amendment forces me — more in sorrow than in anger, in view of the quality of the report — to withhold my vote from the Balfe report. I wish however to dissociate myself specifically from the vulgar and stupid speech by Mr Prag: his attitude is an affront to all those in Turkey who are suffering under human rights violations.

Mr J. Elles (ED), in writing. — While recognizing that considerable progress has been made towards restoring democracy in Turkey, with an overall reduction in the number of political prisoners, I do not believe that sufficient steps have yet been taken in the field of human rights to establish the European Parliament delegation to the EC-Turkey Joint Committee. 7 000 prisoners kept in jail for political reasons, including Mr Ovacik, remains too high a figure for complacency. I shall therefore vote in favour of this report.

The decision to reestablish this relationship should be kept under constant review so that relations can be restored once the number of political prisoners has been reduced to a more acceptable level.

Mr Filinis (COM) — (GR), in writing. We will vote in favour of the Balfe report because we believe it necessary to condemn the violation of human rights in Turkey severely, following the deterioration of the situation. The state of affairs will not, of course, be brought to an end thanks to the 'good intentions' of the dictator-oppressors of the Turkish people, nor by appeasing them. Positive steps are needed, such as last year's decision by Parliament not to send representatives to the Joint Committee of the European Parliament and the Turkish National Assembly. Clear condemnation of the dictators and the adoption of still more specific measures will encourage the Turkish people to struggle effectively for its democratic rights. At the same time, a firm stand by the European Parliament is a duty to the oppressed minority groups in Turkey, especially the Kurds in that country, to whom we have displayed totally inadequate solidarity.

Finally, it should be stressed that condemnation of the violation of human rights in Turkey will contribute towards promoting a peaceful solution of the Cyprus problem. As we have repeatedly emphasized, it is not permissible, as a European Community, to tolerate a continuation of the 11-year Turkish occupation of 40% of the territory of a European country such as the Republic of Cyprus, the existence of 200 000 refugees, and furthermore the disappearance of 2 000 people.

(Parliament adopted the resolution)¹

(The sitting closed at 7.25 p.m.)²

ANNEX

10. *Formal sitting*

IN THE CHAIR: MR PFLIMLIN

President

(The formal sitting opened at 12.30 p.m.)

Mr Pierre Pflimlin, President of the European Parliament. — Mr President, it is a great honour for our

¹ The rapporteur was:
AGAINST Amendments Nos 1,3 to 33 and 35.

² *Agenda for next sitting:* see Minutes.

Pierre Pflimlin

Assembly to welcome you today, and on behalf of all my colleagues I want to thank you for your visit.

We know, Mr President, that in your own country you are universally respected, having been elevated to the position of Head of State not by a single party but through the broad support of men and women who, on the political level, are not in agreement one with another.

We know too of your great moral authority which extends well beyond the borders of the Federal Republic. You represent among us one of the original Member States of the European Community. The Federal Republic, from the very first years, participated in the great drive for the construction of a united Europe, and its cooperation with the other Member countries, the six founder Members, and those who subsequently joined us, has always been greatly valued by the Federal Republic's partners. And as for today I think I can say that much hope is placed in the initiatives, in the decisions that the Federal Republic might take to push forward the work of European construction, a difficult and perhaps a perilous task to which the European Parliament, for its part, within the limits of its powers and possibilities, intends to devote much effort.

We also know that you are personally attached to the European ideal. Might I be allowed at this point to read out a passage from a brief but significant statement that you made last year, just one year ago, on your official visit to France. This is what you said:

'Alongside a healthy sense of national identity there is a failure to perceive that as European peoples it is only together that we have an independent future before us'.

(Applause)

That, Mr President, is a conviction which is shared, I think I can say, by virtually all the members of this Assembly.

But your conception of a united Europe is not that of a Europe turned in on itself. You are keenly interested in Third World affairs. Might I be permitted to recall a personal memory here. When on 22 January last, on an official visit to Bonn, I had the honour to be received by you, it so happened that it was Africa Day which, as we all know, drew a very generous response in the Federal Republic, and might I just inform my colleagues that the conversation in which you agreed to engage bore mainly on the problems of Africa, on the problems of hunger, and on the moral and political obligation upon us Europeans to concern ourselves with Third World problems and to do whatever we can to improve the lives of those people.

So it is that you appear to us as a statesman attached to the European ideal, to the idea of a Europe open to

the world. This is why we are so deeply honoured to welcome you today and, without further ado, I give you the floor.

(Loud applause)

Mr Richard von Weizsäcker, President of the Federal Republic of Germany. — Mr President, distinguished members of the European Parliament,

Thank you very much for your invitation to visit the European Parliament. I am glad to have this opportunity to express my thoughts on Europe on behalf of my country, the Federal Republic of Germany, before the freely elected Members of Parliament of the European Community.

I address you as an old Parliamentarian and convinced European. Like you, I feel the European Parliament does not have enough influence.

(Applause)

Why do I feel Parliament should play a bigger role? Simply because our European Community is not merely intended to be an organization of democratic countries but at the same time a community of their citizens, hence a democratic community.

Our peoples want to enjoy as a community no different and no less democracy than they enjoy in their own countries.

(Applause)

Democracy has moulded Europe's constitutional history. The central element of democracy is Parliament. Parliament's task is not merely to enact laws and exercise control over the government; it also gives democracy its special character. Democracy finds its legitimacy through Parliament. This is true of all our member countries. That is why the European Community too receives its democratic legitimacy through Parliament.

We know how much is still missing in this respect. Although the Community is not a state, it already has its own legislation which is directly applicable in key areas of its members' economic and social systems. It affects citizens directly.

But to date the European Parliament is not the master of the legislative process. Naturally, the scope of the powers available to the European Parliament cannot be greater than the will of member countries to unite and to transfer important decisions to the Community. As we become more closely integrated, however, we must not grow accustomed to a state of affairs in which Europe's parliamentary powers lag behind what the Member States have actually established in the way of European law.

(Applause)

Richard von Weizsäcker

What characterizes the present state of development must not become permanently established, namely the fact that progress towards European unification lies in the hands of the Member States, who act through their executives, the governments. To the extent that national legislative powers are transferred to European institutions in the course of unification, the influence of national Parliaments is reduced but without any corresponding European parliamentary authority being established as yet in its place.

One could hardly imagine this to be otherwise with regard to the process of enlargement and unification of Europe. Only the governments can conduct the negotiations. But we must take care that we do not in the long run create quite different principles of democratic power-sharing than the ones we actually observe in our individual countries.

(Applause)

Over time, progress towards European union must not be accompanied by a loss of parliamentary substance, for our European goal remains subject to democratic legitimation, and that means in particular parliamentary legitimation.

This is not merely a question of political theory or pure doctrine. Rather does it have considerable influence on our citizens' vision of Europe. What they are primarily interested in is not matters of institutional power for their own sake; they do not get excited about conflicting competences of the Community's bodies; they want to know what Europe's role is in establishing the principles governing their own lives and in ensuring their practical application and what prospects Europe offers them for the future.

They realize of course that the interests of the Community's Members often collide very heavily. Precisely for this reason they value a Parliament's ability not only to quarrel but also to make decisions. A Parliament can reach agreement because at the end of a debate it holds a vote.

We need the commitment of our citizens in support of European union, but they will not be prepared to give that support as long as they see the Community's Members doing little more than squabble among themselves without the power to make decisions.

So I think we are agreed on the direction in which we should proceed. If the conference of member governments discusses ways and means of achieving progress towards European union then the expansion of the powers of the European Parliament should count among the most important institutional improvements.

(Applause)

I wholly agree with what Italy's President, Sandro Pertini, said here in Strasbourg shortly before retiring

from office. 'A European union', he said, 'which aims to protect democratic values in the world can no longer be content to have a Parliament with diminished powers'.

Now we all know that the citadel cannot be taken by storm. Parliament's powers will increase as we progress towards European union. The main aim for the immediate future is to establish a true domestic market. Agreement on the next phase is necessary and could be achieved in 1986 on the basis of the Commission's White Paper. This means that we need not wait until all the institutional formalities have been completed. Those who do not relish this at the moment will soon work up a healthy appetite for it as they go along.

What the domestic market requires is:

- the further facilitation of border controls including those for goods traffic;
- further steps towards the approximation of tax rates and the free movement of capital;
- a common market for services;
- the approximation of national norms and standards;
- public tendering for contracts on a European scale.

The domestic market is of fundamental importance. We need it in order to cut costs. When we member countries are concerned about the size of our contributions to the Community budget, we should remember that a fully effective domestic market would, overall, save us more in the way of costs than the amount we have to raise at present for the whole Community budget.

(Applause)

We need the domestic market to help European firms with their costing and business management. It is strange enough that while major American and Japanese firms conduct their business throughout the Community through one central company in Europe, our own companies still for the most part operate only from a national basis. Many of them still shy away from European cooperation and look instead for partners and production facilities in the Far East or on the other side of the Atlantic.

And finally, and more important still, we need the domestic market for the sake of our citizens. Our borders will be truly open once they give our citizens the feeling that Europe has ceased to be foreign territory to them.

(Applause)

Richard von Weizsäcker

It is also important that both sides of industry in our countries, apart from the Community's institutions and the political parties, should also play an active part in this process. Economic growth, technological cooperation and the ability to compete on world markets, combined with investment in infrastructure in Member States, will help us to master the greatest task of this day and age, unemployment in Europe.

I confidently hope that the trade unions and the employers' associations will demonstrate their commitment for Europe and their faith in European union within the scope of the action committee for European union, and in addition play their part in ensuring that rapid and vigorous strides can be taken towards the establishment of the domestic market. Progress in this direction is also necessary with a view to strengthening the European Monetary System.

(Applause)

Just as important as the domestic market is the common foreign, security and peace policy. The Community's significance in the field of foreign trade is obvious. I need only mention the trade and association agreements and the Community's overseas aid policy.

The Lomé Conventions have developed into a model for relations between industrial countries and the Third World. They now embrace 66 African, Caribbean and Pacific countries. By constituting the Assembly of Parliamentarians with equal numbers from the Community and the ACP group you, ladies and gentlemen, have added an important parliamentary dimension to this unprecedented model of cooperation.

Europe's importance has also increased in relation to other groups of States and regions. As an example of partnership and constructive dialogue I would mention relations between the Community and the ASEAN group. Our contacts with the Common Central American Market and the Andean Pact also play a major role. With good reason and not without success, the European Community encourages and supports regional organizations and cooperation in other parts of the world.

We Members of the Community will have to take care that Europe is taken seriously not merely on account of its size but that its actions are understood and respected. It is not sufficient for the world to count on us because we are influential. What matters more is that we should gain the respect of other nations by virtue of good principles and the consistency of principle and practice. That is the best way for us to serve our interests and to meet our responsibilities in this increasingly interdependent world.

At present Europe offers a patchwork of good and bad examples. I experienced a good example a few weeks ago in the Western part of the Sudan, an area hit by

famine. There an airlift organized by the Community has saved the lives of hundreds of thousands of people for whom no other means of transport were available.

In other fields we give examples of the inconsistency of principle and practice. For instance we support a number of Latin American countries with loans and investment to help them help themselves. The key to this self-help are in many instances exports of foodstuffs which they produce cheaply. But when we undercut their prices and force them out of third markets, offering our own foodstuffs which we have produced at a much higher cost, then we are showing that our actions defy our principles.

(Applause)

Not only must one doubt the moral justification of such action, it is also not good policy. Of course I know how difficult it is to reform our agricultural system. I am merely stating another reason why such reform is necessary.

Political cooperation in the narrower sense has enabled us to establish common ground in important areas and to use Europe's influence favourably. Apart from many individual instances I would mention the joint preparations for the CSCE and the common positions adopted during that conference.

Cooperation has also proved valuable at the follow-up conferences, as at present at the Conference on Confidence and Securitybuilding Measures and Disarmament in Europe being held in Stockholm. And cooperation among the Europeans has been enhanced at the United Nations, particularly in the field of human rights.

On the whole, however, Europe's weight on the international scene still falls short of what we could achieve and which, in our well-considered interest, we ought to achieve.

(Applause)

This applies in particular to East-West relations. I say this fully aware of the fact that the Community owes its development not least to the economic and moral uplift we received from the Americans after the war, and that our freedom is protected and will have to remain protected by the Atlantic Alliance.

(Applause from the Centre and Right)

Europe and the United States are linked not only by their security interests but by their common values and the common principles underlying their democratic institutions. We share the fundamental concept of the dignity of every person and of his rights and obligations and equality of opportunity in a free society. They give our Alliance its meaning and its substance.

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Over the past 40 years the world has not grown more peaceful. But in Europe there has been no war and considering the tension between East and West we have every reason to be grateful.

However, we must be alert to counter mounting dangers. It is the modern weapon technologies themselves which so far have given us protection and which at the same time compel us to do some rethinking.

History shows us that power politics in the classical mould have always been a policy of strength. A nation could not be seen to be weaker than others and as far as possible it wanted to be stronger. In the nuclear age our own security requires on the one hand that, as in the past, we are able and prepared to protect ourselves, but at the same time that we cooperate with the other side. Supremacy no longer affords adequate protection.

(Applause from the Left)

It can merely escalate mutual fear and hence armaments. But more weapons usually entail more danger, not more security.

(Applause from the Left)

The rational use of power in the age of nuclear weapons implies an indispensable belief in the salutary and protective effects of cooperation across the dividing lines between power blocks.

(Applause)

Priority has to be given to arms control at the lowest possible level of forces and weapons systems. We are building our expectations in the light of the forthcoming meeting between the United States and the Soviet Union in Geneva. But it is not enough to hope for miracles. Sometimes the superpowers make hard work of achieving progress together. As superpowers they have their own particular exigencies, conflicts and fears to contend with in their mutual rivalry.

This makes the contributions of the Europeans all the more important. We have not been sentenced to the role of inactive friend and spectator. We must and can show that the readiness and the ability to defend ourselves must not lead to confrontation but can also increasingly lead to interdependence and cooperation.

They will have to, otherwise they will not do justice to our own security interests. Détente is not a substitute for defence. But an effective defence without détente will fail to achieve its true objective.

(Applause)

Our history, our geopolitical situation and the deployment of weapons systems make it easier for us Euro-

peans to appreciate this. We must bring this appreciation to bear. Europe is capable of this if it can mobilize its intellectual, material and technological capacities and demonstrate a common political will. Not until we are agreed and act in unison will the power we possess actually become tangible. Then, if we succeed in this, we shall be supporting our American friends, helping our principal allies and thus strengthening our own security and gaining respect and influence. Nothing less than this is involved as we pursue a common foreign and security policy within the framework of a European union.

(Applause)

Being agreed among ourselves and acting in unison — what is to stop us from doing so? Is it the special problems or objectives of the member countries? The insular existence and Commonwealth of the British or the Mediterranean common to our members from the South? The French 'sanctuaire' or the division of Germany? Is it the traditions and sentiments born of national identity? The European Parliament would be the least suitable place to spread Europe an complacency.

(Applause from the Rainbow Group)

You, the directly elected representatives of the member countries, have the duty and the right to press for action. The draft for a European union which you adopted on 14 February 1984 is impressive evidence of this. But Strasbourg, the seat of this Parliament, offers you the historical perspective for the push into the European future.

The idea of Europe's intellectual and cultural identity has a long history. As early as 1929 José Ortega y Gasset wrote:

'If today we were to take stock of our intellectual property — our theories and norms, our desires and assumptions — we would find that most of them derived not from our respective fatherlands but from our common European origin. In all of us the European's influence is far greater than that of the German, the Spaniard, the Frenchman . . . four-fifths of our innate possessions are common European property.'

But that early awareness was to be destroyed once again. In the middle of the twentieth century, following a period of perverted nationalism, following two horrific wars, the nations of Europe had become the object rather than the subject of international politics as a result of the Hitlerite dictatorship and Stalinism. Weakened, divided and controlled from outside, Europe entered the post-war era. In those parts of the continent where free self-determination had remained intact the path towards the European Community was for our nations the only possible answer to the challenge of the day.

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It was quite natural that each member nation first had to gain an impression of the Community's emerging nature and consider how it could bring its own traditions and characteristics into harmony with it. This was not merely a question of an objective, sober, rational assessment but of the sentiments of the ordinary individual.

This takes time and patience — who would not know that? But anyone who draws comparisons from history can only regard Europe's development in recent decades with amazement. We have embarked on an irreversible course. The European Community became the answer to the crisis our continent found itself in. Considering the human losses and material destruction, there followed an unforeseeable process of recovery and renewal.

Precisely those countries with particularly strong national characteristics that have to some extent closed them off from others have become increasingly aware that national identity and the mutual bonds created by the Community have more in common than was originally thought. Slowly people are coming to realize that the mind and the heart can be committed to the Community without abandoning the national identity. Gradually they see that the good patriot must not at the same time be a bad European. Nor is the good European at the same time a bad patriot.

(Applause)

The nation and Europe become two parts of our identity which need and permeate one another. This is a crucial evolution. Governments sometimes find it a little more difficult to appreciate than the peoples themselves.

(Applause)

This development is due not least to international experience. The number and the strength of nations in other parts of the world who identify themselves with our idea of freedom and democracy is not large. The differences which divide us here in the Community are by comparison slight. Where is the freedom which each one of us wants to have at home if not in Europe? Here everyone finds his friends. One needs first to look around the world to get the right perspective for the unique neighbourly friendship that has developed here in Europe and in which one can feel at home. That is the quality which is gradually developing our common historical and cultural legacy into a political force.

Not only do we need one another. The world needs us and is counting on us to make use of our unique possibilities and to meet our tremendous responsibility. We must not make demands upon ourselves that fall short of the expectations which others place in us. With the authority deriving from its historical experience, its huge cultural heritage, its material means, and not

least its human resources, Europe can play a crucial role in solving the problems of our time — as an open society in which conflicts can be settled and change brought about peacefully.

We all know and feel that without the vitality of our common history and our common culture, without our belief in the same values of democracy and freedom, our Community could not exist, but we well realize that there are also free democracies in Europe outside the Community. And we should always remember that the people who live in those parts of Europe where free democracies do not exist are Europeans like ourselves.

(Applause)

For them, precisely because of the harsh political line dividing Europe, the common historical, cultural, intellectual and social roots are of the greatest significance, are a hope.

These Europeans must not get the feeling that we are content to have saved just for ourselves those of Europe's values that we cherish so much. On the contrary, they should have the certainty that by pursuing a policy aimed at peace and understanding in Europe across the painful political divisions we are trying to create the conditions under which those unaltered basic values can come to fruition.

(Applause from the Centre and Right)

I say this here not only as the representative of a free country but also as a member of a divided nation. No one can feel more strongly than we Germans that arbitrarily imposed divisions cannot divide a nation and its history, cannot remove that sense of belonging together that has grown over many centuries. The same is true of the division of Europe. And just as today the division of Berlin and Germany will not be the last word in the history of my people, so too will the division of Europe not be the final chapter in the history of our continent.

(Applause)

Europe need have no qualms about the 'incertitudes allemandes', but Europe has every reason to develop a faith in a 'certitude européenne'.

(Applause)

The creation of the Community was and remains an outstanding historical achievement. Something completely new was attempted. The Community is far more than the peace treaties that have been signed in the course of history. It was established as an Economic Community. It is as a legal community with its own Court of Justice that it has made the most progress so far. Now it is becoming a peace community. It is continuing to develop without posing a threat to

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anyone. It is not directed against anyone nor does it close its door to anyone. If the Community can find its common ground and maintain its outward-looking approach that is part of its liberal image its achievements can prove immensely contagious.

This is an opportunity history has never given us before. Let no one deceive himself: If we fail to take it it will not come again. But if we seize it the Community can generate impulses for peace more powerful than the world has ever seen.

(Parliament gave President von Weizsäcker a standing ovation)

Mr Pierre Pflimlin, President of the European Parliament. — The frequent applause during your speech and the general assent that has just been shown demonstrates that you have touched upon many of the

vital concerns of our Assembly which you have treated in an impressively high-minded manner. You have also raised some burning questions, including the reform of our institutions now under consideration and, among other things, the enlargement of the powers of our Parliament, in favour of which you have spoken unequivocally.

Your observations, I repeat, are very topical. I trust they will be heard well beyond this Chamber, and reach indeed as far as the Intergovernmental Conference.

(Applause)

At all events they bring us, at a difficult time, an encouragement and comfort of which we had need. Mr President, I thank you.

(Loud applause)

(The formal sitting closed at 1.10 p.m.)

ANNEX

*I. Questions to the Commission**Question No 11 by Mr Fitzgerald (H-465/85)*

Subject: US visit

The Commissioner for Competition, Social Affairs, Education and Training left Brussels on 9 May for a six-day visit to the United States and stated that he was particularly interested in learning from US Labour Secretary, Mr Brok, the lessons which Europe could accept from American successes in job creation and in equipping young persons for a fast-changing industrial environment.

Will the Commissioner make a statement on these aspects of his visit?

Answer

During my visit to the United States last May, the newly appointed Secretary for Labour, the Honourable William Brock was among the senior Administration and Congressional figures whom I met. We had a lengthy and interesting exchange of views on the comparable and contrasting experiences of the US and European economies.

We discussed the successful experience of the United States in recent years in generating new employment, especially in the services sector. Of particular interest was the high degree of labour mobility in the United States and the rate of formation of new small to medium-sized enterprises. The need to develop skills to avail of new information technologies was also evident. I explained to Mr Brock the priorities of the Commission in the economic and social field as set out in the Commission's work programme, which was presented to Parliament last March. We talked about the efforts within the Community in the field of training, the significant contribution made by the European Social Fund and the Commission's desire to develop cooperation among the social partners on ways of generating increased employment opportunities. We also considered more general issues of trade and finance, including the need to counter protectionist pressures and the efforts by the Reagan administration to reduce the US budget deficit.

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Question No 21 by Mr Van Miert (H-205/85)

Subject: Dumping of radioactive waste

In answer to a written question by a Belgian MP, it was stated recently by the Belgian State Secretary for Engery, Mr Knoops, that the waste from the Nuclear Energy Research Centre at Mol will be dumped at sea or, if this solution is no longer acceptable to the international authorities, stored in structures in shallow waters. This demonstrates once again that Belgium has still not put an end to the practice of dumping radioactive waste.

What steps does the Commission plan to take, not least in the light of the European Parliament's resolution of 16 September 1982 on the storage of nuclear waste in the Atlantic by the Netherlands, Belgium and the United Kingdom, to persuade Belgium to stop dumping once and for all?

Answer

The Commission understands that Belgium has not dumped any radioactive waste at sea since the adoption in 1983 by the London Dumping Convention of a resolution calling for the suspension of all sea dumping of radioactive waste.

At last month's consultative meeting of the London Dumping Convention the suspension of such dumping was reaffirmed. Belgium abstained in the vote. The Commission has asked for clarification of their intentions but we have no reason to suppose that Belgium will not abide by the resolution.

In the light of the renewal of the suspension, the Commission is examining urgently whether it would be appropriate to make Community proposals on the dumping of radioactive wastes at sea.

Full account will be taken, in making this decision, of the results of a number of studies which were presented at last month's consultative meeting of the London Dumping Convention.

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Question No 22 by Mr von Wogau (H-232/85)

Subject: Temporary importation of vehicles within the Community

The 'Anna Catharina', a two-master registered in Gibraltar, sailing under the British flag and belonging to the 'Handikap-Seglertilde Ravensburg e.V.', a recognized non-profit-making association, was seized with its Italian skipper by Cutter 5806 of the Guardia di Finanza in the port of Fiumicino in February 1985 for violating the 1956 Geneva agreement on tax exemption for temporarily imported vehicles.

Does the Commission share my view in the light of this case that in order to establish the internal Community market there is a need to introduce forthwith Community rules which allow a vehicle duly taxed and licensed in one Member State to be used in any other Member State without further formalities and irrespective of the driver or skipper's main place of residence?

Answer

The Commission has no information about the seizure of the boat in question and this would appear to be a matter for the Italian authorities. Under the Commission's proposals for the completion of the internal market, as set out in the White Paper, all means of transport including boats which have been taxed and registered in one Member State would be able to circulate freely throughout the Community irrespective of the importer's normal place of residence.

At present, however, there are considerable divergences in the treatment as between Member State and, in these circumstances, Community law allows Member States to restrict the use on their territory of vehicles not taxed there to prevent tax avoidance.

Community rules do however already provide for pleasure boats to be temporarily imported under tax exemption on certain conditions, but this facility does not apply to boats registered in Gibraltar. The freedom of movement, for which the honourable Member pressed in his question, can only effectively be achieved by implementing the programme for fiscal approximation contained in the Commission's White Paper on completion of the internal market.

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Question No 23 by Mr Adamou (H-302/85)

Subject: Turkish infringement of agreement on cotton threads

Turkey has consistently broken the agreement it signed with the Community to restrict its own exports of cotton threads for a period of two years between 1984 and 1985 in a total

of six EEC Member States. Greece is particularly affected by excessive exports of Turkish cotton threads since they indirectly create problems in the Greek textiles industry by restricting Greek exports to other countries in the Community.

Would the Commission state what measures it has taken against these breaches of the agreement by Turkey, which are exacerbating the problems of the textiles industry in the Community?

Answer

The agreement on cotton threads between the Community and Turkish associations of cotton thread exporters is an informal one, and its successful operation therefore depends on the willingness of the parties to abide by the terms of the agreement.

In 1984 there was an increased demand for threads and this led the Community to allow an increase in agreed import levels. There were, however, a number of cases of unauthorized increases on a considerable scale. In accordance with the arrangements agreed by the Community and the Turkish associations of cotton thread exporters, these excess quantities were carried over to 1985 and the levels for this year were correspondingly reduced. Further administrative provisions were decided on at the beginning of the year in order to control the pattern of imports in a better fashion.

The Commission will meet the Turkish associations of cotton thread exporters in the middle of October in order to review the situation and the possibility of extending the present arrangements through 1986.

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Question No 24 by Sir James Scott-Hopkins (H-346/85)

Subject: European Social Fund expenditure on training and job creation schemes

Is it not a fact that the massive cost of the CAP was a major factor in causing the Commission to announce recently that European Social Fund expenditure on training and job creation schemes is to be severely restricted? Is it not a strange sense of priorities that, as unemployment grows inexorably in many Member States, financial resources designed to counter this trend are being severely restricted, whilst allowing an area of expenditure such as agricultural price support to grow and grow and grow?

Answer

I am surprised that the honourable Member should speak of severe restrictions on support from the Social Fund and that the Commission's reasons for this should be the increase in agricultural expenditure.

On the contrary, it is the Commission's view that the structural funds should continue to be expanded while — on the initiative of the Commission — a ceiling ('guideline') has been formulated for agricultural expenditure.

The budget figures show that the Social Fund's share of the total commitment appropriations in the general budget of the Communities rose from 6.3% in 1984 to 6.6% in 1985 and the Commission's proposal in the preliminary draft budget for 1986 corresponds to a figure of 6.7%. As regards payments, it is now admitted that the Commission has proposed an even greater increase in appropriations.

It should be remembered that the financial guidelines on the basis of which agricultural expenditure is to rise at a slower rate than the Community's own revenue will have a severe curbing effect on the increase in expenditure in the future. Agricultural expenditure

will thus fall to under 60% of the budget in 1986 if the Commission's preliminary draft budget is adopted.

As regards future developments, the Commission advocated, in its communication to the Council and the Parliament of 15 July 1985 an expenditure control strategy based on a price policy designed to match the supply and demand with regard to agricultural produce. If the Commission has proposed a very low increase in real terms for the 1986 commitment appropriations, this is because of the need to balance payment and commitment appropriations, since there would otherwise be a serious risk that the commitment appropriations could not be utilized for the simple reason that the payment authorizations were insufficient.

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Question No 25 by Mr Hutton (H-356/85)

Subject: European Organ Donor Card

Would the Commission agree that a European Organ Donor Card would make the present information network on tissue availability work more effectively?

Answer

The Commission shares the views of the honourable Member in that the setting of a European Organ Donor Card would make the present information network on tissues availability more effective.

The Commission would like to point out that, on 21 December 1983, it addressed to the Council a proposed recommendation concerning a European Emergency Health Card. Subsequent to the Parliament's resolution of 16 November 1984¹, the Commission has agreed to endorse Parliament's wish that the Member States be invited to make the card available — not only for those persons 'suffering diseases or chronic illness — but also for any person who so wishes'. This initiative had been favourably reviewed by the 'Ad Hoc Committee on a Peoples' Europe'.

The question of combining the European Emergency Health Card with a European Organ Donor Card was already raised in the European Parliament during the debate on the former on 15 November 1984. However, an amendment in this sense was rejected for the reason that, 'the Organ transplantation problem is irrelevant to this Health Card'.

The Commission will, nevertheless, consider the proposed European Organ Donor Card in the light of the outcome of further discussions at Council on the Health Card.

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Question No 27 by Mrs Jepsen (H-389/85)

Subject: The implications of a Danish import ban on cage-produced eggs

According to the Commission's answer to my oral question No H-696/84(1) on uniform rules governing the construction of cages for egg-laying hens, the Commission intended to invite the Council to take rapid action to establish common rules on cages for egg-laying hens. However, a number of parties in the Danish *Folketing* are now considering imposing an import ban on cage-produced eggs from 1 January 1986 on the basis, *inter*

¹ See the European Parliament's resolution annexed to Background Note.

alia, of animal welfare provisions, which are supposed to require an increase in the area available per egg-laying hen.

Would the Commission state what the implications of such an import ban in Denmark would be and does the Commission take the view that the ban is contrary to Community rules on free trading?

Answer

The creation of a single market is an objective of the EEC Treaty and facilitating the achievement of this objective is an essential part of the Commission's activity. Any unilateral action by a Member State which prohibits the importation of a specific product is clearly likely to have a serious impact on the market situation of the product concerned.

Any possible exception from the rules of free circulation must be strictly interpreted. From this point of view the proposed prohibition mentioned by the honourable Member would be manifestly contrary to Article 30 of the Treaty, and, on first analysis, would not appear to fall under the possibilities for exception envisaged by Article 36 of the Treaty.

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Question No 29 by Mr Alavanos (H-459/85)

Subject: Freedom of movement of architects within the Community

In accordance with an EEC directive, the Member States of the Community are required to introduce the necessary legislation to allow the free movement of architects within the Community.

Would the Commission state, with regard to the application of this directive in Greece, what steps can be taken to prevent an increase in unemployment among architects in Greece — a sector where unemployment is already high —, what criteria can be used for recognizing the diplomas of colleges and universities with compulsory periods of study of less than five years and, finally, what measures can be taken to protect from the effects of this directive the thousands of Greeks or ethnic Greeks who are graduates of universities in socialist and other non-Community countries when they return to Greece?

Answer

The adoption of the architects' directive after 17 years of discussions marks an important step forward in the free movement of professional persons.

This directive aims at giving every citizen of Europe possessing one of the qualifications set out in the Directive the right to exercise his profession in the Member State of his choice.

The honourable Member's first question implies that mutual recognition of diplomas would create unemployment in Greece, presumably as a result of significant and unbalanced migration of architects towards Greece. There is no reason to believe that this would happen: and the honourable Member adduces no arguments to support his fears. The Commission believes that on the contrary the directive will provide balanced employment opportunities for architects throughout the Community. The Commission cannot therefore accept that it would create employment difficulties for Greek architects.

As far as the nature and length of studies in architecture is concerned, there has never been any question of enabling diplomas not equivalent to university qualifications and acquired after the full implementation of the directive, to benefit from mutual recognition.

As far as Greek nationals with architect diplomas obtained in 3rd countries are concerned, the EEC Treaty affords no means of enabling them to benefit from the mutual recognition of diplomas.

Nevertheless, to meet the difficulties encountered by Community citizens who hold diplomas from third countries, the Commission has undertaken to put forward a specific proposal on this by the end of the year.

Similarly the Treaty does not provide for the homogenis. The Council has, however, adopted a declaration addressed to the Member States asking that such persons be treated as favourably as possible.

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Question No 30 by Mr Romeos (H-461/85)

Subject: New regime for starch

The reorganization of the regime for starch will wipe out many industries whose production is intended primarily for the protected sector, such as the foodstuffs industry. These grave consequences are inevitable since these industries will lose the support they now receive through production refunds.

Would the Commission state whether it has considered the economic and social problems which this policy will engender?

Answer

The Commission does not share the view that the new starch regime will wipe out many industries. On the contrary, the reform seeks to place Community industries on an equal footing with their competitors in the world market. This aim is achieved by offering certain industrial sectors of the Community, which are not protected against imports of starch-based products, the raw material at prices applicable on the world market.

The present system of fixed offsetting amounts to an inadequate and insufficient payment for these technical uses. On the other hand, the food industry — although it is protected against imports by a levy system — receives the same amount as the non-food sector.

The new arrangements provide for the gradual dismantling of the fixed offsetting system which currently operates but which is not justified in the case of a sector which is protected as the food industry is. The gradual introduction of the new arrangements will allow the food industry to adapt without any negative social or economic repercussions. The fact is that the CAP arrangements — in particular, import levies and export refunds — will continue to ensure the viability and expansion of the Community food industry.

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Question No 32 by Mr Christopher Jackson (H-472/85)

Subject: Population control

The Commission's working document on Famine in Africa, prepared for the Development Council on 23 May 1985, contained reference to the need to reduce demographic pressure, by the use of birth control and in certain cases resettling communities.

Can the Commission please state what action it has taken to help those countries which wish to introduce population policies and whether assistance with population policies will be provided under Lomé III to those countries which request it?

Answer

The Commission believes that current rates of population growth in many developing countries have a significant impact on their prospect for further economic and social development.

The Commission already implemented a number of population-orientated development projects designed to relieve demographic pressure on densely populated areas through the opening up of new areas to agricultural production and other activities. Such projects have been undertaken in several developing countries — including Sudan, Cameroon and Burkina Faso.

As for the question of implementing a more direct approach to reducing population growth through family planning, the Commission's experience in this area is much more limited. To date it has only provided co-financing for family planning projects run by non-governmental organizations.

In addition assistance has been provided through the European Development Fund for the setting up and the improvement of education and health facilities, which will provide the mainstay for future family planning activities. Several countries, in partnership with the Commission, have identified the need to reduce demographic pressure as part of their development policy. The Commission will consider any requests by developing countries — not only ACP — to undertake suitable activities on their individual merits.

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Question No 35 by Mr Mallet (H-514/85)

Subject: Extension of STABEX of Afghanistan

The Commission has just put forward a proposal that STABEX be extended to the less developed countries that are not signatories of the Convention of Lomé. Among other countries this extension would apply to Afghanistan, which is occupied by the Soviet army. In a document on the subject the Commission even claimed that the extension of STABEX would be significant for three countries in particular — Bangladesh, Haiti and Afghanistan. Can the Commission confirm this and, if it is true, say whether it is appropriate to give aid to a country occupied by the Soviet Union?

Answer

The honourable Member is referred to the answer given by the Commission on 8 October 1985 to Question No H-421 by Mr Habsburg on the same subject.

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Question No 36 by Mr Pearce (H-519/85)

Subject: Turkish Republic of Northern Cyprus

What conclusions have been reached by the Commission in discussions with the Turkish Republic of Northern Cyprus regarding the allocation of Community aid and trade facilities to it since the election of President Denktash as its president?

Answer

As the honourable Member well knows, the Community recognizes and maintains official relations solely with the Republic of Cyprus.

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Question No 37 by Mr Wurtz (H-522/85)

Subject: Aid for the Palestinian people

Can the Commission say what humanitarian aid has been given by the EEC for Palestinians living in the occupied territories and refugee camps: the aids granted, the amounts, aids for housing, for health, for education, scholarships, etc? Has additional aid been granted for the reconstruction of the camps devastated by the Israeli invasion and the fighting in the Lebanese camps?

Answer

1. The European Community has been channelling humanitarian aid to Palestinian refugees through the United Nations Relief and Works Agency (UNRWA) which administers educational, medical and social programmes for some 2 million refugees in five areas: Jordan, West Bank, Gaza, Syria and Lebanon. Under five successive EC/UNRWA Conventions during 1972-85, the Community contributed some 245 million ECU to UNRWA's feeding and, more recently, educational programmes. Community aid to UNRWA in 1985, under the current 1984/86 Convention, is estimated at 31.5 million ECU and has been allocated as follows:

(i) Education programme: a cash contribution of 17 million ECU for the elementary cycle of UNRWA's education programme.

(ii) Feeding programmes: a contribution of 14.5 million ECU in cash and in kind.

a) Cash contribution of 3.6 million ECU to the operating costs of the supplementary feeding programme.

b) Food aid, valued at 10.5 million ECU, for the supplementary feeding programme, for the programme of special hardship cases and the feeding in training centres programme. A cash contribution of some 0.4 million ECU will also be given to cover internal transport and distribution costs.

2. In response to UNRWA's Lebanon emergency appeals since June 1982, the Community has provided during 1982-85 additional food aid (valued at some 6.5 million ECU) to Palestinian refugees in Lebanon: 2 250 tonnes of skimmed milk powder, 1 400 tonnes of vegetable oil, 2 200 tonnes of cereals and 1 000 tonnes of sugar.

The Community also decided last June to grant 0.25 million ECU to UNRWA to purchase medical supplies for Palestinian refugees suffering from fighting in the Beirut camps.

Moreover, an important part of Community emergency aid given to Lebanon in October 1982 through the United Nations Disaster Relief Office (some 40% of a total 6.8 million ECU) was used by UNRWA for reconstruction work in refugee camps and for the purchase of clothing and medical supplies.

3. In addition to humanitarian aid through UNRWA, the Community has financed a number of actions in the educational field which have benefited Palestinians in the occupied territories. These include 94 scholarships for studies/training in Europe and in neighbouring Arab countries (at a cost of 0.53 million ECU) and co-financing of projects with NGO's, mainly for vocational training (European Community contribution 3.28 million ECU).

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Question No 39 by Mr Pitt (H-531/85)

Subject: Worker cooperatives

Does the Commission agree that, with so many conventional private companies in the EEC having become bankrupt since 1979, there is now an urgent need for new initiatives

to promote the formation of new workers' cooperatives and introduce measures to assist the expansion of existing ones?

Answer

The Commission shares the honourable Member's view that more initiatives are needed to promote new worker cooperatives. At the same time it does not wish to base its positive approach on a reference to cases of bankruptcy in the private sector. The significance of small and medium-sized undertakings (representatives of the worker cooperative often classify their sector as part of the small and medium-sized undertakings sector) in terms of economic and employment policy should not be underestimated. Traditional SMUs are an essential element of the Community's economic structure. Although definitions vary from one Member State to another, it is estimated that approximately 90% of all companies in the Community are SMUs and employ almost 60% of the labour force.

The main aims of these additional initiatives to promote and support worker cooperatives are:

- firstly, to give worker cooperatives full access to planned measures to promote SMUs
- secondly, to adopt new measures to remove present legal, fiscal, social and administrative obstacles to the development of worker cooperatives and to include provisions to encourage the creation and running of worker cooperatives. This means that promotion measures should take account of the fact that cooperatives are often a form of self-help for long-term unemployed or the continuation, by the employees, of companies which have met with difficulties.

In its communication to the Council in November 1983 on the contribution of local employment initiatives to the combating of unemployment¹ the Commission explained the problem of local employment initiatives and put forward proposals to support them; worker cooperatives were explicitly included in these proposals.

In its subsequent Resolution of 7 June 1984² the Council called on the Member States to adopt as part of their policies and practices specific political guidelines for the promotion of local employment initiatives.

In the Commission's opinion the recommendations in the Resolution constitute a sound basis for new initiatives for worker cooperatives. The Commission gave full details of the measures it has taken and work it has started on since the adoption of the Resolution of 7 June 1984 in its reply to Written Question No 81/85 by Mr Bersani³.

Meanwhile the Commission has now received most of the results of the new local consultations and research it has carried out. The Commission will pay special attention to the problems of worker cooperatives when assessing the results as it did when devising the consultations and research. A planned Commission report to the Council on local employment initiatives will contain the consequent conclusions.

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Question No 40 by Mr Maher (H-533/85)

Subject: Disposal of nuclear waste into the Celtic Sea

Regarding the disposal of nuclear waste from the Sellafield Plant in Britain into the Celtic Sea, can the Commission state the part of the Celtic Sea in which these deposits are made,

¹ COM(83) 662 final — see Annex.

² See Annex.

³ OJ C 228 of 9 September 1985, pp. 30-32, see Annex.

the quantities and nature of waste involved, the type of disposal containers used, whether these containers are designed to leak gradually after a certain number of years and what their life-span is? Is the Commission considering ways in which to stop or control dumping of this type and does it consider, in accordance with the 'polluter pays' principle, that countries producing nuclear waste should be compelled to dispose of it within their own territory?

Answer

The question refers to the Celtic Sea in which liquid radioactive effluents from land based installations are discharged but where no dumping of packaged solid waste takes place.

Dumping of packaged solid waste has taken place at a dumping site in the north-east Atlantic. Such dumping is covered by the terms of the 1972 London Dumping Convention of which all Member States but Luxembourg are contracting parties; the Commission has observership status.

The Convention requires any dumping exercise to be subject to a special permit issued by the competent national authorities and recommends regional agreements to further the objectives of the Convention.

The OECD multilateral consultation and surveillance mechanism set up in 1977 constitutes such a regional agreement in respect of the north-east Atlantic. All Member States are party to this mechanism.

In the frame of this mechanism a yearly dumping campaign has been organized from 1977 to 1982 at the so-called north-east Atlantic dump site. This site is situated at some 700 km from the coast of Ireland and Spain.

From 1983 on dumping of radioactive waste has been suspended, in conformity with the resolution adopted at the 7th consultative meeting of LDC. in February 1983.

I come now to the specific points raised in the question.

1. Site of dumping

Since 1971 the only dumping site utilized has been an area at about 700 km from Ireland and Spain, whose average depth is more than 4 000 m.

2. Quantity and nature of the waste:

The wastes involved in the dumping operations carried out at the north-east Atlantic dump site are solidified wastes of low and intermediate radioactivity level in packaged form.

As to the quantities dumped during the individual yearly dumping campaigns, I would like to refer the honourable Member to the specific publications of the OECD-NEA, in particular to the data contained in the recently published 'Review of the continued suitability of the dumping site for radioactive waste in the north-east Atlantic', Paris 1985.

3. Type and characteristics of disposal containers

The containers conform to the NEA guidelines for sea dumping packages. They must comply with requirements assuring safe handling and transport and they must be designed in such a way as to deliver the waste to the seabed without losses (at a depth of about 4 000 m). There are no requirements specific to the containment performance of the packages once they have reached the seabed. Some of the containers are expected to assure the containment of the waste for long time periods while others may start releasing radioactivity when they have reached the ocean floor.

The hypothesis of immediate release of the radioactivity is at the basis of the safety evaluations.

More information about these aspects can be found in the report of the OECD-NEA which I quoted before.

Finally I wish to assure the Parliament that the Commission has not forgotten the various resolutions requesting action in view of banning the dumping of nuclear waste. The Commission is indeed considering all aspects of sea dumping of radioactive waste, particularly in the light of the outcome of the recent Consultative Meeting of Contracting Parties to the London Dumping Convention of last September. As a matter of fact the meeting adopted a resolution requesting the Contracting Parties to continue the suspension of dumping pending completion of additional studies and assessment of political, legal, economic and social aspects of the radioactive waste dumping at sea.

The Commission will take the appropriate steps to define a Community position in conformity with the existing institutional procedures.

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Question No 42 by Mr Staes (H-539/85)

Subject: Quality of the Schelde waters

Mr Jan Lenssens, the Belgian minister with responsibility for the environment and water policy in Flanders, intends to bring sewers into service in the near future which will discharge highly polluted effluent from chemical factories in Tessenderlo, into the Schelde River near the border with the Netherlands, without any form of treatment. This will increase the level of radioactivity (Radium-226), heavy metals, including lead, zinc, mercury, cadmium and phosphates in the Schelde, in some cases in a drastic and therefore unacceptable way. The waters of the Schelde flow from Belgium into the Netherlands. Thus toxic and carcinogenic substances are to be discharged into the river close to and across the frontier with a neighbouring country and another Community Member State.

Reports indicate that the amount of cadmium and phosphate already considerably exceed the levels with which Belgium is required by the Netherlands to comply for the quality of the water of the Schelde at the point where it crosses the frontier¹. These requirements are laid down in the waterways agreements between the Netherlands and Belgium.

Both from the point of view of good neighbourliness, which must be a basic principle for the European institutions, and by virtue of the various directives and resolutions of these same European institutions, it seems obvious that the Council and Commission should totally reject such a proposal, which has perhaps already become a reality.

Can the Commission representatives indicate what steps they are going to take or have already taken to counter this proposal?

Answer

In the Community, the discharge of dangerous substances into the aquatic environment is subject to a system of prior authorization.

For those substances which figure on a list on the basis of their toxicity, persistence and bioaccumulation, the authorization -ranted by the competent national authorities, must lay down emission standards which have to respect either limit values or quality objectives as defined at Community level.

As of 15 October 1985, only mercury discharges from the sector of the chloralkali electrolysis industry and cadmium discharges have to respect the Community standards. In this

¹ 1983 Annual Report of the Antwerp municipal centre for action against air and water pollution on the present quality of the waters of the Schelde at the frontier with the Netherlands.

respect the Commission has not yet been informed of the measures taken by Belgium to regulate the discharge of cadmium and it intends to instigate infringement proceedings under Article 169 of the Treaty if it becomes evident that such measures are lacking.

In the absence of Community dispositions for the other dangerous substances the discharge of such substances must respect the quality objectives defined by the Member States.

In the case evoked by the honourable Member, the Commission has not been informed of the conditions governing such dumping. It has nevertheless no reason to believe that this dumping has been authorised contrary to the existing Belgian legislation which applies in this matter.

To conclude, the Commission does not intend intervening with regard to the Member State involved. If, however, precise information brings to light that the authorization to discharge were granted without respecting other Community dispositions it will not hesitate to instigate infraction proceedings.

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Question No 43 by Mrs Castle (H-541/85)

Subject: Ethnic minorities and the Social Fund

Is the Commission aware that only a very small proportion of schemes financed from the Social Fund are used to help ethnic minorities although the ethnic communities suffer a much higher level of unemployment than white workers and consequently greater deprivation and poverty?

Will the Commission, in approving applications for help from the Social Fund, insist that a clear proportion of the schemes are earmarked to help ethnic minorities and will it in particular help to combat the very high level of unemployment among Asian workers who were formerly employed in the textile industry in the north-west of England by encouraging and financing craft cooperatives for Asian women and cane cooperatives for Asian men and thus enable them to use their craft skills?

Answer

The Commission's Guidelines for the Management of the Social Fund accord priority to the vocational training, including language tuition, of migrant workers and members of their families.

Ethnic minorities frequently benefit from this and other priority headings such as, for example, programmes for the long-term unemployed or for the employment of women in jobs in which they are under-represented.

The Commission does not, however, consider it practicable or desirable to seek to fix proportions of the Fund for particular categories.

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Question No 44 by Mr Roelants du Vivier (H-542/85)

Subject: Bonn Convention on the Conservation of Migratory Species

In view of the entry into force of the Bonn Convention on the Conservation of Migratory Species, could the Commission provide information on the responsibilities it has assumed

in this context and on the cooperation existing between the services responsible for nature protection and those which already have structures and projects in the Mediterranean countries and in Africa?

Answer

1. The Bonn Convention has entered into force on the 1 November 1983. However, the first meeting of the Contracting Parties will be held from 21 to 26 October 1985 in Bonn.

Therefore it is clear that the Convention has not started to work properly until now.

2. In the fields such as the protection of European birds, for which the Community has an exclusive competence based on the directive on the conservation of birds, the Community itself takes charge of all existing obligations. In the other fields where a mixed competence of the Community and its Member States exists, the obligations are shared.

3. For the time being the cooperation with the countries of the Mediterranean Basin in the field of environment protection is developed in the *ad hoc* multilateral framework of the Mediterranean Action Plan.

Though the Protocol to the Barcelona Convention concerning specially protected areas has not yet entered into force, a Centre for protected areas has been established near Tunis. Its task is to develop guidelines for the selection, establishment and management of specially protected areas, in view of their adoption by the Contracting Parties.

4. A certain deal of cooperation has been developed in the framework of MAP concerning the protection of the monk seal and the Mediterranean sea turtle. The protection of these two endangered species has been considered as a matter of priority by the Genoa Declaration on the second Mediterranean decade at the 4th meeting of the Contracting Parties of the Barcelona Convention.

In addition, the Commission has financed a study concerning the impact of the construction of a dam for agricultural purposes in the wet zone of Garaet el Ichkeul, which is an international reserve for migratory birds near Tunis.

5. Under the 946 line of the Community budget assigned to 'Ecology in the developing countries', the Commission contributes also to the funding of certain nature conservation projects and among them is a project on the population of migratory aquatic birds in Mauritania (Banc d'Arguin).

6. Moreover, in the nature protection field, the Community co-financed the organization of a seminar for African CITES Parties and a meeting of the Conference's Technical Committee, held in Brussels in June 1984, where the problems concerning the African elephant and Nile crocodile were discussed in depth. The Community has financed studies of the population status of both species.

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Question No 45 by Mr Di Barolomei (H-544/85)

Subject: Victims of faulty products

A recent report by the European Bureau of Consumers' Unions presents an alarming account of the annual number of accidents caused by faulty products: over 30 000 deaths, including 8 000 children, and over 40 000 injuries.

In the framework of the proposals aimed at setting up a genuine European Common Market, what measures does the Commission intend to take to tackle this serious problem?

Answer

The Commission is perfectly aware of the extent and the seriousness of consumer accidents. The figures quoted by the honourable Member in fact appear in the explanatory memorandum of the proposal for a Council decision introducing a Community system of information on accidents in which consumer products are involved¹ submitted by the Commission to the Council.

The Commission is also convinced that a real internal market presupposes the free circulation of safe products. It has, moreover, emphasized this aspect of the question in its communication to the Council entitled *New Impetus for Consumer Protection Policy* of 27 June 1985².

Similarly, this need for product safety constitutes one of the bases of the new approach to technical harmonization which the Commission has developed in its communication of 31 January 1985³ and which the Council has incorporated in its resolution of 7 May 1985.

Indeed one of the fundamental principles, on which the new approach is based, is that products cannot be put on the market unless they do not endanger the safety of consumers, provided of course that they are installed, maintained properly and used in accordance with their stated purpose: the various directives prescribe the relevant essential safety requirements to which all these products must conform.

The Commission has already initiated a series of specific actions to reduce consumer accidents and to improve safety, in particular that of children.

Of these actions, the following are of special note:

- the proposal already mentioned concerning the setting-up of a Community system of information on accidents in which consumer products are involved,
- the official inauguration, on 7 March 1985, of the Community system for the rapid exchange of information on dangers arising from the use of consumer products, adopted by the Council on 2 March 1984⁴,
- ongoing discussions on the proposals for directives, both framework and specific, relating to the safety of toys⁵,
- meetings of expert groups on the problems caused by certain dangerous imitations of consumer products,
- organization of a European Conference on the Prevention of Accidents to Children (prevention of accidental poisonings in childhood), which will take place on 21/22 November 1985 (and at which I shall be performing the opening ceremony).

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Question No 46 by Sir Peter Vanneck (H-545/85)

Subject: Motor vehicle insurance claims

A constituent of mine had drawn to my attention the difficulties which are apparently encountered all too frequently following a road accident in another Member State.

My constituent's British insurers informed him, following an accident in France, that there are invariably difficulties in trying to pursue a claim in another EEC Member State and

¹ OJ C 117 of 11 May 1985.

² COM(85) 314 final.

³ COM(85) 19 final — Technical harmonization and standards — A new approach.

⁴ OJ L 70 of 13 March 1984.

⁵ OJ C 203 of 29 July 1985.

that even when compensation is forthcoming the costs of pursuing the claim often exceed the amount recovered.

Does the Commission agree that this is a most unsatisfactory situation and could it state:

whether under existing Community legislation problems of this sort should no longer arise, and, if this is not the case, what further legislative action does the Commission intend to take?

Answer

When a motorist takes out comprehensive insurance, he should have no difficulty in getting speedy settlement of a claim.

When, however, he is not comprehensively insured the onus of pursuing the other party to an accident who may be at fault falls on the motorist himself. It is here that delay, often considerable, occurs. This arises primarily from the time it takes to establish liability which is commonly disputed. Such delays occur whether the parties are in the same country or not: but in the latter case, distance, the cost of communication, language difficulties and differences in law and practice can add to both time and expense. There is unfortunately nothing that Community legislation could do to alter those circumstances.

The second Motor Insurance Directive when it comes into force will ensure that adequate insurance exists to cover third party claims. While this will not significantly speed matters up, it will help to ensure that compensation can in part be obtained where fault is established.

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Question No 48 by Mrs Oppenheim (H-547/85)

Subject: Volume of direct aid to the shipbuilding industry by the Member States

The Community's fifth directive on aid to the shipbuilding industry contains provisions laying down Community rules on the granting of state aid to the shipbuilding industry under Articles 92 and 113 of the Treaty of Rome. One of these rules is that any arrangement for providing shipyards in the Member States with government assistance should be approved by the Commission. Despite the purpose of these rules there has been quite a proliferation of national direct and indirect aid schemes which are in fact used to support the shipbuilding industry in the European Community.

Will the Commission provide figures on the schemes which each Member State is using to provide direct or indirect state aid to the shipbuilding industry and does the Commission consider that the schemes which have been introduced are compatible with the Community's rules, including those meant to ensure a gradual approximation of the Member States' economic policies so as to encourage a harmonious development of economic activity in the Community and avert disruptive distortions of competition in this crisis sector?

Answer

The honourable Member is concerned by the variety of direct and indirect aids awarded by the Member States to their shipbuilding industry and wonders whether and how the Commission reacts to them.

I can first assure the honourable Member that the Commission, when appraising aid schemes to the shipbuilding industry, remains deeply committed to the objectives and conditions laid down in the fifth Council Directive of 28 April 1981 on aid to shipbuilding, i.e. the achievement of an orderly restructuring of this industry which will be socially sustainable and regionally well-balanced and likely to lead to a gradual phasing-out of the State aids. The deep crisis of the sector these last two years, the acuteness of which varies from one Member State to another, has however led the Commission to allow for some respite in the degressivity of the aid intensity required by Article 6 of the Directive when aids are coupled with detailed restructuring plans involving significant capacity reductions expressed as a quantified and verifiable target to be achieved by the expiration of the Directive (31 December 1986).

By doing so however, the Commission pays due attention to an equal sharing of the burden of the crisis among Member States and to the prevention of distortions of intra-EEC competition.

As to the variety of aids, I share your concern that existing aids of all kinds, be they direct or indirect, specific or general, ought to be taken into account, in so far as these aids affect the shipbuilding sector, as provided for in Article 6(2) (2) of the Directive.

Besides, an investigation on this matter is currently undertaken by experts of Member States and the Commission. The conclusion to be reached may prove valuable for drafting the 6th Directive on shipbuilding.

The survey of the existing schemes the honourable Member is asking for does not exist as such but comprehensive information on the aid schemes approved by the Commission can be gained from the annual reports on competition and the monthly issues of the Bulletin of the European Communities.

Furthermore, the Commission submits every year to the Council and to the Parliament a report on the State aids given to shipbuilding during the year under consideration.

The honourable Member is invited to consult the 1983 Document COM(84)236.

The 1984 report will be submitted very shortly.

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Question No 49 by Mr Vernimmen (H-548/85)

Subject: Designation of Tokay Pinot as a synonym for the variety Pinot Gris

Will the Commission explain the reason for Commission Regulation (EEC) No 2337/84 of 10 August 1984¹ and, bearing in mind the problems connected with the use of the registered designation Tokay, say whether it can offer a satisfactory solution?

Answer

The Commission has already had occasion to explain the reasons which led it to discontinue use of the designation Tokay d'Alsace as a synonym for the variety Pinot Gris. The decision was taken to safeguard the principle whereby the name of a wine-producing region can be used in the name of a wine only if the wine comes from the region in question. In this instance, the name Tokay refers to certain wines from a specific region in north-eastern Hungary.

The Commission's position must be viewed in the context of the current review of the 1883 Paris Convention within the World Intellectual Property Organization and the Council statement of 26 March 1979 on the matter.

The arguments put forward by professional bodies in Alsace must also be considered, since the region is reluctant to give up completely the traditional use of the word Tokay. It was for this reason that the Commission, after consulting the Member States, allowed the wines in question to be designated Tokay Pinot Gris. The idea is that the use of this synonym will accustom consumers to Pinot Gris as the name of a vine variety before the designation Tokay is subsequently removed.

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Question No 50 by Mr Iversen (H-553/85)

Subject: Filing of information about chemical substances in Denmark

Will the Commission state whether it is satisfied with the regulation which the Danish Government has just issued concerning the filing of information about chemical substances?

Answer

The Commission received the text of the Danish regulations of 26 September 1985 on 2 October 1985. The text is at present being translated and studied. It is premature to state this at this time whether the new text is, in the Commission's view, compatible with the requirements of Directive 79/831/EEC.

As far as the Commission understands, the new Danish law has not yet come into effect since it has not yet been published in the Danish official journal, as provided for in Article 19.

If the Commission finds, after examination of the new text and after it comes into effect, that Danish legislation complies with the requirements of Directive 79/831/EEC it will take the appropriate steps with regards, to the case pending before the Court concerning the compatibility of the Danish provisions as they are in force at present. If the conclusion reached is that the new text is not compatible with Directive 79/831/EEC, the Commission will inform the Court of its conclusions. It might also decide to act according to Article 169 of the Treaty in so far as the new regulations contain clauses which are not

¹ OJ L 215 of 11 August 1984, p. 9.

compatible with Directive 79/831/EEC but were not included in the case which is pending before the court.

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Question No 53 by Mr Ephrimidis (H-574/85)

Subject: Commission forecasts regarding the state of the Greek economy

According to recent press reports, the Commission has made a series of forecasts concerning the deterioration of the Greek economy.

What is the Commission's attitude to this in view of the fact that one of the main factors responsible for this situation, including for instance the worsening of Greece's balance of payments, is Greek accession to the EEC?

Answer

1. It is the Commission's view that the cause of the alarming deterioration of Greece's balance of payments is the country's failure to respond to changes in the international economic situation. The country's economy had to cope simultaneously with the effects of the second oil crisis, the rising dollar, greater competition from newly industrializing countries and the crisis in the shipping sector. The Commission has expressed its concern at the failure to respond to these problems on numerous occasions, and in particular in its annual reports on the economy. This failure inevitably led to growing pressure on the balance of payments, and this pressure became even stronger with the automatic increase in the burden of interest rates on foreign debt.
2. The Commission would like to point out that following its accession to the Community and as a result of common policies — especially the agricultural and regional policies — Greece has had a net gain from the Community budget for several years. This has amounted to more than 2% of its gross domestic product every year; this is a very considerable figure, quite apart from any burden on the balance of payments which may be the result of accession. In addition, Greece receives from the European Investment Bank and the New Community Instrument reduced-interest loans totalling approximately 1% of the gross domestic product.

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II. Questions to the Council

Question No 63 by Mr Flanagan (H-442/85)

Subject: Possible levy on blank recording tape and/or equipment

Is the Council aware that pressures have been brought to bear within the Common Market to impose a levy on blank recording tapes and/or equipment and if so how would it propose to exempt the imposition of such a levy on blind and visually-impaired people, for whom such systems are important components for communication and education?

Answer

On two occasions in 1984 the Council and the Ministers for Cultural Affairs meeting within the Council discussed the question of private copying, that is to say the reproduction of works protected by copyright, on cassette or videocassette, by private individuals

for their personal use. In that context, the idea of a fee, payable on sales of blank cassettes and videocassettes or recording equipment, was suggested as a method of compensating those who consider they have suffered injury as a result of private copying.

At the conclusion of the discussion it was agreed to continue examining this question after the Commission had submitted its green paper on copyright. That green paper is expected to appear before the end of the year.

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Question No 64 by Mrs Lemass (H-449/85)

Subject: EEC Poverty Programme

Will the Council state what progress is being made by each of the Member States following the adoption of a Decision by the Council in December 1984 to combat poverty in deprived urban zones and impoverished areas, giving priority to certain population groups — the long-term unemployed, jobless young people, the elderly, one-parent families, second generation migrants, refugees, returning migrants and the so-called 'marginal' groups?

Answer

As the honourable Member will be aware, the anti-poverty programme is already under way: the Commission approved 61 action-research projects at the beginning of this month. The projects range over all Member States and cover underprivileged urban districts, impoverished rural areas, the unemployed, the elderly, single-parent families and migrants. They account for 18 million ECU out of a budget of 25 million ECU of this second programme.

Under the terms of the decision referred to by the honourable Member, at the end of 1987 the Commission will submit to the Council and the European Parliament an interim report on the first available results of the various operations carried out with financial assistance from the Community.

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Question No 69 by Mr Costanzo (H-537/85)

Subject: Security in the buildings of the Community institutions in Brussels and safety of those who work in them or have connections with the institutions

Given the size and number of Community institutions situated in Brussels, including many related bodies which contribute to the large number of foreign dignitaries and officials in the Belgian capital, and in view of the threat of new forms of terrorism as well as petty crime, does the Council — in conjunction with the host country's authorities — not consider it necessary to take further and, above all, updated and effective measures to guarantee individual safety and to keep a check on possible 'phoney' visitors, including special street surveillance and safety measures in rue Belliard, which does not offer proper access to the European Parliament building owing to the lack of any security area and the high speed of traffic?

Answer

The honourable Member will understand that I cannot publicly elaborate on the details of the practical steps taken by the security department of the Council, this being the only

Institution for which I am able and authorized to answer. But I can tell him that all the European institutions possess a security department responsible for the protection of persons and property within their buildings. Methods of controlling access and other arrangements are constantly being adjusted and improved.

Responsibility for access to EEC buildings in Brussels and for security outside them lies with the Belgian authorities, who act in cooperation with the security departments of the European institutions.

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Question No 70 by Mr Staes (H-540/85)

Subject: Quality of the Schelde waters

Mr Jan Lenssens, the Belgian minister with responsibility for the environment and water policy in Flanders, intends to bring sewers into service in the near future which will discharge highly polluted effluent from chemical factories in Tessenderlo, into the Schelde River near the border with the Netherlands, without any form of treatment. This will increase the level of radioactivity (Radium-226), heavy metals, including lead, zinc, mercury, cadmium and phosphates in the Schelde, in some cases in a drastic and therefore unacceptable way. The waters of the Schelde flow from Belgium into the Netherlands. Thus toxic and carcinogenic substances are to be discharged into the river close to and across the frontier with a neighbouring country and another Community Member State.

Reports indicate that the amount of cadmium and phosphate already considerably exceed the levels with which Belgium is required by the Netherlands to comply for the quality of the water of the Schelde at the point where it crosses the frontier¹. These requirements are laid down in the waterways agreements between the Netherlands and Belgium.

Both from the point of view of good neighbourliness, which must be a basic principle for the European institutions, and by virtue of the various directives and resolutions of these same European institutions, it seems obvious that the Council and Commission should totally reject such a proposal, which has perhaps already become a reality.

Can the Council representatives indicate what steps they are going to take or have already taken to counter this proposal?

Answer

The Council has not been informed of the proposal referred to by the honourable Member.

Moreover, it is not for the Community institutions to enforce bilateral agreements between Member States. In the event of non-compliance with Community regulations it would be the Commission's responsibility to take the appropriate measures.

I can however assure the honourable Member that the problem of water pollution by discharges of dangerous substances is a priority issue for the Council. In addition to the directives already adopted concerning discharges of mercury, cadmium and HCH, the Council is currently studying a proposal on limiting discharges of four other substances: DDT, carbon tetrachloride, pentachlorophenol and chloroform. This proposal also creates a framework whereby the directive can be extended promptly to other dangerous substances in the future. I hope your Parliament will soon deliver its opinion on this proposed directive so that it can be adopted at an early date.

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¹ 1983 Annual Report of the Antwerp municipal centre for action against air & water pollution on the present quality of the waters of the Schelde at the frontier with the Netherlands.

Question No 71 by Mr Ferruccio Pisoni (H-550/85)

Subject: Amended proposal for a Directive of 2 March 1979 concerning commercial agents and representatives

Since, as would seem from the Council's reply to my previous written question on the same subject, one Member State has expressed basic reservations on the need for the abovementioned directive, does the Council now intend to proceed further, removing, if necessary, the Member State in question from the list of those to whom this directive is addressed?

Answer

The Commission based its proposal for a directive concerning commercial agents and representatives on Articles 57(2) and 100 of the Treaty, which require unanimity for it to be adopted. Article 57(2) states that this unanimity is required on matters which are the subject of legislation in at least one Member State, which is the case in this instance.

The Council has considered all possible solutions, including the one suggested by the honourable Member, but when this was examined it emerged that it gave rise to political, legal and economic problems. The Council is continuing work on this proposal.

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Question No 72 by Mr Clinton (H-556/85)

Subject: European Cultural Town

At the meeting of the Ministers responsible for cultural affairs on 28 May 1985, the Council adopted a resolution aimed at designating a European cultural town each year. Could the Council state the criteria by which this town will be chosen, and by whom?

Answer

Part II of the Resolution on the European City of Culture, referred to by the honourable Member, sets out the criteria for the selection of the city each year. Within these guidelines, the Ministers responsible for cultural affairs meeting within the Council take the decision on the basis of nominations of cities submitted to them by Member States.

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III. *Question to the Foreign Ministers*

Question No 79 by Mrs Fontaine (H-543/85)

Subject: Situation of Christians in Iran

Several alarming news reports refer to a serious deterioration in the situation of Christians in Iran. Can the Ministers confirm these reports, and do they envisage taking any action on the subject?

Answer

As I had occasion to explain in my reply to Mr Adam's question (No H-484/85) during the earlier October part-session, the situation in Iran with regard to human rights and

fundamental freedoms is regularly reviewed by the Foreign Ministers meeting in political cooperation. The Ten have made representations to the Teheran authorities with particular reference to the ill-treatment suffered by religious minorities, including Christians in Iran.

These representations and the initiatives which the Ten have taken in other international bodies, such as the Commission of Human Rights, reveal the importance which the Member States of the Community attach to the problem of human rights in Iran. The Ten will continue to follow the matter very closely and will not hesitate to voice their concern whenever this might be useful during their contacts with the Iranian authorities.

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IN THE CHAIR: LADY ELLES

Vice-President

*(The sitting was opened at 10 a.m.)*1. *Approval of minutes*

President. — The minutes of yesterday's sitting have been distributed. Are there any comments?

Mr Croux (PPE). — (NL) I noticed yesterday the word *soumettre* in the French version of my amendment — No 6, which has since been adopted — to the motion for a resolution on the Intergovernmental Conference. This was an incorrect translation of the original Dutch text which read *over te leggen*, i. e. *transmettre*. I should like it to be properly translated, since Mr Goebbels based part of his argument on a misunderstanding because he was going by the French text, whereas the original Dutch version reads differently.

President. — Mr Croux, I have only the French minutes in front of me. We shall check whether the word *transmettre* in paragraph 1 has been properly translated in all the other languages.

Mr Luster (PPE). — (DE) Madam President, I should like to clear up an error that has crept into the agenda. Under Item VII — South Africa and Angola — the German version reads quite correctly that the last motion concerns humanitarian aid for the Angolan territory liberated by Unita, whereas the French version speaks about *des régions Anglaises libérées*.

(Laughter)

That is not right and it cannot be right.

President. — Thank you for noting that sentence. We will have the texts amended. I think people will have noted that 'Anglaises' was an unlikely word to use in this particular context and we will see that is corrected.

Mr Fitzgerald (RDE). — Madam President, at the opening of the last part-session I raised a question with the President concerning an incident that happened to me at Glasgow Airport. On that occasion the President undertook to pursue the matter, to take it up at Bureau level and to let me know the outcome. As I have not yet heard from him, may I ask you to establish for me what took place as a result of the question I raised. The question concerned the threat of arrest and imprisonment at Glasgow Airport.

President. — Mr Fitzgerald, I will find out what happened from the services of the President and you will presumably get the relevant correspondence as soon as possible. This is not, of course, a matter for the plenary to discuss at this moment, but I will have the matter raised with the President's office straight away.

2. *Topical and urgent debate***Meeting facilities in Brussels**

President. — The next item is the motion for a resolution by Mr von der Vring and others (Doc. B 2-1110/85) on meeting facilities in Brussels.

Mr von der Vring (S). — (DE) Madam President, in my office I can now hear more noise every day than we have in the corridors at present, but this noise — made by workmen — is a useful noise, I'm not complaining about it, on the contrary it makes me very happy, because it is clearly work to enlarge the Community. But what about Brussels? How far have the preparations progressed? I have to work in Brussels too, but it seems, for example, that for an unforeseeable period after enlargement on 1 January, my Party Group will have to meet under extremely inadequate conditions, which no-one would dare show on screen. I will not stand for such second-rate treatment in

von der Vring

Brussels any longer. Our governments are supposed to be having talks in Luxembourg on greater rights for the European Parliament, but this Parliament, which represents the peoples of Europe, puts up with working conditions which no national parliament would tolerate.

(Applause)

It is not a question here of Strasbourg or Brussels — this isn't being decided here anyway. It will be a long time before any decisions are made about the Capital of Europe, which — under the Treaties — is to unite the Community institutions in one place. But neither is there any doubt that we must be able to work in Brussels for as long as the Commission and Council are located there.

Therefore, we need suitable working conditions in Brussels as soon as possible, by which I mean an office for each Member, suitable meeting rooms for large or growing Party Groups, and more rooms for the committees so that we can hold more meetings at the same time. But we also need a chamber in Brussels for better and special plenary sessions — dealing with unemployment, for example — and in order to hold European congresses there.

I have been asked about the cost. On this point we propose that at times when Parliament is not meeting in Brussels this chamber could be used for other purposes on a sound economic basis. That's something we could introduce throughout Europe. But I would also suggest that my fellow parliamentarians make use of the present budget discussions, take the weighty budget document, look up the lines covering the 'Budget of Parliament' and study the sums paid out in rent. You will be absolutely flabbergasted by the amounts you see!

It is high time we stopped tolerating our inadequate working conditions in Brussels just because we are afraid to add to the latent competition between Strasbourg and Brussels, something which has become a kind of sport almost.

(Applause from the Socialist Group)

Mr von Wogau (PPE). — *(DE)* Madam President, ladies and gentlemen, let me start by saying that I was very surprised to find this issue was up for urgent debate today, 24 October, and that this motion had appeared on the agenda so suddenly.

(Applause from the centre and the right)

We have had detailed discussions in the past about our work locations, and we have the Zagari report, which was carefully prepared and which decided that, as a rule, the European Parliament's plenary sessions should be held in Strasbourg and its committee meetings in Brussels. That is the current state of affairs.

If we want to change this in one fell swoop, then we will embroil ourselves in the greatest of difficulties. We know there is a judgement from the European Court of Justice greatly constraining the European Parliament's capacity to act on this matter. I would like to warn all those who believe we can pull things off by staging a surprise coup, that we are heading for similar legal tangles and that in the end no-one will achieve his original aim, and that we will in actual fact become ensnared in legal complications.

Secondly, building yet another plenary chamber would involve much expenditure. Preparations would have to be made via the corresponding budget procedures, and I cannot see how this can be decided straight off this morning without any preparations, without any relevant discussions.

(Applause from the centre and the right)

Thirdly, I would like to ask you how we would explain this to the peoples of the European Community? We have a very nice plenary chamber here in Strasbourg, we all know that Strasbourg welcomes us as Members, and that a great deal has been done here for this European Parliament.

(Applause from the centre and the right)

I just cannot understand how we can do things in this way without taking any of this into account. How will we explain the fact that although we have this plenary chamber in Strasbourg and another at our disposal in Luxembourg, we, as the European Parliament, opt to incur further great expenditure to build a third plenary chamber in Brussels!

For this reason I would implore you to reject this motion by a clear majority, or at least paragraph 1 of it.

(Applause from the centre and the right)

Mr Simpson (ED). — Madam President, Mr von Wogau asks why we are discussing this matter today. The reason for the urgency of this motion is the present stage of development of Parliament's building policy in Brussels. It is not a back door manoeuvre. If there is no motion and it is not passed there will be no discussion on this. The question of costing and all the details will have to be gone into in detail quite soon. But without this motion we cannot take any further steps.

We are faced with the arrival on 1 January next year of 84 Spanish and Portuguese colleagues and a not inconsiderable number of Spanish and Portuguese staff for the political groups. At present we have four buildings in use in Brussels: the Rue Belliard, the Remorqueur, the Ardennes — which is virtually ready for occupation and where the political groups will be

Simpson

moving in shortly — and the Boulevard de l'Empereur which is being relinquished on 31 March next year. The Rue Belliard is to be used almost exclusively by Members and the Remorqueur and the Ardennes by the political groups. Two more buildings — the Raemar, between the Remorqueur and the Ardennes, and the Van Maerlandt on the opposite side of the Rue Belliard will be ready if all goes to plan in late 1987 and late 1988 respectively. To bridge the gap — as we do not have enough room to meet our present needs, let alone to provide one office per Member as we have in Strasbourg and as was requested by the Bureau as long ago as September 1980 — we are leasing on a temporary basis, for three years, offices near the Rue Belliard premises. These can be relinquished when the new buildings are completed.

Furthermore, it is generally agreed that to increase the efficiency of this Parliament further staff will have to be transferred from Luxembourg, always keeping within the guidelines laid down by the European Court. All these factors bring home the need for an overall assessment of the future requirements of the Parliament in Brussels in the medium and long term; bearing in mind the long delays involved to obtain the necessary planning permissions and to draw up the appropriate plans and contracts. It took two years in Brussels simply to build the bridge between the Remorqueur and the Belliard.

If the European Parliament feels the need for a conference room of the size indicated in the draft resolution — I can only support it for the reasons set out therein — then a decision should be made as soon as possible to allow adequate planning, getting down to the details, the costs and all the other necessary preparations.

The proposal today will meet many of the needs of the European Parliament and other bodies in the light of the nine Community languages to be used from January and the growing needs for adequate conference space in Brussels. I commend this resolution to you.

(Applause)

Mr Wurtz (COM). — *(FR)* Madam President I rise to speak on behalf of the French Communists and Allies, but to tell the truth the same remarks could, for once, be voiced from other benches, as we have just heard. I shall not go into the issues in depth. I will just make some common-sense remarks which, I hope, the majority of us will be able to support.

Firstly, it seems to me that at the beginning of this legislative period we agreed that future urgent debate agendas would only contain motions for resolutions concerning events occurring since the previous part-session. This criterion was clearly not applied to the document before us. As far as I know nothing new has happened in Brussels in the past fortnight which could

all of a sudden justify the construction of a 600-seat chamber. I might add that to give priority to this matter in our debate, ahead of the Lebanon hostage issue, the Middle East peace process, European-Central American relations, the situation in Nicaragua, the assassination of South African poet Benjamin Moloise, peace and human rights — and that's not all, I'm afraid — is not a very sensible thing to do.

If this motion for a resolution is adopted we can hardly blame the press for commenting ironically on the European Parliamentarians' rather strange sense of values.

(Applause)

Secondly, I would remind you that our Assembly already has elected bodies, representing all Groups, whose precise job it is to solve the type of problem mentioned in this motion for a resolution. To vote for this text, which aims in fact to bypass such bodies, would in my view be a rather rash approach, completely illogical and probably doomed to failure in the end.

Thirdly, if the aim is — under a seemingly harmless pretext — to set a milestone with a view to transferring at least some of our plenary session work to Brussels, if not our Assembly, then I can only say two things. Firstly, we should call a spade a spade. Everyone is free to have his own opinion on the matter, but let us speak openly. Secondly, and in particular, we should not deal with this type of question in a hurried manner, we should not make it seem as if there are no problems involved — material and financial problems, staff problems, political problems. At the very least this issue deserves a thorough study, consultation with those concerned and well founded decisions — in other words, anything but a hurried vote obtained under doubtful conditions during an urgent debate.

Madam President, I do not believe in 'lucky-dip' democracy. We will vote against this resolution.

(Applause)

Mr de la Malène (RDE). — *(FR)* Madam President, ladies and gentlemen, I do not have much to add to what has already been said. I would simply draw the attention of the House to the frankness in its approach.

We have to face the issues: people are either for or against Brussels, but we don't want them telling us that it's a question of facilitating enlargement or facilitating the work of our House, as my good friend Mr Simpson told us. People are either for or against Brussels, and should say so.

Secondly, the procedure chosen for such a decision is dubious at the very least. When I say 'at the very least'

de la Malène

that is putting it mildly, of course, what I really mean is that this procedure is absolutely unacceptable. Our Assembly is a serious institution, and it must study the problems seriously.

Thirdly, in our House we hear a lot of talk about economizing. We hear complaints about lack of money for this, for that, for the Social Fund, and here at the top of our agenda we have the construction of a 600-seat parliamentary chamber — because that is what it is — in Brussels, although we've already got one. None of this is very frank or very responsible, Madam President, nor is it acceptable from a procedural point of view. I felt it important to make this point and to have it recorded in the minutes.

(Applause from the centre and the right)

Mr Roelants du Vivier (ARC). — *(FR)* Madam President, ladies and gentlemen, although my Group considers it desirable to have extra facilities in Brussels in order to hold plenary sessions, I believe it important to stress — not only on my own behalf as an ecologist living in Brussels, but also on behalf of my Group — that there can be no question of doing this on the backs of the inhabitants of Brussels.

As you no doubt know — and this can be easily verified — the European institutions have progressively taken over numerous residential areas in Brussels. Nowadays, even in defiance of town planning regulations which the Belgian authorities should obey, government-level decisions have been taken for the compulsory purchase of one of the last remaining residential areas near the Schuman Roundabout in order to locate buildings there for the Council of Ministers.

This Parliament cannot, under any circumstances, be a party to such a massacre. We also believe it is vital for any visible increase in Parliament's presence to be carried out in consultations with the local inhabitants and their representatives.

Brussels has enough areas near the Rue Belliard on which the Parliament can have a chamber and ancillary facilities, without destroying the building fabric and thus existing housing.

Many Brussels people nowadays consider the Community to be among those principally to blame for the destruction of Brussels. Instead of reinforcing the European ghetto I suggest that this Parliament, if it is determined to have new premises built, for its own use, do it in a spirit of making amends for the damage done to the city's fabric. It is with this in mind, Madam President, ladies and gentlemen, that we will vote for this resolution.

(Applause from Rainbow Group)

Mr Pannella (NI). — *(FR)* Madam President, ladies and gentlemen, it is for the very reasons just men-

tioned that my vote will be against, because for several years now we have stressed that the issue is one of developing a European region and not of continuing to cram other facilities for our Parliament into this kind of London suburb which Brussels is now turning into.

(Laughter)

Madam President, ladies and gentlemen, the problem is simple. Greece, Spain and Portugal have joined in the meantime, and then there is Italy as well, but although the Treaties never made provision for the final seat to be in Brussels, neither for the Commission nor for the Council — we have been progressively concentrating everything in Brussels.

Alright, so you can pull off forceful coups based on certain interests if you want; Brussels' property market interests do carry enormous weight in this Parliament, and I say this quite clearly. If the Luxembourgers are unable to insist on strict adherence to the Treaties — and they have not been able to do this — they will be the first to lose out; tough luck. The system is not very elegant, but elegance isn't compulsory and gets brushed aside whenever the question of money arises in our Parliament. We have always settled such matters without warning through sudden coups.

It is clear that this is not a very elegant situation. Frankly, I would prefer our French friends and colleagues not to get all heated up simply whenever something is moved out of Strasbourg, just as I would prefer my Luxembourg friends to act differently and not simply when they get it in the neck yet again, and I would also prefer the President of Parliament not to throw punches in the corridors, but to come and explain his ideas to us instead.

Having said that, we are in favour of a European region for the Council, the Commission and the Parliament within the next 20 years, both for serious town and country planning reasons as well as for development of a European region, which could quite easily take in France, Strasbourg, Luxembourg and, maybe, the Ardennes and a part of Germany. This is quite conceivable and would be in keeping with modern and effective methods of town and country planning.

(Applause from the centre and the right)

Mr Estgen (PPE). — *(FR)* Madam President, let me start by pointing out that I am not only speaking on behalf of a very large majority in my own Group, but also on behalf of the Luxembourg Members of the Socialist Group and the Liberal and Democratic Group.

I must say that we are appalled by this motion. There is nothing wrong in being for one or other of the work locations; I myself am more in favour of the latter, as

Estgen

you know. But the way in which this motion for a resolution has been tabled is tantamount to nothing less than a coup d'Etat, far removed from accepted democratic methods and totally devoid of any political sense of niceties or sensitivity. Furthermore, it has no urgent character whatsoever other than that of surprise and haste. This motion flagrantly contradicts our own decisions; it is absolutely inadmissible from a legal, budgetary and policy point of view. Indeed, in July 1981 this Parliament adopted, by a very substantial majority, the Zagari resolution on holding the plenary sessions here in Strasbourg, a decision which the Luxembourgers did not support but which they respect as good democrats. The Court of Justice in Luxembourg has ruled that Parliament can have appropriate facilities at its meeting places in keeping with its work. Here in Strasbourg we have work facilities which are more than appropriate. In Brussels this is not the case as regards the offices we need, this we know, but this is not the fault of the Presidency or the Quaestors of this Parliament. Those responsible are to be found elsewhere. Our building a third chamber in Brussels, when we already have two, would certainly not be understood by our electors. If the chamber in Strasbourg were unavailable for some reason we could always use the one in Luxembourg, and no-one here can say our July part-session in Luxembourg did not take place under the best of conditions.

In addition, policy and budgetary considerations speak against the resolution submitted by Mr von der Vring. You know that since 1970 we have had budgetary sovereignty over our own budget, but we only obtained this sovereignty, this 'gentlemen's agreement', on condition that we would not exceed our budgetary powers in matters of staff remuneration and the issue of parliament's seat. However, there is no doubt that the texts before us would again raise the question, stir up the argument about the seat, and run the risk of our again landing before the Court of Justice.

Finally, this resolution is in no way urgent. It couldn't have come at a worse moment, i.e. at a time when the Intergovernmental Conference in Luxembourg is discussing the future of Europe and extending our powers. Neither the governments, nor the peoples of France and Luxembourg would understand the position of this Parliament, including the matter of expanding its powers, if they saw that at a time like this we had nothing better to do than to squander money on building a parliamentary chamber despite having two already. Therefore, I would very strongly recommend that our House reject this resolution.

(Applause from the centre and the right)

Mr Price (ED). — Madam President, it has been suggested that this motion challenges the decisions about our provisional places of work taken on the Zagari resolution five years ago. It does not! It makes no change in the arrangements then made for holding our

normal monthly part-sessions in Strasbourg. What it does is to deal with our practical accommodation needs in Brussels which we face next year. That is a matter of urgency.

Some speakers have suggested that this motion opens up a new issue; but the Bureau is already heavily involved in discussing new buildings in Brussels. At this stage it needs political guidance from the House. That is what this motion seeks to give it.

The proposal also recognizes the part which this Parliament can play in bringing together professional and other groups of European citizens. We are the representatives of European citizens. More and more of such bodies want to be able to get together, and in Brussels they do not have large facilities where all the Community languages are available. We can make these facilities available and help to make the citizens' Europe a reality by providing a multi-purpose conference centre for our own needs and those of other citizens in Europe.

This Parliament will gain power if it works effectively. This motion is designed to enable us to work more effectively. I hope that this House will support it.

(Applause from the European Democratic Group)

Mr Chanterie (PPE). — *(NL)* Madam President, ladies and gentlemen, it was argued here this morning that this subject was inadmissible for an urgent debate because it required long and due consideration. At every part-session we hold an urgent debate in which we sometimes discuss extremely complex problems. I have never yet heard the argument that we should not be allowed to decide on these problems.

(Applause from the centre and the left)

Madam President, as Mr Price has just said, the present proposal indeed deserves the particular attention of this Parliament and of us all, because it concerns the working conditions of Parliament as a whole and all of its Members. It is vitally important for Parliament to be able to meet as a body at the place where the executive branch of the Community meets. As long as Parliament cannot do this, it will be hindered in its work and its Members will not be able to do their job properly. If some people object that suitable buildings will cost money, and this will not be appreciated by the citizens of Europe, then I say that every European citizen does appreciate that the European Parliament must be able to work under normal conditions. However, what they do not appreciate are the large additional costs incurred by this constant toing and froing from one place to another!

(Applause from the centre and the left)

To conclude, I would say that those of us who think that this proposal is directed against Strasbourg are

Chanteric

turning it on its head. Clearly, the aim of this resolution is to acquire more facilities in Brussels for the reasons just mentioned. Personally, I would like to express my appreciation for all the trouble people have gone to here in Strasbourg, and I would add that I very much enjoy coming to Strasbourg for the part-sessions. However, this does not mean that we should not be able to function in Brussels as a Parliament. Anyone who sees our proposal differently is interpreting in totally incorrectly.

I hope that we as Members of Parliament will do our duty, and that we will want to carry out our work under normal conditions. That is what our citizens expect of us.

(Applause from the centre and the left)

Mr Aigner (PPE). — *(DE)* Madam President, ladies and gentlemen, I would just like to say that I consider this motion to be inadmissible from a legal point of view. I would like to remind you that the Luxembourg financial rulings granted us sovereignty over our budget on condition that the seat issue be left alone. . .

(Mixed reactions)

President. — Mr Aigner, you are talking to the substance. You are repeating points which have been raised by other Members on this matter. Of course you may have the floor, but I must warn you that the time you speak will be deducted from your Group's time.

Mr Aigner (PPE). — *(DE)* I believe the motion is inadmissible because it might possibly jeopardize the sovereignty we enjoy. . .

(Mixed reactions)

. . . over our own budget. There is no doubt that building a plenary chamber affects the seat issue, and for this reason it is a rather dangerous motion because if we end up before the Court of Justice again our own room for manoeuvre will be restricted still further. That is why I think this motion is inadmissible.

President. — Of course, there are many dangerous subjects discussed in this House, but they are, nonetheless, admissible.

The debate is closed.

(Parliament adopted the resolution)

Mr Pitt (S). — May I draw your attention to a procedural point which has disturbed me in the past and disturbed me during the course of the debate this morn-

ing. I do not expect you to give me an answer to this point now, but I hope you will take it on board and give me your answer orally or in writing later. It is a procedural development which I am concerned about.

It concerns the way in which speakers use the speaking time allocated to them. There are many examples but I shall only give one example from this morning's debates. There was, for example, the decision of the speaker on behalf of the Socialist Group not to avail of his speaking time. But there was a particularly flagrant example of my concern when you — and I quote you exactly — called Mr Wurtz to speak 'for two-and-a-half minutes on behalf of the Communist and Allies Group'. When Mr Wurtz began to speak his exact words were 'I rise to speak on behalf of the French Communists and Allies'.

There are anomalies in the way in which people are using group speaking time and this is not something relating exclusively to this morning. It is a general development which concerns me. Will the enlarged Bureau look at this and lay down some guidelines in view of the way in which group speakers may or may not be abusing the time allocated to them?

President. — We will examine that. Of course, you will appreciate that the time given to groups for speaking time is a global time and we can only go by the names submitted to us by secretariats of the groups. It is not for me, of course, to decide how long any particular Member speaks.

With regard to the Socialist speaker, he personally requested to have his name withdrawn, as Mr Estgen had declared that he would be speaking on behalf of the Luxembourg Members of this Parliament.

Your point has been noted and will be dealt with.

Mr Wurtz (COM). — *(FR)* To avoid any possible doubt, I should like to point out that I spoke with the agreement of the Communist and Allies Group, even though the views I expressed were those of the French Communists. So I would ask anyone who has doubts in future to come and talk to us about them as colleagues rather than settle such problems on their own.

President. — Mr Wurtz, it is not for the Chair to make any judgment as to who is speaking on behalf of which group. If I have before me a list of people speaking on behalf of their group, I must accept that that is the decision of the group concerned.

Mr Tomlinson (S). — Madam President, I have a totally different point of order.

During the voting you decided that a vote should be retaken, a decision which I heartily applaud because I

Tomlinson

think it was sensible in the circumstances. However, we have had a major difference of practice in recent plenary part-sessions. You will recall the number of points of order raised when the leader of the Socialist Group, Mr Arndt, asked for a vote to be retaken during the last part-session because we had had a written request in writing, properly submitted, for a roll-call vote. The President on that occasion, despite the fact that the request for a roll-call vote had been made in due form, refused to accede to Mr Arndt's request that that vote should be retaken. Today you have acted much more pragmatically and much more sensibly, and I applaud that.

However, could the differences in practice between the occupants of the Chair at different times now be referred to the Committee on the Rules of Procedure and Petitions so that we can get a clear decision on the circumstances in which a vote can be retaken?

President. — Mr Tomlinson, your point has been noted. The matter will be referred to the Committee on the Rules of Procedure and Petitions so that it can give proper guidance to occupants of the Chair on this particular issue.

Middle East

President. — The next item is the joint debate on:

- the motion for a resolution (Doc. B 2-1073/85) by Mr Romualdi and others, on behalf of the Group of the European Right, on new methods of combating terrorism;
- the motion for a resolution (Doc. B 2-1104/85) by Mrs Veil and others, on behalf of the Liberal and Democratic Group, on the murder of Mr Klinghoffer;
- the motion for a resolution (Doc. B 2-1097/85) by Mr Didò and others, on behalf of the Socialist Group, on relaunching the peace progress in the Middle East;
- the motion for a resolution (Doc. B 2-1121/85) by Mr Cervetti and others, on peace initiatives in the Middle East and the Mediterranean;
- the motion for a resolution (Doc. B 2-1069/85) by Mr Carignon and others, on behalf of the Group of the European Democratic Alliance, and Mrs Veil, on behalf of the Liberal and Democratic Group, on the hostages in Lebanon;
- the motion for a resolution (Doc. B 2-1091/85) by Mrs Percy and others, on behalf of the Socialist Group, on the plight of European hostages in Lebanon;

- the motion for a resolution (Doc. B 2-1118/85) by Mr Baudis and others, on behalf of the Group of the European People's Party, on the fate of the hostages being held in Lebanon.

Mr Almirante (DR). — (IT) Madam President, ladies and gentlemen, as an Italian I am sorry to have to be sharply critical of the government of my country for its questionable and craven behaviour during the events connected with the hijacking of the Italian liner *Achille Lauro* by murderous terrorists. But my embarrassment is countered by the fact that as a further result of this behaviour the Italian Government has fallen, and there is at least a hope that it will be replaced by government which can indeed speak on behalf of Europe and the Mediterranean. The Group of the European Right — for whom it is my privilege to speak — represents France, Greece and Italy: Mediterranean Europe. And it is on behalf of this part of Europe — which is not only a Europe of social and economic interests but also the Europe of tradition, the Europe of civilization — that I want to protest in the strongest terms against the cowardly complicity which allowed wide freedom of movement to the terrorists led by that bandit Arafat and by that other bandit, Mohammed Abu Abbas, whom the Italian Government allowed to escape and who turned out — according to the subsequent confessions gleaned from the terrorists by Italian investigators — to be the leader along with Arafat of the Palestinian terrorists. Freeing Abu Abbas was therefore a crime, an act of open collusion with criminals who had murdered an American citizen, and above all it was a political crime of tremendous significance when you remember that the aircraft which carried Abu Abbas to freedom was a Yugoslav machine, evidently made available by Yugoslavia to save the life of a terrorist leader. Is there perhaps anyone here who thinks that a Communist State like Yugoslavia acted on humanitarian grounds, and is there anyone in this Parliament who can deny, in this instance, the existence of active collusion and of a genuine international plot led and masterminded by the Soviets? Consequently, Madam President, the motion tabled by the European Right is sound and objective. We call on the Council of Ministers to take, in concertation with the democratic allies of Europe, concrete and joint measures to promote effective action against international terrorism.

Mr Di Bartolomei (L). — (IT) Madam President, the *Achille Lauro* affair has spotlighted the risks and uncertainties in relations among western countries over the question of the Middle East. Let me mention some of them.

There is a risk, which exists in Italy but also in other countries, of a kind of sympathy for the Arabs which is based on the justified recognition of the right of the Palestinians to have a homeland, but which sometimes leads people to deny the same right to the Israelis. The

Di Bartolomei

risk is there in Italy but it also affects other European countries, and the risk is that the shortsighted view will result in a failure to distinguish between those in the Arab world who are working for peace and for a fair territorial settlement in the Middle East and those, on the other hand, who adopt the Palestinian cause as a pretext for terrorist acts which are blatant attacks on peace, legitimate aspirations and international law.

There is also the risk — this time in the United States — inherent in a political line which should make caution a watchword for that great nation, as strong as it is, but which unfortunately does not always follow that line. It is a line which must respect the national integrity of other democratic nations, their rights and their privileges, especially with regard to a country such as Italy, a friend and an ally which has sound and lasting reasons for remaining so.

At lastly, again in Italy, there is the risk that we may not be able to distinguish between the political response to the unthinking behaviour of an ally and a misinterpreted national pride, and with it the risk of stirring up grim memories from the nationalistic past.

All these risks were present during the short time of the *Achille Lauro's* interrupted cruise, and what was at risk was even greater than the lives, however precious, which were at stake. Perhaps we managed to salvage the essential, even though it cost the life of an innocent and defenceless American citizen, Mr Klinghoffer. It is to be hoped that justice will take its full course and that we learn all we can from this confused affair, beginning with the need to coordinate measures to combat terrorism, without any posturing or suspicion on either side of the Atlantic. This is what we call for in our motion for a resolution.

Mr Didò (S). — (IT) Madam President, once again our Parliament is called on to say something about the extremely delicate situation in the Middle East. What is happening there not only results in human tragedy — repeatedly caused by senseless and shocking acts of terrorism and reprisal which are condemned on all sides — but increasingly also threatens the stability of the whole Mediterranean area, with tremendous risks to peace.

The motion for a resolution which we have tabled is not so much an attempt to condemn yet again these inhuman acts or to acknowledge the exemplary role of a government — the Italian Government — in saving hundreds of people, apart from one who was savagely murdered and to whose memory we now pay tribute. At the same time we want to reaffirm the respect for the dignity and national sovereignty of all the countries involved and see that justice is done with regard to those directly responsible for the act of piracy on board the *Achille Lauro*.

It is not enough to condemn acts of terrorism and reprisal. It is not enough to take any measure which is

needed to combat and eradicate terrorism. You have to go back to the underlying causes which give rise to these incidents and which are fundamental to the situation in the Middle East, if you want to put an end to them. It is for this reason that we are asking the House for its support on the urgent need for a European initiative which will help to reopen a peace process which, on the basis of talks, will recognize the inviolable national rights of all the people in the region, from the Palestinians to the people and State of Israel.

The European Community has a profound interest in ensuring that the Mediterranean is an area of peace and it has to act firmly, albeit in collaboration with other countries including our allies, the United States, so that there is an ongoing process and dialogue between those closely involved, those most directly affected on the basis of the Jordanian-Palestinian proposal, which as a proposal seems more realistic and more likely to guarantee a fair settlement.

To this end, and in line with the position outlined by King Hussein of Jordan, we call on the Council to support the demand for recognition of a Jordanian-Palestinian delegation including the PLO as legitimate representatives in the negotiations, as this is vital for the successful outcome of any peace talks. We are well aware of the limitations and the contradictions which are a feature of this organization but we are equally convinced that as long as the Palestinians are in exile — as they are now, without a national territory of their own on which to establish national institutions — it is unrealistic and politically mistaken not to recognize the PLO as the legitimate voice of the Palestinian people.

The Israeli Prime Minister, Mr Peres, in his recent speech to the United Nations seemed to reveal an attitude which has become less inflexible lately. It is our hope that these opportunities — if such they are — can be encouraged to the point, perhaps, of creating the right conditions for the start of the dialogue which Europe has to foster.

More than expressing opinions, Madam President, our motion seeks to be a sincere appeal to all involved for reason to prevail at last and for the first step to be taken along the path of negotiation, with mutual understanding of the other's problems, for an end to the dreadful suffering of so many people, not least the Palestinians, and for the guaranteed recognition of every State, including the State of Israel.

Mr Segre (COM). — (IT) Madam President, ladies and gentlemen, in the face of everything that is happening in the Middle East and in the Mediterranean, you have to wonder whether there is still room for a response based on reason and in particular for a stronger commitment, more suited to the seriousness of the situation. You have to wonder whether it is still possible to seek a fair and genuine peace settlement which respects Israel's right to exist in safety and

Segre

affirms the right of the Palestinians to have a homeland.

Our impression is that the situation in the area is rapidly deteriorating even further with all the dangers that this implies for the present and for the future. This is the reasoning behind our motion for a resolution, a reasoning which is also clearly outlined in the Socialist motion which has just been introduced by Mr Didò. We want to reiterate here our total condemnation of all acts of terrorism and reprisal and of all hostage-taking. And at this point I want to extend our heartfelt sympathy to the stricken families who are listening to this debate. We want to reiterate our condemnation of any attempt to use armed force where only a political solution can provide the answer.

But condemnation on its own is not enough. There is a need, now for an urgent political initiative to cope with the situation. Unfortunately, the impression I have is that since Venice, instead of following the path that was outlined then, the Ten have held back, and unfortunately this impression seems particularly strong at the moment. This explains our firm and insistent call on the Foreign Ministers meeting in political cooperation to overcome all hesitation and to take the necessary steps while there is still time. I must be clear to everyone that time is now short, and that it is getting shorter and shorter.

Mr Coste-Floret (RDE). — (FR) Madam President, ladies and gentlemen, when it comes to violations of human rights it is not possible to look the other way. You have to be untiring in your protests and do all you can to remedy a situation which is intolerable. This is why a fellow member of my group, Mr Carignon, was the first to take the initiative and write to the President of this Parliament to ask for an inter-group delegation to be sent to Lebanon to talk to the authorities and the churches, and also to visit the hostages.

A member of hostages have been held for months now, and they include Europeans: British, Italian and French. Their situation is made even worse because the terrorist groups which kidnapped them are hiding them and refusing to let their embassies communicate with them.

This is why we too have signed the compromise motion — and we are very happy that a broad section of this Parliament has signed it — for an inter-group delegation, but also through him — because it cannot be done otherwise — to visit the hostages. Let me add that in adopting this motion for a resolution — and many resolutions on Lebanon have been adopted in the past — Parliament will be stating not only its desire to see and end to genocide but also its refusal to turn its back on the problem of the human rights which are being violated by Lebanon and by terrorist groups. It is vital to condemn these acts and to put an end to them as quickly as possible.

(Applause from the right)

Mrs Péry (S). — (FR) Madam President, ladies and gentlemen, today is the 156th day of imprisonment for the journalist, Jean-Paul Kauffmann, and the scientist, Michel Seurat. They have been 156 days of agony for their wives and children, their family and friends. May I for a second speak as a woman and as a mother? A few days ago I met Grégoire Kauffmann who looked at me with the eyes of an 11-year-old and asked me if we could help to free his father. You cannot lie to a child. I told him we were going to try to do something, on top of everything else that had been tried.

As long ago as the topical and urgent debate during the July part-session, this Parliament vigorously condemned this intolerable type of blackmail, hostage-taking. This assault on liberty is all the more reprehensible in that no one doubts the peaceful intentions of the victims. Jean-Paul Kauffmann was doing his job as a journalist in order to bring us the news. We repeated our appeal to the Foreign Ministers during the September and earlier October part-sessions. Today, we feel that there is a need, with the support of the families, to do something more.

The various political groups in this House have proposed sending a parliamentary mission to Lebanon to meet the President of the Lebanese Parliament and, through him, the main political and religious leaders in the country.

I believe that there is nothing worse than silence and neglect. Other people may not share this view, but that is how I feel. The time has come to arouse public opinion in Europe. Hostage-taking is on the increase, with American, French, British, Italian and Russian victims. They are top-quality goods which can be bartered at various levels as a means of exchange or blackmail in this country which is the prize in a conflict in which it has no more say. We know that peace and stability in the world may depend on the outcome of the conflict in the Middle East. The violence is getting worse. For the first time, we have been shocked and outraged by the execution of hostages. We share the growing anguish of the families and hope we can help them with all our sympathy but also by doing something.

I should especially like to express all the admiration I feel for the courage and resolve of Joëlle Kauffmann, who is listening to this debate from the gallery behind me and who is leading a delegation consisting of members of the hostages' families, their friends — in particular, Mr Michel Cantal Dupart, chairman of the support committee — and also the hostages' employers, Mr Olivier of the CNRS and Mr Jean-François Kahn, editor of *L'Evènement du Jeudi*.

(Applause from the left)

I should like Parliament to take up and echo the appeal to the Hezbollah kidnappers which Joëlle made three days ago as her husband was beginning his sixth

Péry

month of imprisonment, an appeal which she will repeat shortly, at half past twelve, at the press conference organized in this Parliament, and an appeal which we take up here: Free Jean-Paul Kauffmann and Michel Seurat, free all the hostages in Lebanon!

(Applause from the left)

Mrs Fontaine (PPE). — *(FR)* Madam President, ladies and gentlemen, the 40th anniversary of the United Nations Organization coincides sadly with the upsurge of one of the most odious forms of barbarity, whereby innocent men and women are held and used as pawns in political conflicts. I am of course referring to hostage-taking. The fact that governments — guilty sometimes of complicity, sometimes of faintheartedness and sometimes of turning a blind eye — are powerless, tends to make an almost everyday occurrence of a crime which until recently was the preserve of bank robbers on the run. What is happening in Lebanon today proves that not one is safe from the kidnappers, not even those governments which thought it could only happen to others.

My main reason for speaking today is to support the motion for a resolution tabled by our group on the fate of Mr Kauffmann, Mr Seurat, Mr Carton, Mr Fontaine and so many others who for no reason have been held for months by groups over which, it is claimed, no one has any control. In addition to the physical cruelty of their detention, there is also the unbearable mental torment of their wives, children and relatives. Tossed about, at the mercy of promises and smooth talk, between hope and anguish, these wives and relatives have come to Strasbourg today to ask the European Parliament to help them effectively, and we welcome their presence here. It really is up to this Parliament, representing as it does 300 million citizens and strengthened by its democratic ideal and its influence on the world, to express its absolute indignation so that the intolerable is no longer tolerated. A unanimous protest by this Parliament must lead to the immediate liberation of Mr Kauffmann, Mr Seurat, Mr Carton, Mr Fontaine and all the other hostages held in Lebanon. I must once and for all put an end to hostage-taking, which is a modern form of crime against humanity.

(Applause)

Mr Schinzel (S). — *(DE)* Madam President, ladies and gentlemen, the bombing of Tunis was an attempt by the Israeli Government to torpedo the peace process which is getting underway. All of us in this House join in condemning all kinds of terrorism in the world, but it is particularly dismaying when a country which purports to be democratic employs terrorism as a means to further its political aims. Until now the aim of the Israeli Government, backed by the American Government, has been to wear down and sap the

Palestinians to such an extent that their call for a homeland, self-determination and fundamental human rights is no longer heard throughout the world. The Palestinian people have been ground down for decades.

We as Europeans must be concerned to uphold the Jordanian-Palestinian initiative, which is to some extent a concession by the PLO. Now Israel must at last make a move. What we should be aiming at in our initiative is to have talks with the United States and the USSR about the problems of the Middle East and possible solutions to them and to get things moving. But we are appealing not only to governments. As a Parliament, we have the task of entering into an intensive dialogue with the American House of Representatives on the possible solutions to the problems of the Middle East.

We should seek to bring about a solution based on the renunciation of force which provides international guarantees for Israel's borders and for what will then be the secure homeland of the Palestinians. This historical region must at long last become a place of peace. It might help us to achieve this aim if there were an international Marshall Plan, which would at last give the people in the Middle East hope for the future after decades of suffering.

We ought also to give positive consideration to the possibility of receiving the Jordanian-Palestinian delegation in Parliament and to speak with its members about the peace process in the Middle East. After all, it is our foremost task to help to bring about peace in the world.

(Applause from the Socialist Group)

Mr Prag (ED). — Madam President, this is a sad time in the history of the Middle East with the assassinations of Israelis in Cyprus and Barcelona, the precision bombing of the PLO Headquarters south of Tunis, the hijacking of the *Achille Lauro*, and the murder of a paraplegic, Mr Klinghoffer.

Yet it is a wrong assumption that stalemate is permanent. History is, in large part, the story of reversals of apparently irreversible positions. The first basic problem is the recognition of Israel. Surely the days of settling problems by genocide are gone. The 3 1/2 million Jewish Israelis, the Israeli Arabs, the West Bank Arabs are there to stay and must be there to stay. Why should both sides not start out with a clear declaration to this effect? It would be no more than a recognition of reality, but it would be a big step forward. Terrorist groups of course present a much bigger problem. They are, as we have seen in the PLO and the Lebanon, very difficult to control. Their leadership find it virtually impossible to control them. They are proliferating, whether under the umbrella of the large organizations or as small independent organizations in themselves

Prag

and now in the Lebanon they are taking hostages. I wish that the heartless and ruthless groups who take hostages could have heard the appeals of Mrs Péry and Mrs Fontaine. But hostage-taking is only a part of the wider picture of terrorism which presents the biggest threat to all who attempt to make peace. Here is one major field where, as this Parliament has said time and time again, Europe could help by stepping up and coordinating its measures against terrorism, the work of its security forces and by the whole series of steps which have been put forward by this Parliament.

The other big preliminary obstacle is the choice of representatives of the Palestinian Arabs. Surely diplomacy can overcome this problem without the continued shouting from the two sides — PLO in, PLO out!

We shall vote against the Socialist and Communist Groups' motions because they take sides on this matter. The proposal made by Mr Peres, to which Mr Didd referred, suggested that King Hussein should talk for the Palestinians. Surely, that is one possible solution. But it is no use going on saying the PLO must be represented, the PLO must not be represented. We must look for other ways of solving the problem.

Finally, of course, there is the question of the security of Israel with its highly vulnerable long waist and there is a solution to this too — demilitarization of the West Bank, backed by continuous checks. I know there are other problems and Jerusalem is perhaps the biggest. But there is surely an example of reconciliation and genuine peace in our own Community. The ending of the long long quarrel between France and Germany can serve as an example. In the same way that the European Community has served us in Western Europe, we must find solutions which first take the heat out of the conflict and let the light in.

Mr Chambeiron (COM). — (FR) Madam President, I should like to call on Parliament today to make a gesture of principle.

Firstly, it should condemn all hostage-taking and declare that it cannot be the way to achieve any objective, even a just one. You know what we think about the problems of the Middle East. We consider that they can only be solved by recognizing the right of each of the countries and peoples in the region, including the Palestinian people, to live within secure and recognized frontiers and to have their own State.

But at the moment there is something which overrides our views on the subject, namely that the lives of French, British, Italian, American and Soviet hostages are at stake. And I am sure you realize that I am thinking especially of the fate of Mr Kauffmann and Mr Seurat, on whose behalf our Parliament has already made repeated presentations. This is why my colleague and friend, Mr Piquet, signed on behalf of our group the motion calling for an inter-group delegation to be

sent to Lebanon for a humanitarian purpose and irrespective of political affiliation.

I hope that Parliament will adopt this motion. Immediately after the vote I shall get in touch with the President of Parliament so that the delegation can set out to perform its task as soon as possible.

Mr Nordmann (L). — (FR) I shall confine myself to four remarks on the outcome of the *Achille Lauro* hijacking. Firstly, I should like to stress, despite the denials from some quarters, that the murder of Mr Leon Klinghoffer was inspired by anti-semitism. Once again a man has been killed not for what he did but for what he was. Once again we have an indication of that anti-Jewish hatred in which anti-semitism and anti-zionism so strangely meet.

My second remark is to stress that the democracies, faced with terrorism involving hostage-taking, are entitled to defend themselves, and I am pleased that, for once, terrorist kidnappers will be tried by a court in a democratic country against which their crime was directed. This is the beginning of a healthy reaction, which we owe, it must be said, to the courage of President Reagan and the effectiveness of the American intervention.

My third remark concerns the true nature of the PLO, which has become apparent during this crisis and which must be separated from Palestinian reality. PLO terrorism is not the Palestinian reality of the West Bank Arabs, and that is why my fourth remark deals with the diplomatic outlook which this new awareness implies. The Venice resolution, on which we have so often clung, no longer applies, and the Israeli-Jordanian dialogue to solve the specific problems of territorial dispute and the coexistence of people must now begin.

I hope that it will have Europe's backing.

Mr Verbeek (ARC). — (NL) I should like so speak about the American involvement. What the United States has done in the Mediterranean this month is appalling from the point of view of international law. Washington used the Italian base of Sigonella in Sicily, 15 km from Comizo, to launch its fighter attack against the Egyptian passenger aircraft. This demonstrates what little regard the United States has for the military sovereignty of other NATO member countries. NATO is not a supra-national organization in international law, it is nothing but a group of countries dominated by the United States.

The American air force attack is all the more unacceptable because it proves how the United States violates the fundamental sovereignty of other countries, with or without the complicity of the governments of the NATO countries. In my country, the Netherlands,

Verbeek

it is to be decided on 1 November whether or not 48 American cruise missiles are to be stationed there. The incident in the Mediterranean demonstrates the basic illegality of American and NATO militarism, which also poses a nuclear threat. European countries are betraying their sovereignty by accepting the destructive potential of the USA on their territory.

Mr d'Ormesson (DR). — (FR) Madam President, Beirut has become the greatest theatre of crime ever imagined. It is the cowardice of the West which allows hate and fanaticism to dictate the actions of the kidnapers and murderers. Europe, the source of whose genius is Christianity, can only recover its soul by going to the aid of the Christians in Lebanon and by fulfilling its traditional mission. Today our group will naturally be voting for all the motions calling for the release of the unfortunate hostages of Muslim fanatics.

Mr Pannella (NI). — (FR) Madam President, for every European hostage we are worried about there are sure to be, every day, hundreds and thousands of people both in the Middle East and elsewhere who are killed because of their opinions, their tribe or their history.

I think it is taking a very self-centred European view as well as a very superficial politician's view if we carry on talking in terms of conflicts between countries, while the major and real problem in the Middle East, affecting every woman and every man there, is that of their liberty and their dignity. It is the problem of ensuring that independence actually guarantees freedom, democracy and liberty and does not, as is so often the case, serve as an alibi for vicious regimes.

At the very moment when this Parliament is quite rightly concerning itself with the European hostages, I should simply like to say that as a radical — an Italian radical — I think that unless a European policy manages to guarantee the rights of the Syrians, the right of the Syrians to live, the right of the Lebanese to live and the right to life, freedom and independence, while at the same time guaranteeing the Palestinians freedom and political democracy, it is quite frankly likely, Madam President, that we shall constantly have to bear the consequences of our inability to establish independence, freedom and dignity together.

Mrs Veil (L). — (FR) Madam President, ladies and gentlemen, on Thursday mornings we often wonder whether our debates are of any use. The day before one often overhears someone in the corridor saying that we are ridiculous with all these urgent debates and that we spend too much time on them, and we wonder whether there is any point in them.

I think that today the presence in the public gallery of the families and friends of the hostages who are currently being held in Lebanon answers these questions.

This in no way implies — and we have no illusions about this — that any action we may take will produce immediate results. Unfortunately we have often adopted resolutions and no one has listened to us.

But I think that the very fact that we make our voice heard, the very fact that we are capable of taking action, even if the House is not as full as we should wish — and I should like to say to those who are in the public gallery that it is unfortunately the way in which our proceedings are organized which has prevented many of our colleagues from being here — shows that we are with you in your hour of need and that we would all like to be in the House because we all want to join you in calling for the liberation of your relatives!

Your relatives must be freed as a gesture of humanity and because the actions of their kidnapers were inspired by hate and fanaticism.

And in answer to Mr Pannella, who asked why we are acting to help Europeans when all these peoples are suffering, I would say that coming to the aid of the hostages does not mean that we are not interested in the others.

That is not true! We also want to act to help the others, but we know that the reason why European hostages are being held in Lebanon today is that the kidnapers want at the same time to put pressure on our countries, that it is the freedom of the whole world and the independence of all countries that are at stake, that it is not the fate of four, five, ten or twenty hostages — French, American and British — but freedom itself which is at stake, and we should all realize that, as long as hostages are held, there will be no freedom in Europe for any of us.

(Applause)

IN THE CHAIR: MR GRIFFITHS

Vice-President

Mr Beyer de Ryke (L). — (FR) Mr President, ladies and gentlemen, I am speaking in support of the motion for a resolution tabled by the Liberal and Democratic Group (Doc. B2-1104/85), not only because I am a member of that group but also because I have a profound impression of having been deceived — an impression shared by many citizens, by politicians and by governments — because many people thought, incorrectly, that the PLO of Yasser Arafat had renounced violence and terrorism. But unfortunately the murder of an elderly invalid provided the sordid proof that we were wrong. The *Achille Lauro* may well prove to be the *Titanic* of the PLO, its reputation and its

Beyer de Ryke

credibility. Despite that, the discredit of an organization does not mean the discredit of an entire people, and we wish well to those who are trying to re-activate the peace process and are extending a hand to King Hussein.

As for the other motion for a resolution on the latest drama in the Middle East, that of the hostages, it is not so much for me to present it but to inform its authors of my reply, after the Bureau had referred the matter to me in my capacity as chairman of the delegation for relations with the Mashreq countries, to the request by Mr Carignon to send a mission to Lebanon. Without ignoring the difficulties, I think that a mission of this kind could have a definite and positive impact, and I informed the Bureau accordingly. Let this be heard in the House not only by the proponents of the mission but also by you, Mrs Kauffmann and Mr Seurat, who listened to our debates. You should know that Parliament is unanimous in sharing your anguish and in trying to do everything in its limited power to put an end to that anguish and to make the religious maniacs realize at last that God is love and not hate.

(Applause from the centre and from the right)

President. — The joint debate is closed.

(In successive votes, Parliament rejected the motion for a resolution, Doc. B2-1073/85; adopted the resolutions Docs. B2-1104/85, B2-1097/85, B2-1121/85; and adopted Amendment No 1¹ replacing motions for resolutions Docs B2-1069/85, B2-1091/85 and B2-1118/85 with a new text)

Central America

President. — The next item is the joint debate on:

— the motion for a resolution (Doc. B 2-1109/85) by Mr Staes and others, on behalf of the Rainbow Group on the establishment of an EEC-Contadora Group standing conference

— the motion for a resolution (Doc. B 2-1113/85) by Mr Arndt, on behalf of the Socialist Group, Mr Cervetti and Mr Piquet, on behalf of the Communist Group, on the state of negotiations between the Community and the countries of Central America

— the motion for a resolution (Doc. B 2-1115/85) by Mr Croux and others, on behalf of the Group of the European People's Party, on the Second Costa Rica Conference

Mr Staes (ARC). — *(NL)* Mr President, it is clear that the most important task facing the Community with regard to the situation in Central America is to find a peaceful solution to the tensions and conflicts that have dragged on in this region for centuries, and which still exact a brutal toll in the shape of aggression, violation of human rights, suppression of national cultures and exploitation by forces totally uninterested in the identity and fundamental social needs of Central America, their sole concern being the economic and military advantages to be gained from this region.

Naturally, the Community cannot interfere in the autonomy and independent democratic development of Central America. There are enough superpowers engaged in such dirty work, whether they be States or multinationals. What the Community ought to do is to support those forces that wish to return Central America to the nations and peoples of Central America.

This Community has always advocated an express policy of support for democracy and the protection of human rights. It should not allow itself to become entangled in arguments and speculation instead of coming down unequivocally in favour of democracy, defence of human rights and self-sufficiency geared to the fundamental social needs of the population, which have been ignored for centuries.

It is namely totally beside the point to cavil about whether some action taken in a particular country is democratically acceptable while in a neighbouring country tens of thousands are tortured and murdered every year without anybody paying any particular attention.

If the Community and this Parliament in particular wish to take their important role seriously, they should translate their repeatedly promised support for the Contadora initiative into concrete action, for example as proposed in my resolution, recognizing that in the present situation the Contadora initiative is the only correct approach. We should also realize that this so important initiative — to which there is no alternative — is currently under severe threat.

Mr Newens (S). — It must surely be clear to this House that it is extremely important for Europe to develop and encourage the growth of political, economic and cultural relations with the countries of Central America. It is unfortunate that a number of previous agreements with Latin American countries and areas have been very disappointing in their outcome. They have, in fact, remained declarations of largely unfulfilled aspirations.

¹ Amendment No 1 tabled by Mrs Péry and Mr Hänsch on behalf of the Socialist Group, Mr Baudis, Mr Abelin, Mr Bernard-Raymond, Mr Klepsch and Mr Habsburg on behalf of the Group of the European People's Party, Mr Prag on behalf of the European Democratic Group, Mr Piquet on behalf of the Communist and Allies Group, Mrs Veil on behalf of the Liberal and Democratic Group, and Mr Coste-Floret on behalf of the Group of the European Democratic Alliance.

Newens

It is extremely important, therefore, that the new cooperation agreement envisaged should include specific proposals for the expansion of trade and aid with all the countries, that it should be implemented and that the progress on it should be carefully monitored on behalf of this Parliament.

As the resolution indicates, we need, furthermore, to take a strong stand in favour of the principles of freedom, peace and national sovereignty for all the States in the region, and recognition of this by other interested parties. This Parliament has given support to the Contadora initiative and we need to recognize and make it clear that we can in no way acquiesce in or turn a blind eye to the flagrant violation in the national sovereignty of Nicaragua by the Contras and former supporters of the Somoza dictatorship and that we utterly condemn the efforts of the present United States Administration to overthrow the Sandinistas by these means.

Most people in this Parliament condemn terrorism. We need to recognize that support for the Contras is support for terrorism and undeclared war against the peoples of Nicaragua and can only undermine efforts to establish full democracy in that country. It will furthermore hinder the development of relations with Nicaragua. Europe must not accept that its involvement in Central America is subject to the approval of the United States of America or any other outside power. We have a right to pursue our own policies in this region.

Our policies should be based upon the fundamental objective of assisting all the countries of Central America to develop as free, independent and democratic countries in which the standards of living of all peoples can be transformed. Anyone who considers the abject poverty and degradation, in which so many Central Americans now live, and the serious damage being done to their environment, must recognize the need for far-reaching change. Such change is not only in their interests, but in the interests of European countries as well, because it greatly increases the opportunities for trade and other exchanges.

The resolution sets out in a very moderate way the form in which we should seek to achieve this and, I hope accordingly, that it will be passed unanimously.

Mr Lenz (PPE). — (DE) Mr President, my Group will support the joint motion. From the very beginning we have always supported the Contadora initiative, although we know how difficult it will be to solve the conflicts in a region which has again been a cause of great concern to us in the past few weeks. Therefore, we especially welcome the fact that what is known as the Second San José Conference will be held in Luxembourg this November, bringing together the European foreign Ministers and the Contadora States. We support the economic and financial measures

requested in the motion as well as the signing of the Cooperation Treaty, but there is one thing we would like to point out: we do not think the Council's mandate to the Commission goes far enough. We believe that the Community must have more opportunity for bringing its influence to bear, and this is precisely what this region expects of Western Europe, because the European Community is considered to be more independent of the Superpowers' political influence. We believe the European Community should also become more involved politically and express more clearly its desire to see democracy and freedom develop. Therefore, we are not only in favour of the European Community taking action in future along purely economic and political lines, but also of our jointly stepping up the political pressure so that the people in that critical part of the world have the chance of enjoying freedom, democracy and a better life.

Mr Baget Bozzo (S). — (IT) Mr President, I should like to point out that Contadora might no longer exist soon. The earthquake in Mexico may have tremendous political repercussions in that country. There is no way of knowing what is going to happen in the very country which is the most important of those involved in the Contadora initiative. Second point: there has been a *coup d'état* in Panama. What does it really mean? Third point: a country which is not linked to the Contadora group but which is now close to Ecuador has broken off relations with Nicaragua. Fourth point: the developing situation in Nicaragua.

The fact is, ladies and gentlemen, that we are up against a changing situation and it may well be that the Contadora initiative, aimed at a peaceful settlement of the tension among the countries of Central America — just think of the conflict between El Salvador and Honduras some ten years ago — is very quickly reaching a dead end.

This means that it is even more important for us, first of all, to take a direct approach to the problem of our relations with the Central American countries in general on the basis of the outcome of the ministerial meeting in San José. Secondly, we have to look carefully at the possibilities, aims and limitations of our policy. Thirdly, we have to ask ourselves if this policy really backs up the moral and political principle that Central America is not an area reserved for the United States, and consequently we have to ask ourselves how far Parliament is ready to go in risking a moral and political conflict with the power which is dominant in this area. What I am trying to say is that the problem which has been raised by the Contadora group is hardly likely to be solved by it.

Mr Kuijpers (ARC). — (NL) Mr President, ladies and gentlemen, the right of peoples to self-determination, the struggle for democracy and arms control, the observance of human rights, and non-intervention are

Kuijpers

all principles that guide the efforts of the Cantadora group in their endeavour to reduce tension in Central America.

Yet it is becoming increasingly clear that the attitude of the United States, above all towards Nicaragua, will determine the chances of success. The prospects are not rosy. The Reagan administration has sworn the downfall of a number of independent governments in the backyard of the United States, and the methods it employs are not very pretty. Without being blind to the shortcomings of the regime in Managua, it must be said that such an attitude is unacceptable. All the more reason for the Community to follow a different path.

The current negotiations on a cooperation agreement between the European Community and Central America therefore deserve full support. The Community should honour to the full the pledge it made at the San José Summit in September 1984. It would simply be unacceptable if it were to back down and not fulfil its promise to double aid. It is namely not enough to support the efforts of the Contadora group with words alone, deeds must follow.

Mr Ulburghs (NI). — (NL) No-one can doubt the importance of Central America in the current situation. It is clear that no adequate solution can be found for each individual country. Only an integral approach can offer any prospect of change. This region can become either a powderkeg or an example for all of Latin America and the Third World. A powderkeg if the conflict continues to be seen as a clash between the two superpowers in which this region is the battlefield. An example if the peoples concerned can be helped to arrive at their own model for development. Here, Europe can play a crucial part by supporting the autonomous development of Central America. This requires Europe to follow a line independent of the superpowers. Will Europe succeed? I hope so.

Mr Van den Heuvel (S). — (NL) Mr President, the pronouncements made by the European Community on Central America would make a bulky volume by now. Not only Parliament but also the Commission and the Council of Ministers have supported the Contadora initiative at all stages, and have issued declarations on the role of the European Community in this region. So far the high point seems to have been the San José Conference in September 1984, when the Community Ministers appear to have laid the foundations for closer cooperation with the region.

Anyone who is remotely familiar with the situation in Central America will realize the extent of the influence exerted by the superpower that regards this area as its backyard, and the extent to which this influence is feared, both publicly and privately. It is therefore tremendously important to develop European initiatives in this area. Unfortunately however, all the

declarations of support of the Contadora initiative by the European Community have had little impact so far. An agreement, evidently desired by all the Community Member States and the countries in the region, has failed to come about. Those of us who have read the secret instructions issued by the American State Department have no need to ask what and who is responsible. It is helpful also in view of the debate later today in this Parliament, to recall once again that Nicaragua has so far been the only country that has had no great problem in agreeing to proposals for an agreement. It would be good if the political groups present here would use their contacts in the region to exert influence in the right direction. I understand Mrs Lenz's concern on this point.

The compromise text on the negotiations for a cooperation agreement has our support, and to underline this I would add that my group also endorses paragraph 4, which talks of respect for political freedom, civil peace, national sovereignty and economic solidarity. However, we are not entitled to talk of such matters, Mr President, until we have done our utmost to create the conditions for implementing such principles, and until we have said clearly what we think of those who have done their best to prevent these conditions from being established.

I very much fear that what has so far been achieved in the negotiations on a new cooperation agreement falls far short of all the declarations that have been made to date. Whenever they need to be translated into concrete action, European professions of support appear to be qualified somewhat by national penny-pinching. I would therefore very much like to see Parliament clearly endorse the present compromise text.

Mr Staes (ARC). — (NL) Mr President, for some time now various attempts have been made to sabotage the Contadora initiative. However, even though it is abundantly clear which superpower is responsible for this extremely deplorable action, I refuse to name countries or persons here, even if they may be obvious.

It is more than calamitous for these depleted and exhausted countries to be constantly dragged into a power struggle between the large blocs, which can evidently afford such a struggle and have the means to carry it out. This policy of strangulation is criminal towards the populations of these countries. It is fundamentally unjust to compel them to choose between East or West, a choice that is absolutely irrelevant to these populations. The Community should therefore take resolute action to counter this totally unacceptable polarization in which a small country is irresponsibly forced to become a battlefield for the great powers which always fight out power struggles outside their own borders and compel people of other countries to die for interests that do not concern them in the slightest.

Staes

If the citizens of the Community have their doubts as to the sense and effectiveness of the Community and its institutions such as this Parliament, this is not just a question of the abolition of internal frontiers and red tape nor of European identity cards, driving licences and motorway names, it is also very much a question of our proper appreciation of our role in the outstanding problem areas, such as the situation in Central America, and our concrete commitments towards extremely sensible institutions such as the Contadora group.

Mr De Clercq, Member of the Commission. — (NL) Mr President, the Commission stands by its view that pacification in Central America can only come from the region itself and must therefore be sought through negotiation, not through military means. It is thus concerned at every increase in tension and each step that withdraws civil and constitutional freedoms.

The Commission reiterates its hope that through negotiation Central America can reach a settlement ensuring peace and stability within the framework of democratic pluralism and respect for human rights. The Commission also reiterates its intention to contribute to the efforts made by the Community to achieve these ends by supporting the peace process launched in 1982 with the initiative of the Contadora group and by strengthening collaboration both in the political field and in the field of economic cooperation. Here, I of course refer to the framework agreement for economic, commercial and development cooperation initiated in Brussels on 18 October 1985.

In this connection, Mr President, ladies and gentlemen, the Commission confirms that it has been conducting negotiations with Central America on the basis of the guidelines issued by the Council of Ministers on 23 July 1985. In accordance with these guidelines, the Commission's proposals do not provide for a doubling of aid over the next five years. However, they do allow for a considerable increase in this aid. This increase must be used preferably to finance projects that will promote regional integration.

President. — The joint debate is closed.

(In successive votes, Parliament adopted resolution Doc. B 2-1109/85 and Amendment No 1¹ replacing motions for resolutions Docs B 2-1113/85 and B 2-1115/85 with a new text.

¹ Amendment No 1 tabled by Mr Arndt, on behalf of the Socialist Group, Mr Croux, Mrs De Backer-Van Ocken, Mr Klepsch, Mr Vergeer and Mr Habsburg, on behalf of the Group of the European People's Party, Mr Prag, on behalf of the European Democratic Group, Mr Cervetti and Mr Piquet, on behalf of the Communist and Allies Group, Mr Gawronski, on behalf of the Liberal and Democratic Group, and Mr Coste-Floret, on behalf of the Group of the European Democratic Alliance.

Terrorist organizations of the extreme left and the extreme right

President. — The next item is the motion for a resolution (Doc. B 2 1107/85) by Mrs Veil and Mrs Tove Nielsen, on behalf of the Liberal and Democratic Group, on terrorist organization of the extreme left and the extreme right.

Mrs Veil (L). — (FR) Mr President, ladies and gentlemen, I shall be extremely brief, but in my opinion we cannot allow these events in some of our countries to pass without reaction on our part. I want to talk about the terrorist activities, the acts of violence and absolutely blind hate, which have again struck a number of European countries in the last few weeks.

A short time ago, in connection with the hostages in the Lebanon, I was speaking about the defence of democracy and freedom and the threat to us all from outside. But we are also threatened from within; this is the only purpose of these acts of terrorism, i. e. to try to destabilize democracy and impose the law of the strongest. All we can say is we hope that our governments will react most vigorously and that there will be real cooperation to combat terrorism — we have said this very often, and there is no point in repeating it at length — as here too it is our liberty which is at stake.

(Applause)

Mr Habsburg (PPE). — (DE) Mr President, we will be happy to support Mrs Veil's motion, but we would like to make one point: at a time when terrorist acts are occurring here, there and everywhere — and all of us who view the situation realistically know very well that terrorism will increase and not decrease — it is somehow very lamentable that we must again say something Parliament has been repeating continuously for seven years now, i. e. that we will not get to grips with terrorism if we do not agree, at long last, on a cross-border formula for combating terror.

I would like to say one thing in this connection: in the past few days there have been some quite emotional votes, with the losing side saying each time that Parliament has again demonstrated its incompetence, and that preserving unanimity is perhaps the right thing to do because we are allegedly irresponsible.

I would like to note just one thing in response: Parliament is open to criticism, but what those who do have unanimity — our governments — get up to in the Council in the field of terrorism, and, God knows, this affects each citizen, is the best example of an irresponsible policy. Thus, I don't think we should criticize Parliament so strongly; it is the Council which should at last wake up to the realities and act accordingly.

(Applause from the centre and the right)

Mr Filinis (COM). — (GR) Mr President, I should like to make the following comments on the motion by Mrs Veil and Mrs Nielsen on all kinds of terrorist organizations and the combating of terrorism: terrorist organizations and terrorist acts, when they take place on the territory of other countries, must be clearly condemned whatever their origin and irrespective of whether on some occasions they are due to the justified indignation of cruelly oppressed peoples.

However, how can we speak at present, Mr President, about the terrorism of organizations and how can we close our eyes to a very recent provocative act of State terrorism committed by a superpower such as the United States? What right do American military aircraft have to force, in international airspace, a civilian aircraft belonging to another country, Egypt, and transporting people of another nationality who are to be sentenced, to land on the territory of a fourth country, Italy? And what will happen if other countries engage in this kind of State terrorism?

This is why there should be condemnation of terrorism by organizations . . .

President. — Excuse me, Mr Filinis, but your speaking time is up.

The debate is closed.

(Parliament adopted the resolution)

Nicaragua

President. — The next item is the joint debate on:

— motion for a resolution (Doc. B 2-1074/85) by the Group of the European Right on the situation in Nicaragua following the declaration of a state of emergency and the suspension of all freedom;

— motion for a resolution (Doc. B 2-1075/85) by Mr de la Malène and others, on the situation in Nicaragua;

— motion for a resolution (Doc. B 2-1105/85) by Mrs Tove Nielsen and Mr Gawronski, on behalf of the Liberal and Democratic Group, on Central America;

— motion for a resolution (Doc. B 2-1110/85) by Mrs Heinrich, on behalf of the Rainbow Group, on the state of emergency in Nicaragua and the reasons for the introduction thereof;

— motion for a resolution (Doc. B 2-1117/85) by Mr Langes and others, on behalf of the Group of the European People's Party, on the situation in Nicaragua.

Mr Pordea (DR). — (FR) Mr President, on the monument which, at the dawn of the post-Communist era, will be erected to commemorate the martyrs of the darkest period in the modern history of humanity, the name of Nicaragua will certainly occupy a place of honour among numerous others.

Nicaragua is currently in a dramatic situation, worse than under Somoza. All public and private freedoms have been suppressed. The only opposition newspaper, *La Prensa*, has been banned. Arbitrary arrests, imprisonment based solely on denunciation, and torture have become part of the system, and are applied vigorously and cynically. The government of Daniel Ortega does not even trust its friends, and the political police is everywhere. Children denounce their parents to formidable and disreputable 'Committees of Surveillance'. This is the very image of totalitarian government pushed to the brink of Marxist-Leninist logic.

The Catholic Church, originally strangely sympathetic towards the Sandinista revolution, is now the principal force in opposition to the regime. Together with threats against the clergy and against Archbishop Bravo of Managua, faced with a population which has been betrayed and cheated by its so-called liberators and is turning for refuge to its clergy, the only rampart and the only chance of salvation for Nicaragua, the government is preparing to establish an official church, at the service of the State and practically without influence on the masses.

The thousands of Cuban, East German and Soviet advisors have brought with them a political police organization, whose methods are the same as those applied in Africa, Poland and Vietnam. More than ever, our task is to combat these degrading Communist procedures, which have become standard and which attack not only the liberty and dignity of man but also, and especially, his mind and spirit, through a process of constant and unrelenting indoctrination. It would be to the credit of our Parliament to break off all economic and political links with the pseudo-government of Nicaragua, which represents only itself and its faithful hirelings.

Mr Coste-Floret (RDE). — (FR) Mr President, ladies and gentlemen, it is not possible to be in favour of something and its opposite at the same time. We condemned the Somoza dictatorship because it curbed citizens' liberties and we say in our proposal for a resolution that we approve the principles of the 1979 revolution in that — and only in that — they constituted an opening of the doors to democracy.

The result now is a general suspension of liberties: freedom of expression, freedom of movement, the right to strike, postal secrecy and even, for those who have been detained, the guarantees of *habeas corpus*. This we cannot accept. We condemned Somoza and in the same way we condemn Ortega. The violation of

Coste-Floret

human rights is the same thing wherever it occurs and whoever is responsible.

Consequently, the vast majority of my Group will vote for the compromise resolution, which I have signed personally. In this way we will express our condemnation of the suspension of political and civic rights and all freedoms, as well as our desire to support the efforts of the Contadora group to achieve a peaceful solution to the problem by means of dialogue.

Mr Heinrich (ARC). — (DE) Mr President, ladies and gentlemen, we have three resolutions before us sharply condemning the state-of — emergency crackdown in Nicaragua. We, too, are saddened by the fact that the crisis in Nicaragua is getting worse, that this small nation fiercely fighting for its freedom, is unable to find peace. But we are also worried by the one-sidedness with which this Parliament treats the Nicaragua problem.

In the past few weeks 'Contras' funded, armed, trained and directed by outsiders, have — in 12 of Nicaragua's 16 provinces — carried out economic sabotage as well as terrorist acts against the population, and fought some heavy battles with government troops. This fact alone would have prompted any Western Country to proclaim a state of emergency ages ago. Each State has a right to defend itself against overt and covert military action. What is being covered up here is the fact that one day before the state-of-emergency crackdown 4 500 mercenaries infiltrated from abroad had launched a new large-scale offensive, and another 2 500 mercenaries assembled on the Honduran border were preparing to occupy Esteli.

We do not understand why this Parliament does not see the Contras' actions for what they are, i. e. terrorism. We do not understand this House's kow-towing to U.S. policy. Why are people here so silent when it comes to condemning obvious acts of State terrorism such as the mining of Nicaragua's ports by the secret service of the USA, whose government even has the audacity to refuse to recognize the ruling of the International Court of Justice in The Hague?

We have often pointed out in the past the hypocrisy with which here, on the one hand, the . . .

President. — (DE) Mrs Heinrich, your speaking time is up.

Mr Langes (PPE). — (DE) Mr President, President Mitterrand of France said very clearly and unequivocally in Latin America a few days ago that he strongly criticized the state of emergency in Nicaragua, and that this did not contribute to a peaceful settlement of the conflict in that Central American country.

The Cardinal of Nicaragua, Obando y Bravo, one of the leaders of the opposition to Somoza, has said with

equal clarity that the Church would not let itself be intimidated, and would use the pulpit to speak out against dictatorship and the betrayal of human rights.

There is no hypocrisy here, Mrs Heinrich, and Parliament must send a clear message on this. And there is something else which must be said in all clarity: Mrs van den Heuvel calls for dialogue. Of course we need dialogue, but when the peaceful opposition in a country — over here we have our trade unions, the Church, the political parties of the Christian Democrats and the Social Democrats, all of which aim to achieve change through discussion — if these are unable to speak, Mrs Heinrich, because they are in prison, how can dialogue bring about a peaceful solution? Don't let's kid ourselves! We have always condemned the Contras, the military attacks; if you will be so kind as to do the same for El Salvador then we will achieve a peaceful settlement in Central America!

I would ask you to vote for our motion.

(Applause)

Mr Hänsch (S). — (DE) Mr President, ladies and gentlemen, there is not doubt that we view with concern the fact that the curbing of many civil rights in Nicaragua due to the prolongation and tightening-up of the national state of emergency, could lead to a move away from such principles of the Sandinist Revolution as pluralism, a mixed economy and non-alignment.

But we also note the enormous progress made by this country since the Somoza dictatorship was toppled. I only need to recall the exemplary literacy campaign or the health system which is now operating. We also see that since Nicaragua was freed from the Somoza dictatorship the United States Government has more or less done its utmost to disrupt and destroy the peaceful process of renewing society there. They tried to mine Nicaragua's ports by using their secret service; since 1982 they have spent about 100 million dollars on supporting the counter-revolution; by imposing a trade embargo they have inflicted losses on Nicaragua's economy totaling at least DM 2 000 thousand million; and for a long time now they have been delaying and blocking the Contadora peace initiative. That is not the policy of a peace-loving country *vis-à-vis* another country in this region of Latin America!

For this reason we strongly demand an end to the USA's policy of destabilization; we condemn the support for counter-revolutionary aggression from outside. Of course — as I said at the beginning and will say again — we regret that the government of Nicaragua has prolonged and tightened up the national state of emergency in response to the continued pressure from outside.

We call on the Sandinist government to revert to the principles of the Sandinist government and Sandinist

Hänsch

revolution as soon as possible, despite the warlike conditions imported into the country from outside. But our task, and that of this European Parliament and the European Community, is to help the Sandinist's and Nicaragua to revert to their principles.

(Cries from the right)

In our view this help should be in the form — not solely, but *inter alia* — of further support for the Contadora initiative as well as rapid signing of the Cooperation Treaty between the European Community and Central America, which could contribute to lasting peace in the region and help combat poverty, as well as preserve and restore human rights, social justice and democratic structures.

(Applause from the left)

Mr Tuckman (ED). — Mr President, I was one of those sent by this Parliament to watch the Nicaraguan elections last year. I found them technically fair, but I was extremely worried about what was going on under the surface. There seemed to be a tug of war between the Stalinists and those who wanted genuinely to have a democratic set-up.

I went out there wanting to believe that the thing was really moving in the right direction. I hate Somoza as much as anybody else here, and I certainly do not want to go back to that. But what do I now find? What ought I to believe? All the civil rights are abolished and, on the face of it, everything which was threatened and which we feared seems to have been put into place.

In those circumstances, one really has to assume that Mr Ortega has decided the time has come when he can show his Stalinist hand, since there is now no need to conceal it. I have come to the conclusion that he, like so many dictators before him, fears his own people. I find that sad. I would like to be able to go along with Mr Hänsch and say, yes let us continue to give these people the benefit of the doubt, but it really does not seem at all possible. I am very disturbed when I talk to the opposition parties, particularly those who did not take part, who then tell me, we only take part in elections in this country — Nicaragua — when the conditions are absolutely right. Well, of course, that plays into the hands of the intending dictators.

So, to summarize, I support the resolution. I want to be able to believe that the thing can still be turned round, but I am against any kind of dictatorship. I am against this abolition of human rights, and I really cannot go any further in giving the benefit of the doubt to people who seem to be going against everything which this House stands for, whatever the country involved.

(Applause from the European Democratic Group)

Mr Cervetti (COM). — *(IT)* Mr President, I would like to confirm a fundamental principle underlying the action of Italian Communists. I am speaking about the principle that democracy is a universal value. I wish to conform this not in the abstract sense, but with specific reference to the events in Nicaragua, which lead me to express reservations and criticism on the measures announced by the government of that country and my concern at the shadows which they cast. I hope that these measures will not be applied and that they will be withdrawn at an early date.

At this point I must add something which concerns not only the conditions of war in Nicaragua. Putting forward such a reason, whether justified or not, would mean some kind of reduction in the strength of an asset, a value — democracy — of which we are untiring defenders and supporters. The point which I want to add and which I would like you all to remember, ladies and gentlemen, is that in the situation in question other principles and values are at stake: national independence and sovereignty. We cannot really be so naive as not to see that over there in Central America there is a move to stifle sovereignty and independence. This has certainly been the troubled and tormented experience of a small and poor country. After all, the words expressing the determination to stifle independence and sovereignty have been spoken clearly, and a series of specific supporting measures have been carried out, both with and without the use of force, and at both domestic and international level. On the other hand, it is not possible to establish a scale of the relevant importance of the different values: democracy and freedom on the one hand, independence and sovereignty on the other. Establishing such a scale means being unilateral and biased and revealing anything but one's real intentions. Unilateral and therefore unjust: that is a precise description of the resolutions which have been tabled in his House, and if they are not considerably amended where appropriate we shall certainly not be able to support or vote for them.

Mr Ulburghs (NI). — *(NL)* Mr President, Nicaragua has an historic opportunity to follow its own path towards building a just society. Clearly, the United States are directly intervening in Nicaragua to force this country to abandon its own economic and social development and push it against its will into the sphere of influence of one superpower or another. Whether this will succeed with Nicaragua depends to a large extent on the attitude of Europe.

I urge the European Parliament to do its duty and express its unconditional support for the people and democratically elected government of this country. This is the only way of ensuring that the experiments in national development and fair redistribution can be continued. This is the only way of ensuring that the grass-roots groups and Christians, who for the first time on such a large scale have contributed to the lib-

Ulburghs

eration and construction of this country, can continue to play a role and hence provide a guarantee for the building of a pluralistic Nicaragua. I therefore support the motion tabled by Mrs Heinrich.

Mr Glinne (S). — *(FR)* Mr President, I agree with the President of the Council, Mr Jacques Poos, that we must clearly express our regret at the suspension of important freedoms in Nicaragua by the Decree of 15 October on the state of national emergency, for obvious reasons of principle and because it represents a retrograde step. But I also wish to point out to the House that one week earlier on 7 October the Reagan Administration announced it would no longer recognize the competence of the International Court of Justice in The Hague to judge 'political' disputes. In future, Washington will restrict recognition of the Court's competence to cases on commercial, legal and territorial matters submitted to it by the mutual consent of the parties concerned.

Last year the Reagan Administration had already declared that it would no longer accept, for a period of two years, the Court's authority over Central American affairs. I deeply regret this attitude on the part of the US Government, motivated by the fear that the International Court, having declared it inadmissible, might find in favour of a complaint by Nicaragua about various hostile and unacceptable acts on the part of the United States (mining of ports, support for armed opposition, embargo etc.) although Washington and Managua had not broken off diplomatic relations and for a time were even involved in bilateral talks.

The state of emergency declared on 15 October is linked, up to a certain point, to this decision taken by the Reagan Administration on 7 October. I hope, however, that European political cooperation will help to de-escalate this unpleasant situation.

Mr Ephremidis (COM). — *(GR)* Mr President, what is being said by some people and the crocodile tears which are being shed about the abolition of certain freedoms in Nicaragua with the proclamation of a state of emergency are reminiscent of the Greek saying 'The burglar shouts to frighten the householder', and by doing so they want to hide the fact that at the moment Nicaragua is a bastion of democracy, freedom and national independence which is being besieged in an economic, trade and military war, with constant intervention by gangs which are organized, trained and funded by a superpower, to destroy material production and assassinate and execute people. What do you want this regime to do? How is it to defend itself? What would you do in your countries if you were faced with a similar situation with, in addition, a neighbouring superpower which officially and openly threatens, prepares and plans a military intervention? What would you do? Does not every nation possess this sense of self-preservation? Why should the

Nicaraguan people not be allowed to take all measures? Who is not saddened to see freedom being abolished? We share these sentiments, but above all there is the salvation of the Nicaraguan people and the protection of its independence and its democracy. And when you say that the regime has abolished freedoms from such and such a date, you are unwittingly admitting that these freedoms did exist under the regime of the Sandinist revolution. They really did exist, and so you say that it has abolished them.

(Applause from the left)

Mr De Clercq, Member of the Commission. — *(FR)* Mr President, ladies and gentlemen, the Commission would like to reiterate the importance it attaches to the respect of human rights and the rules of democracy throughout the world. It notes with concern that an emergency situation has led the government of Nicaragua to introduce measures which clearly involve restrictions on basic freedoms.

The Commission also reiterates its determination to see a peace process established in Central America and in contributing towards the attainment of this goal in two ways: it is supporting the Contadora initiative and is striving towards a situation in which it will be possible for a cooperation agreement to be concluded between the Community and the countries of Central America — an important stage having just been reached with the initialling of the text of the agreement.

President. — The joint debate is closed.

(In successive votes, Parliament rejected motions for resolutions Docs B2-1074/85, B2-1075/85 and B2-1105/85 and adopted resolution Doc. B2-1110/85)

Mr von der Vring (S). — *(DE)* Mr President, following this vote may I draw your attention to the fact that in the past, in line with the Rules of Procedure, it was clear in our minds that a correction, an electronic check is totally out of order. In cases of doubt we can only repeat it but not supplement it. This is quite different to a roll-call vote.

If there is a conflict this kind of thing should not be discussed here. However, I would ask of you that the Bureau formulate the rules strictly, because the President of this House simply says each time that he will note the statement, without it having the slightest impact on the vote, and that is the big difference here. This only constitutes politeness on his part, not a change in electronic votes.

President. — Mr von der Vring, we have got one more vote to take. In fact, I said that the electronic check could not be changed. If the result up on the board is

President

different from the actual result that I read out, then obviously that is what we would have to check. There is no question of having extra votes.

(Parliament adopted resolution Doc. B2-1117/85)

(The sitting was suspended at 1.05 p. m. and resumed at 3 p. m.)

IN THE CHAIR: MR MØLLER

*Vice-President*3. *EEC/Central and Eastern Europe (continuation)*

President. — The next item is the continuation of the debate of the report (Doc. A2-111/85), drawn up by Mr Bettiza on behalf of the Political Affairs Committee, on relations between the European Community and the countries of Central and Eastern Europe¹

Mr Walter (S). — *(DE)* Mr President, ladies and gentlemen. Yesterday, the President of the Federal Republic of Germany, Richard von Weizsäcker, speaking in this House, said that all told the foreign political weight of Europe is still not what it could — and in our own vital interest — should be, particularly in the case of East-West relations.

This leads to the basic question at the root of the Bettiza report. In the Community actually using all its possibilities to make peace in Europe more certain? I say that it isn't. Peace and security need to be organized, but here on earth and not in the stars, as some people think. However, peace and security are not just engineered by disarmament talks. Peace and security become more established as trade, economic and cultural links and environmental cooperation between Eastern and Western Europe grow closer.

The Community has a number of important instruments for this at its disposal. It is, for example, responsible for concluding external trade agreements. It would be completely wrong to make as little use of these instruments in the future as in the past. The European Community has signed external trade and cooperation agreements with almost all the nations of the world, but with only one single Eastern European State. This situation reflects decades of subordination of European interests, both in the East and in the West, to those of the respective superpowers. It is not in keeping with our common European history and cultural traditions. It is not in keeping with our inter-

ests and — perhaps even more importantly — it is not in keeping with those of the peoples of Eastern Europe. Therefore the situation must be changed. In the past, during the last 15 years, treaties and conferences have triumphed over the irrationalities of the redrawn frontiers of Europe. This had led to a considerable build-up of trust and laid the foundations upon which we must now build in order to develop a new phase in relations between Eastern and Western Europe.

The European Community must play an important role in this phase, and the time seems favourable. The Soviet Union apparently wants to move on to a new chapter in its European policy. We welcome the reopening of talks between Comecon and the European Community. We welcome Mr Gorbachev's statements in which he speaks of recognizing the European Community and we welcome the last letter from the General Secretary of Comecon in which he says that the establishing of official relations between Comecon and the European Community should not affect the signing of bilateral agreements between individual Eastern European States and the European Community.

But we also want all this to be put to the test. We want just this to be expressed in the Bettiza report, which manages to avoid the question of how relations between the Community and Comecon should be organized. It presents a futile contrast between Community-Comecon relations on the one hand and relations between the Community and individual Eastern European States on the other. It is our intention to change this. Of course there are differences between the powers and structures of the Community and Comecon. Of course we are determined that official relations between the European Community and Comecon should not hinder bilateral relations between the Community and individual Eastern European states. But it is just as clear that the official relations between the Community and Comecon will have to be clarified for any substantial progress on relations with individual States to be made.

It is not possible to have one without the other; therefore this report must state very clearly that it is time to normalize relations between the Community and Comecon, just as it is time to normalize the relations between the European Community and the individual States of Eastern Europe.

I would like to repeat President von Weizsäcker's closing words yesterday: Superiority is no longer sufficient protection. It can only increase mutual fear and speed up the arms race. But more weapons generally bring more dangers, and not more security. The sensible use of power in the age of nuclear weapons necessitates an understanding of the healthy and protective effect of cooperation across the borders of political blocks. History, the geopolitical situation and the basing of weapons in Europe make it easier for us to understand this, and we must put it into practice.

¹ See Debates of 23 October 1985.

Walter

Europe is capable. We have nothing to add to the President's words and would be pleased if the Socialist Group's amendments were approved, enabling us to support the Bettiza report.

Mr Habsburg (PPE). — (*DE*) Mr President, it is my belief that whenever we are talking about East-West relations we must always take as a basis the fact that the division of Europe is the greatest current threat to international peace and therefore our most important aim must be to end this division and achieve European reunification.

By far the most serious obstacle to this is the fact that the division — and I wish that Mr Walter would finally stop talking about Eastern and Western Europe, as Mr Goebbels used to do, by the way; it is time we recognized that there is also a Central Europe and not just an Eastern and Western Europe! — between the currently Eastern-dominated bloc and the free West is a result of the hegemonistic structures in the former, and we must realize that the institution known as Comecon is nothing more than a colonial organization seeking to exploit the peoples of Eastern Europe! Therefore we must seriously consider how we can bypass these structures.

There is a fundamental difference between Comecon and the European Community. As a result, we must recognize that we must give priority to bilateral relations with those European Nations currently forced to live under Soviet hegemony.

With this in mind we consider many points in the Bettiza report to be satisfactory. Of course it could not contain everything which we would have wished, and therefore we were pleased to see the inclusion of the interpellation on the Baltic States, whose citizens, we should not forget, are Europeans just like the Germans, Czechs or Poles. We are under just as much obligation to them as to the other peoples of Central Europe, and even token recognition of this is of considerable importance.

We will therefore vote for this report as it stands, as it is a good report and serves its purpose precisely. For this reason we have not tabled any amendments. However, to go a stage further, we should not abandon the concept of self-determination for the peoples of Europe and the restoration of democracy in those parts of Europe currently under Soviet control.

Mr Segre (COM). — (*IT*) Mr President, ladies and gentlemen, while acknowledging the effort and intelligence which Mr Bettiza has put into his report, we cannot fail to point out that the motion for a resolution which emerged from the discussions by the Political Affairs Committee may well err on the side of caution and reticence. There is a feeling of hesitant embarrassment, almost as if in the area of EEC-Come-

con relations the Community were arguing, as it were, from a position of weakness. But this is not so. And if it is not so, why is there this feeling akin to fear? With regard to the process of economic and political integration in Western Europe, we are faced with almost a complete about-turn in the attitude which hitherto prevailed in Moscow. I hope you will allow this to be pointed out by someone who belongs to a political group which, when it comes to assessing this process and where it might lead, as long ago as the 1950s had one of its first real differences of opinion with the Soviet leaders. Since then we have not missed any opportunity to show our European colours as a way of indicating — both to leaders in the East and to those in the West who shared or followed our ideas — that an attitude of preconceived hostility to the construction of the Community reveals a lack of realism and historical awareness. Even if all this has to be looked into and of course it will have to be looked into properly and carefully, it is not clear why — at the very moment when there is a wind of change from the East which the EEC and Parliament have always hoped for — there seems to be fear of a bold step instead of a readiness to encourage and push things forward, so that some progress is made in this new direction and in everything — and it is not inconsiderable — which this entails, starting with the recognition of the historical link which joins the two sides of the Atlantic and the rejection of any calculated interpretation of these new departures. As I said, you almost get the idea that we are over-hesitant. You have the prospect which Mr Bettiza outlines in his explanatory statement when he says that there may be a possibility of starting talks for an EEC-Comecon framework agreement which takes into account the respective differences in structure and competence. But this prospect is a vital one, Mr President.

We have therefore reformulated the idea with an amendment, since we are convinced — and we hope that most Members will share our view — that in any approach which will obviously favour bilateral relations on trade this Europe of ours will have everything to gain and nothing to lose, if it attempts to give a positive response to what should be and indeed are the common concerns of all Europeans. This Europe of ours must use the powers it has to prepare a framework whereby, in the full and strict respect for the independence of each party, we can create a greater degree of cooperation and thus of security, and ultimately improve the prospects for peace in Europe.

Mr Flanagan (RDE). — Mr President, in the brief time I have, I propose to deal only with the situation between the EEC and Rumania, and that at the request of the Free Rumanians, who wrote to me earlier this month.

The agreement is mentioned in paragraph 3 of the motion for a resolution as an example of cooperation for the benefit of the peoples concerned. In fact, no benefit has accrued to the people of Rumania. I quote:

Flanagan

Misery and food shortages have reached at present degrees unknown even during the worst Stalin period. Rumania has now not only the lowest *per capita* income in Europe but also the worst Stalinist régime. With a total disregard for the nation's health, the RSR authorities have reduced heat, light, food and gas supplies for the public to such a level that the deaths of infants and elderly people have increased by tens of thousands during recent severe winters.

A key sentence follows:

At the same time, deliveries for exports, mainly to the Soviet Union, have increased.

The other matter they referred to is paragraph A, which deals with human rights. Referring to human rights, they say:

May we recall that they are violated in the RSR more than in any other European totalitarian State.

We, therefore, need to recognize that before a person has human rights he must have the right to live, and instead of posturing in the salons of West Europe, Mr Gorbachev should instruct his toady in Rumania that the Rumanian people first of all have the right to live.

Mr Staes (ARC). — (NL) Mr President, the East-West problem is mainly a problem of concentration of power and polarization between two blocs. The insane consequences are clear. It will suffice to point to the 40 million annual deaths by starvation in the Third World and to the 1 122 000 Belgian Francs spent world-wide every second on arms, with NATO countries incidentally being responsible for the major share, 46.9%.

The task of the Community is not to form a third power bloc alongside the existing two, but progressively to reduce this power concentration. This should be done by combatting both militarization in the West and the suppression of human rights in the East, but without increasing polarization.

The populations of East and West have so many common goals, such as peace and disarmament, meeting the fundamental needs of society instead of continuing to waste effort and invention on the military and economic power struggle, the protection of the environment, the combatting of the crisis and unemployment, and the improvement of North-South relations. These aims should be pursued less through contacts between States, which will simply reinforce the continuing power struggle, but rather through direct contacts between the populations of East and West, whereby individuals and groups can freely exchange experiences and views. This is our main chance of dismantling the power blocs, which have also split Europe itself into two.

Mr Pordea (DR). — (FR) Mr President, the rather complex problem of relations between the European

Community and the countries of Eastern Europe is set out in the report we have before us with a certain realism and the nuances made necessary by its very nature.

I will confine myself to making a few observations on the matter. Firstly, it is a wise move to place this problem in a wider context, in particular as regards human contacts between the two Europes, which are in reality only one. This encompasses cultural and political aspects which — via an exchange of ideas which one assumes will be continuous and fruitful — will make it easier to give concrete shape to the economic, financial, industrial and technological cooperation which is the ultimate goal.

However, and we should be clear in our minds on this point, this cannot become a reality, as is desired on both sides, as long as the elementary rights of nations and individuals continue to be scandalously and systematically violated in the East.

Secondly, the preference given to developing separate bilateral relations with each East European country is well justified since Comecon's economic structure bears no resemblance to that of the European Community. Nevertheless, it is clear that the Soviet Union's preponderant role — equivalent to total domination and excessive control — within Comecon would, in the event, come into play in a different way, but inevitably so whatever the solution adopted. Strictly bilateral relations would lead to a tightening-up of the organization's integral structures, whereas any kind of direct association with Comecon as such would make Moscow's hold on each of the satellite capitals even tighter.

Worried by a certain newly established flexibility on the one hand, the communists would reassure themselves by tightening up on the other. The allegedly ideologically-based political and military implications of this dual perspective, which presupposes a choice more difficult than one can imagine, leads me to my third remark, one I have already broached in an oral question. It is vital for us to make sure that the proposed relations in no way jeopardize the Community's security, the defence of the Western part of the continent.

Insofar as they will give rise to negotiations of a considerable economic — and no doubt political — scope, such East-West links must be based on the Free World's supreme interests, which are also those of the European peoples now in captivity. Would this mean some kind of tacit, stabilizing complicity between the unfortunate nations of the East and the fortunate Community in the West? Isn't this what immediately springs to mind here in Strasbourg, in the capitals behind the Iron Curtain and even — though this entails unavoidable risks — in Moscow? Fourthly, it is desirable, as has been expressly suggested, that — whatever the nature of the relations to be established — the European Community be officially recognized

Pordea

by the USSR and Comecon's European members prior to any dealings. We all know that the statute of West Berlin has constituted — and still constitutes — a difficulty in this respect. Therefore, it is not inappropriate to note once again that the East-West problem is largely tied up with the German problem.

Finally, I would like to underline a point clearly of lesser importance. The report quotes the Austro-Hungarian Empire as a model for a United States of Europe. In this respect it would be better, if one has to do so at all, just to quote the Austrian Empire on its own, because the other peoples of the Danube Basin — the Czechoslovaks, Serbs, Croats, Rumanians — have retained the most unpleasant and deep-rooted memories of the Magyars' institutionalized intolerance, the policy of forced denationalization practised without let-up by Budapest to counter the liberating trends from Vienna, even from the Hofburg itself and which therefore prevented the Empire from becoming a State based on the true rule of law.

Anyone familiar with the problems of Eastern Europe — and, closely linked as he is to his native Istria, Mr Bettiza quite clearly knows a thing or two — knows that the broad and deep process of national emancipation at the beginning of this century was essential so that a free European association of free peoples and States might one day, after the collapse of communism, develop to everyone's benefit.

Although we have certain reservations and do not share all of his, in parts, excessive optimism, we believe that Mr Bettiza's report can serve as a sound departure point for the initial negotiations now envisaged with a view to concluding a basic agreement with Eastern Europe. This could be the symbolic counterpart to the work done by the Conference for Security and Cooperation in Europe, whose next meeting in Vienna in November 1986 comes at a good time from this point of view, when all is said and done.

Mr Pelikan (S). — *(FR)* Mr President, it is both an advantage and a handicap that our debate on relations between the Community and the Central and Eastern European countries is taking place at a time when Mikhail Gorbachev is introducing a new direction in Soviet policy.

It is an advantage because Mr Gorbachev's coming-to-power means an end to the long period of stagnation which began under Brezhnev and, therefore, the advent of change. But it is also a handicap because it is too early and difficult to know what kind of changes Mr Gorbachev will introduce, apart from a new style — which is in itself a positive feature — and whether he will have anything new to offer.

As for the subject we are discussing today, we are especially interested to know whether the new direction in Soviet policy will lead to more political room,

more autonomy, for the countries in Central and Eastern Europe. Here I agree with my fellow parliamentarians who said that people like the Czechs, the Hungarians and the Poles do not see themselves as belonging to the Eastern countries, because their traditions, their history and their culture make them an integral part of our Europe. This would be completely in keeping with the Helsinki Final Act, which not only signifies recognition of frontiers after the Second World War or commercial and economic contacts, but also, and in particular, recognition that all the peoples of Europe have the right to decide their own destiny.

Therefore, I am in favour of agreements between governments in Community countries and Central and Eastern European countries — economic, cultural and scientific accords (and in other sectors as well) — just as I am in favour of agreements between the Community and Comecon along the lines described by Commissioner De Clerq yesterday. Nevertheless, I see certain weaknesses in the motion for a resolution and in our deliberations as a whole on East-West relations. I believe that there is too great a tendency to view these relations as being more or less exclusively top-level relations between governments and their representatives. But in countries such as Poland, Czechoslovakia, Hungary etc. there are parallel societies in the fields of culture, religion, ecology, peace movements etc. There are also authentic voices of the people, such as Charter 77 in Czechoslovakia, the voice of Solidarity in Poland. We must pay great attention to these voices.

Thus, I believe that our contacts with these countries cannot be confined exclusively to agreements between governments. I would like to conclude by saying that no real progress will be possible unless the governments in Central and Eastern Europe change their attitude on respect for human rights, which is one of the Community's fundamental values.

I would like to take the opportunity to make an appeal to these governments, and ask them to make a gesture of goodwill by releasing political prisoners such as Michnik and Frasnjuk in Poland, Batek and Javrosky in Czechoslovakia as well as — unfortunately — many others.

The meeting between Mr Reagan and Mr Gorbachev in Geneva is extremely important, and we all wish it success. But we believe it to be even more important for frontiers to be open for ordinary people — French, Dutch or Belgian — so that they can meet Polish, Czechoslovak or Hungarian citizens, and for there to be more travel, more exchanges between both sides. Europe can only be built by free citizens or free countries. This requires cooperation between all the European peoples, in freedom and peace.

Mr Mallet (PPE). — *(FR)* Mr President, ladies and gentlemen, I would like to recall a few simple thoughts

Mallet

which should inspire our policy on Central and Eastern Europe — let us avoid the inexact term of Eastern Europe — and I would like to start by stressing that this policy is not only a commercial one. Its prime objective is to contribute to the wellbeing and self-government of the peoples. Because — and this is my first thought — these peoples form part of Europe, our culture, our history. We must never forget that Europe does not stop at the Elbe. No, we shall never resign ourselves to this unnatural division.

Secondly, our links with these countries are connected to the Helsinki Final Act, to all its aspects which — as Mr De Clerq rightly pointed out — are indivisible. The principles defined in the Third Basket have not been applied by the other side of what was called and what still is — unfortunately — called the 'Iron Curtain', or the other side of the 'Wall of Shame' in Berlin.

We do not ask for denunciation of the Helsinki accords but we must unremittingly insist on their application.

Thirdly, the Bettiza report pleads for the development and fleshing-out of bilateral agreements between the Community and the countries of Central and Eastern Europe. For technical and political reasons it dismisses the idea submitted by certain people, and put forward again today, of replacing them by an overall agreement between the EEC and Comecon, as if these two organizations were not fundamentally different in structure and their very nature.

Therefore, the approach proposed by the report appears to be the only realistic and fruitful one. I want to repeat this even though others have said it before me. This is the central problem. The Bettiza report provides a satisfactory response to it, and that is why I withdrew many of my amendments. However, I do believe that the formulations chosen would have been better if they had been firmer.

Allow me to conclude by expressing one regret. I would have liked to have seen the report placing more stress on the promotion of cultural and human exchanges between the two Europes. The agreements to be negotiated should, I believe, include, a section covering 'cooperation' containing provisions making it possible to progress, albeit step by step, along the path of free movement of people and ideas, of closer relations between private companies or what is left of them in the East. This is how we will give concrete expression to our desire to restore Europe's unity of spirit while waiting for the day, which is no doubt far off but will surely come, when it can regain its political unity in freedom and security.

Mr Chambeiron (COM). — (FR) Mr President, nowadays everyone agrees that one of the ways in which the Community can get of the present crisis is to

intensify international cooperation, in particular with developing countries and the socialist countries. As regards the latter, it has to be noted that a lot remains to be done. Indeed, it could be considered bizarre that the Community, which maintains commercial ties with all countries throughout the world, which concludes specific agreements with a large number of them, does not normalize its relations with its closest neighbours. On the other hand, it is noticeable that multiple economic contacts continue to develop, with the result that we believe the time has come to place such many-sided relations on a stable legal basis.

East-West exchanges can offer both sides considerable advantages. It is in this spirit that we welcome the new possibilities emerging within the framework of such cooperation.

The Comecon-initiated exchange of letters between it and the Commission last June — which received a favourable welcome, I would remind you, by the Ministers of the Ten — as well as the recent declarations by Mr Gorbachev, the General Secretary of the Communist Party of the Soviet Union, show that great possibilities exist for cooperation, which neither the Commission nor our House can ignore.

The establishment of official relations between the Community and Comecon — apart from any commercial or economic advantages this might entail — would be a constructive step along the road of European cooperation, and would give a powerful boost to the climate of *détente* between countries belonging to different economic systems.

The Community still needs to recover total control of its export policy, so often compromised by American demands. The report before us, while welcoming an improvement and expansion of links with the socialist countries, nevertheless reduces the scope for this because it advocates bilateral cooperation between the Community and each of the individual countries, which practically rules out any relations within a Comecon framework.

I do not think the European Parliament should adopt a restrictive position, especially at a time when Comecon is demonstrating a desire to overcome institutional obstacles. On the contrary, we believe that we should be seeking to reinforce relations with the socialist countries, both at a bilateral level and a multilateral one.

It is our belief that such an agreement between the two institutions should not just simply replace bilateral agreements already in existence, but should add to them and thus open up new fields for cooperation. The amendments we have tabled are along these lines.

Mr President, let me end by expressing a wish, i.e. that the instrument which our House has in order to contribute to reactivating these relations — the delegation

Chambeiron

for relations with the Eastern European countries — should play its role to the full in future.

I would add that our final vote will, of course, be dictated by the fate accorded to certain amendments.

Mr Zarges (PPE). — *(DE)* Mr President, the decision of the Comecon States to reopen the dialogue on cooperation with the European Community, broken off in 1981, was taken at the Comecon Summit in Cuba in the summer of last year. At the same time it was agreed to express this in a letter to the Community. Why, we must ask ourselves today, did it take a year for the letter to arrive? Why did it arrive at this particular time, when a new man in the Kremlin is getting rid of the old men, consolidating his power with skill but also with brutality, and worrying about the economic crisis in many parts of Eastern Europe, including his own country?

Why did his predecessor not arrange for the letter to be sent? Or at least why was it not done immediately after the discussion on the subject between the Bulgarian Foreign Minister Christov and our Vice-President Haferkamp in November 1984, when a request for something in writing was expressed? A fair and correct assessment of the matter reveals three important reasons.

The first of these is connected with Eastern European policy, according to which Comecon is in favour of 'creating mutually advantageous relations between Comecon and the EEC'. A 'general' declaration is intended to control the relations between the Community and the Comecon States, establish a binding framework and consolidate the Soviet Union's dominant role in Comecon.

Secondly we have the Soviet Union's policy towards the West. On the one hand the new leader in the Kremlin, Mr Gorbachev, says that he considers his meeting with the President of the United States, Ronald Reagan, in November 1985 to be of decisive importance. On the other hand he maintains that he must first exchange opinions with Western European States on the subjects of the Summit. Could this be a new strategy? It seems to me that the Soviet Union is trying to establish an apparently common position with individual Member States of the Community in order to cause strife between them and the USA.

Thirdly, there is the external trade or domestic policy motive. In order to deal with its main task at home, the modernization of the country's industry, Moscow needs our help.

We must bear these reasons in mind when discussing Comecon-EEC relations. We Christian Democrats are in favour of reopening the dialogue with Comecon, but insist on two essential conditions:

First, the individual Eastern European States' freedom of action must not be restricted. We cannot and must not accept any disciplining of Comecon States by Moscow. Secondly Moscow must not be allowed to drive a wedge between us and the USA, our most important partner and friend. There is no security for us without the USA, therefore this policy must not be put at risk by negotiations between Comecon and the EEC. To do that would be risking our freedom.

(Applause)

Mr Alavanos (COM). — *(GR)* Mr President, the last paragraph of a motion for a resolution normally takes the form of a standard instruction to the Presidency to forward the resolution to various bodies, but I think that in the case of this motion for a resolution by Mr Bettiza the last paragraph is rather interesting, since it instructs the Presidency to forward the resolution to the Commission, the Council and only some of the Comecon countries, leaving out the Soviet Union and even Comecon as an organization, while the motion for a resolution is supposed to be about relations between the European Economic Community and the countries of Eastern Europe.

I think that this point illustrates the one-sidedness and prejudice which inspire the whole motion. From this point of view it does not constitute any advance — and may even be a step backwards — on the similar resolution adopted in 1982, which was of course a completely different period as regards the international climate and when the important initiatives which have now been taken by Comecon and its member countries did not exist.

Of course the rapporteur sets out various arguments, but I think that they are not particularly valid. One such argument is that Comecon is not composed of countries which have about the same level of development and that it is dominated by one country, the Soviet Union. I do not know whether the rapporteur, who comes from Italy, finds this convincing, but I think that at least for those of us who come from Greece it is clear that such a situation, i.e. this difference in level, actually exists, at least in the case of the EEC, and we cannot advance it as an argument for not cooperating with Comecon.

There is the argument that Comecon and the EEC are different kinds of organizations, and this is indeed true. If Comecon were an organization based on capitalist integration and the EEC were an organization based on socialist intergration, we feel that things would be simpler and would not require such debate. The problem of human rights has also been raised. But the question of whether human rights are or are not being violated has nothing to do with whether the relations between these two organizations are to be bilateral or multilateral.

Alavanos

Lastly, from this point of view we consider that the realism and the initiatives which have come from Comecon and the Soviet Union will have to be matched by similar realism and initiatives from the European Economic Community, with a view to developing relations without any preconditions, e.g. the proposal in paragraph 2 that trade relations should be bilateral. A constructive debate can be started and a number of problems can be solved so that relations can be developed to the mutual advantage of both sides, in equality, with a serious attempt to tackle problems, without dishonesty and without interference in internal affairs, and these relations will be positive both for the international climate and for the economies of both sides.

Mr Christopher Beazley (ED). — Mr President, I was rather surprised by that last speech by Mr Alavanos. His remarks would indicate that he is more royalist than the King. He suggests that the European Community may not in fact deal directly with Eastern European Governments unless they have the express permission of the Soviet Union to do so. I understand of course Mr Alavanos' point, the reality of the fact that the Soviet Union has, of course, a preponderant position *vis-à-vis* Eastern European countries. I do not think this is the moment to condemn that. But I have to say, on behalf of the European Democratic Group, that the Bettiza report proposes some extremely sensible and needed suggestions *vis-à-vis* the other half of Europe. And I do not share Mr Alavanos' enthusiasm for knocking on the door of the Kremlin before we may ask the citizens of Czechoslovakia, Poland or Rumania whether or not we may have contact with them, which we must.

Of course, we understand the present situation the division of Europe which President Weizsäcker referred to yesterday. But as he said, the division of Germany and the division of Europe is not the final page in this story. The Bettiza report very realistically suggests the next step forward, and on behalf of my group I welcome the fact that we may speak to other Europeans without asking the Americans or the Russians for their permission.

Mr Alavanos spoke about the Greek position. I do not speak here about the British position. I do not represent a British group but a European one. May I remind the House that Great Britain declared war in 1939 because Polish territory was violated. On behalf of many British people and many of my constituents I would remind Mr Alavanos that Plymouth is linked with Gdynia in Poland. There are many Polish people who have voted for me to represent them in this House and they do not share the view that they have to knock on the door of the Kremlin first. They remember that they fought for a free Europe which we represent in this House. They do not share the view that we must go to the superpowers first to ask their permission. Surely as Europeans we have the right and

indeed the duty to approach other European peoples. We must have a direct contact, people to people, not an indirect contact through Heads of State or Government and nor through superpowers. Therefore, on behalf of the European Democratic Group — comprising Danish, British and, very soon now, Spanish Members — I welcome this very sensible and realistic approach. We do not, as the President of the Federal Republic reminded us yesterday, regard the division of Europe as the final chapter in this sad story.

(Applause from the European Democratic Group)

Mr Bettiza (L), rapporteur. — (IT) As rapporteur for the Political Affairs Committee, Mr President, I wish to thank the Members who spoke in this debate. I was delighted to note that, as far as I could gather, most of the speakers — even if they were critical of the report — regarded it as realistic and pragmatic, offering — as Mr Beazley said — a first step forward towards possible, further steps at a later stage, depending on how the fascinating picture develops in this continent of ours.

At this point, Mr President, I just want to make one or two points. I especially want to thank Mr Mallet for withdrawing his amendments, as this is something which will considerably facilitate the debate in the House.

I also want to put Mr Pordea's mind at rest, since it seems he may have read the old draft of the report. In the final version I deleted all reference to the Austro-Hungarian Empire, since I realized there could be some problem with the 'Hungarian' part in the countries between Transylvania and the Danube delta.

As for Mr Segre, I am happy that he picked out the fact that my report expresses the hope that one day the two organizations may achieve — quite apart from the bilateral relations which are mentioned in today's report — a kind of framework agreement which will lead to more significant relations between the two sides, also in the areas advocated by Mr Mallet: scientific exchanges, student exchanges, business exchanges. In this way we could expand contacts not only between government — as Mr Pelikan said — but also between people in the two halves of Europe.

Just before I come to the end of this short comment on this interesting debate, I want to say something to the Members of the European Left. I am giving them that name in this Parliament, without distinguishing among the various groups. Their representatives played an active part in drafting this report in committee. As far as possible — and politics is the art of the possible — I tried to bear in mind their proposals and their suggestions.

As you know, any vote in a parliament always entails a certain amount of risk. I should not like any amend-

Bettiza

ment put forward by the European Left and rejected by the House — either because it failed to find support or for any other reason — to have an adverse effect on what I hope will be a vote of the entire House on such a vital matter. To my mind, this has nothing to do with party politics; it is a matter of historical, political and European significance, a matter of the relations between the two halves of this continent of ours.

President. — The debate is closed. The vote will be taken at the next voting time.

4. *Agricultural incomes*

President. — The next item is the report (Doc. A2-122/85), drawn up by Mr Maher on behalf of the Committee on Agriculture, Fisheries and Food, on trends in agricultural incomes in the Community.

Mr Maher (L), rapporteur. — Mr President, first of all I am very pleased that the Commissioner for Agriculture is present this afternoon. The subject we are dealing with is a very important subject, not only for farmers — those engaged directly in farming — but also for probably four times that number of people who are engaged in the upstream and downstream of agriculture.

And added to that it could be said that whole sections of the rural communities throughout our member countries are influenced by the situation in relation to farm income.

Could I also draw attention to the fact that the level of farm income, as determined by the support mechanisms operated by the European Community, has an impact on what happens inside the Member States. Past experience indicates that if farm incomes are seriously affected as a result of measures taken at European level, inevitably national aids or national measures are introduced. We only have to point to the recent example of the reaction of the German Government to the Commission's proposal on the reduction of grain prices. The German Government refused to agree to this because it saw that its own grain farmers were going to be seriously affected as a result. I think that is an indication of what could happen if farmers' incomes are seriously affected by decisions taken at European level.

Farm income is also extremely important because, if national aids are introduced, if there is more national support, agricultural policy becomes less and less a Community policy. The less it is a Community policy, the greater the danger there is to its future. Again, because of the importance of the agricultural policy in the context of other policies, the future of the whole

Community is also endangered. So it is a very important element.

Might I also draw attention to the fact that the question of farmers' income is going to take on new importance in the wake of enlargement. With Spain and Portugal coming in, we are going to see a very large increase in the proportion of farmers in the Community — an increase, in fact, of 57%. This because in Spain those actively engaged in agriculture represent 20%, and in Portugal 32% of the population. We are going to see a vast increase in the numbers of farmers in the new Community. Therefore, the problem of farm incomes is going to become more acute. Indeed, in that context I have to comment that the provisions made in the budget, particularly according to the Council's proposals, are extremely worrying. It is quite clear that these provisions are inadequate to cover the situation in Spain and Portugal in relation to the production of wine, fruit, vegetables, olive etc. It would appear as if, as a consequence of this, the Spanish and Portuguese will be net contributors, instead of beneficiaries under the new policy.

In my report, Mr President, I want to draw attention to the Commission's work since I did the last report on the effects of inflation on farm incomes some years ago, and to compliment the Commission on the progress they have made in refining the mechanisms used to get additional and more precise information. That, in fact, is helping us greatly to achieve a policy that is more precise, more fair and more just. Having said that, of course, we still have a long way to go. For instance, of the eight-and-a-half million farmers in the Community, only 36 000 are taken as a sample. I do not think that is a representative enough sample.

The other point I want to make in passing, Mr President, is that, in spite of all the discussion about women's rights, no account has been taken of the situation of women in agriculture and the work that women do on farms. They are about the only wives of any profession who actually work in the profession and make a contribution.

Mr President, I am drawing attention also to some salient points, particularly the position of part-time farmers. Here I think it is important to look — and I am urging the Commission to look — at the situation of part-time farmers, to see how the policy could be made more fair and apply more equitably to farmers in this category. I am drawing a clear distinction between those farmers whose farms are so small that they have to seek alternative employment in another industry, perhaps in forestry or some other industry, and those professional people who happen to own a farm on the side and for whom farming is a subsidiary source of income. There is quite a difference between those two categories. I think it is exceedingly important to illustrate the difference between the two and to try and devote the available resources to the genuinely small farmer than towards the large ones.

Maher

I am really not commenting greatly on the question of quotas. I notice there are at least one or two amendments on this subject. But I feel that we have to give quotas a trial, at least insofar as they have been applied so far, to see what effect they are going to have.

Mr President, I have to draw attention also to the question of alternative forms of production. When we talk about controlling production in the dairy sector, the sugar sector — indeed, there are indications there will be controls in other sectors that will seriously affect the income level of farmers — we should remember the need to give them alternative uses for land. Otherwise we are forcing their incomes downwards with catastrophic effects for some of them. Indeed, I notice in passing, looking at the figures, that while we have eight-and-a-half million farmers now, ten years ago we had 16 million. It shows the very rapid drop there is in farming as a consequence of operating an industry that is not attractive. To give them alternatives, I urge that we seriously and urgently need to make final decisions in relation to an afforestation policy that would give new opportunities to the farmer, provided, of course, that we can arrange the financial package in such a way that there will be an income available to the farmer from the time he sows the tree until it can be harvested. That is the only way.

Could I ask the Commission perhaps to push on with research into other alternative methods of using land in order to give the farmer an opportunity to improve his income without, at the same time, making the surplus situation worse.

I end, Mr President, by remarking that it is almost impossible to operate a common policy that is favourable and fair to all farmers without having an integrated monetary policy, and without integrating further the economies of the European Community. Otherwise there are glaring differences between the fortunes of farmers in one country as against another.

Mr Eyraud (S). — (FR) Mr President, in twenty years the CAP has proved unable to redress, even in part, the imbalance between farmers' incomes in different parts of the Community. A ratio of 1:20 divides the incomes of the 25% of farmers who are best off from the 25% who have least. It would clearly be unfair to make the EAGGF guarantee solely responsible for a disparity on this scale. It is nevertheless clear that the aims pursued by the signatories to the Treaty of Rome, who spoke of fair incomes, have not been achieved. The disparity ratio in incomes varies from 1 to 8 depending on the size of the farm. It varies in accordance with the wealth of the regions and it has been noted that EAGGF guarantee support varies, for example, on a ratio of 1:30 between Greece and the Netherlands and of 1:7 between Italy and the Netherlands. Similarly, support varies on a ratio of 1:15 between Mediterranean production and that of North-

ern Europe. That being the case, it is not surprising that surpluses are produced, which cost a lot of money to store, and that a number of farmers are making really unwarranted profits.

Conversely, other areas of production show shortfalls — and I am thinking specifically of sheepmeat — in which the same unwarranted profits are being made on account of the inefficiency of some common marketing organizations in spite of the cost of these products to the Community's import budget.

It is absolutely essential that these disparities in income should disappear. Article 39 of the Treaty of Rome requires it, social justice requires it and the durability, credibility and efficiency of the CAP also require it.

Let us, however, get back to basics. Without agriculture there would be no CAP. For there to be agriculture there must be farmers, in other words people whose work is rewarded fairly and on a scale which permits them to live in dignity and which represents the fruits of their labour, the working of the land. This call is even more justified when you think that the proportion farmers receive from the sale of foodstuffs represents less than 30% of the price paid by the consumer.

Put another way, price policy must remain a central issue in the structuring of farmers' incomes. Furthermore, a policy to lower prices, such as has frequently been considered, even backed up by direct income support, is unacceptable. It would separate prices from incomes. It would make agriculture an aid sector. The durability of such a policy is also far from clear. The extent of the aid would be much greater a burden than the current EAGGF is to the Community budget and would come up for review every year. Such a policy would create two-tier agriculture which would be a source of social strife and also be economically inefficient, leading to the overexpansion of a few undertakings in the wake of which we would see a whole trail of new unemployed and bankruptcies such as those witnessed in the United States.

The family undertaking is also the farm type best suited to Europe. Ways and means must be found to conserve and foster this model. A policy of differentiated prices to reflect the quantities produced would guarantee a reasonable income for the small and medium-sized enterprises. It would offer farmers an incentive to avoid excessive increases in their production capacity and would encourage them to make best use of the capacity they have.

The reduction of taxes, the move towards production which is more economic because it is not based on surpluses and is better guaranteed and to play the hand of quality against that of quantity are also factors which contribute to ensuring a reasonable income and to the pursuit of economic efficiency as part of a balanced production structure

Eyraud

Backed up by an intelligent structural policy and social support measures applied only where absolutely necessary to offset natural disadvantages in production conditions — and I am thinking particularly of mountainous areas and the poorer regions — such a policy based on differentiated prices would combine in the best possible way social justice and agricultural competitiveness.

(Applause)

Mr Marck (PPE). — *(NL)* Mr President, without having arranged anything in advance, Mr Eyraud and myself in fact have the same question: what are the causes of the considerable differences in income between farm holdings, not merely in the Community but even in the same region? The common agricultural policy applies to all, however. It is therefore important for Parliament to hold an annual discussion of the problem, its causes and the action we can take to rectify it.

Firstly, there are great differences between holdings within the Community. And the question here is: must the Greek or Italian farmer earn as much as the Dutch or English farmer? The answer is clearly no. However, Greek, Italian and Dutch farmers should earn incomes equivalent to those of their fellow citizens in their respective countries or regions. They are namely faced with the cost of living in their own countries: the Greek cost of living does not happen to be the same as in the Netherlands. We therefore need to pay a great deal of attention to these 'external' income disparities. When Mr Maher notes in paragraph 11 of his resolution that incomes are in general higher in the northern than in the southern regions of the Community, this is correct, but also normal, since this also applies to incomes outside agriculture. We must therefore ensure that the Greek or Italian farmer can keep up with the income of his non-farming neighbour.

Much greater, however, are the 'internal' income disparities. The gap within the same region or country between one farmer or another is constantly increasing. For example, a study by the Belgian Institute for Agricultural Economics showed that the most prosperous 10% of farms earned 27 times as much as the poorest 10%.

The reasons for these differences were investigated. The factors looked at were annual price fluctuations, the agricultural region in terms of its soil, climate, marketing opportunities and infrastructure, the size and type of holding, and farm management, covering both intellectual and manual effort. And what was the result? 16% of the disparity in incomes is due to size and type of holding, 11% to price fluctuations and chance, 3% to the region, while 70% of the disparity is accounted for by farm management. Neither the size of holding nor the region determines farm income. It is management. We must therefore intensify our

efforts in respect of education, vocational training and information. We should set aside more funds for initiatives directly aimed at enabling farmers to practise their profession to optimum effect.

Finally, a word about the statement in the resolution to the effect that no more than 60% of Community agricultural funds actually reach farmers and that approximately 40% are absorbed by associated professions and industries. If these figures are correct, and I have my doubts, the situation can be improved by stronger support for agricultural cooperatives, thus ensuring that part of this 40% directly reaches farmers as members of such a cooperatives. Here too, the European institutions should give greater attention and support to this form of professional solidarity.

To conclude, I would like to say on behalf of my Group, Mr President, that we congratulate Mr Maher on his report. We recognize his competence and his solidarity and affinity with the farmer. This is something we have noted earlier in the farming organizations. He has prepared a good report and our Group will therefore support it unanimously.

(Applause from the centre)

Mr Provan (ED). — Mr President, like Mr Marck, I would like to congratulate the rapporteur, Mr Maher, on his report. I believe it is a well produced and an important report. It covers many topics and, for the first time that I can recall, it has received a great deal of support in the Committee on Agriculture. It is not often that we get such agreement in the Committee on Agriculture, and my group will be happy to support the Maher report today.

I am glad that inflation has been generally reduced in the European Community, because that has been one of the major causes in the past of some of the income disparities. Now we are to have the opportunity of seeing a greater degree of stability, let us have hope for the future at this time of difficulty for the CAP. It is a time of difficulty. As we know, there is to be a reduced level of finance available in the future to agriculture because of the agreement reached at Fontainebleau last year; but it is important that we adapt the common agricultural policy for the future so that the expenditure available to us is controllable. Up to now, one of the major problems of the CAP has been the lack of control over the finance going to agriculture — the open-ended commitment. At the same time, of course, that policy has failed to improve farm incomes, basically because we have only had one instrument — the single pricing policy — as an effective mechanism.

I agree with what has already been said in this debate about regional disparities — even, as Mr Marck says, very often disparities between neighbouring farms. But there are one or two important issues on which we must have more detailed information from the Com-

Provan

mission in future. I hope the Commissioner will be able to give us some details and better understanding of the part-time farmer situation in the Community. I believe the situation is such at the moment that a number of small farmers already have an income elsewhere and that income is not being taken into account in the overall situation, which it must be if we are to make better use of the finance available to agriculturalists generally. Of course, the situation of small farms is a very, very difficult one; one which my group recognizes because we, certainly, understand that agriculture, whilst it is going to have less finance available to it, must, in fact, still be the basis of a rural policy. Therefore, we shall need more instruments, because we do not want to see a rural decline.

Mr Tommaso Rossi (COM). — *(IT)* Mr President, ladies and gentlemen, Mr Maher deserves a lot of praise for the thorough and fair analysis contained in his report on trends in agricultural incomes. A particularly significant part of the report, as we see it, is the recognition of the fact that the downturn in agricultural incomes, in both relative and absolute terms, is a direct consequence of the lack of any coordination of overall economic policies and monetary policies.

A sound agricultural policy cannot be conceived in purely sectoral terms or, worse still, in corporatist terms. Nor can there be any thought of continuing to rely on price mechanisms for the development of agricultural and a positive trend in farm incomes. This policy has not only led to the well-known but intolerable phenomenon of surpluses but it has also aggravated the disparities which Article 39 of the EEC Treaty sought to deal with and eliminate.

The less-favoured areas of the Community have not changed. Indeed, the disparities are getting even worse and they are going to continue to get worse with the accession of Spain and Portugal to the Community, unless new policies are introduced. If this is the situation, it is not a question of asking for more aid for these areas, because we have already got nowhere along that road. It is a matter of looking for a new idea and a new approach in agricultural policy. This is why the need for CAP reform — which is now accepted by everyone or, we can say, by almost everyone — is an objective need which must lead to a strategy which can guarantee a definite future for European agriculture. The Green Paper submitted by the Commission acknowledges an important fact which we want to emphasize here: the fact is that we cannot go on as before. This is correct; indeed, it is more than correct. The problem, however, is how to follow up the recognition of this fact by drawing up a policy based on a careful and calibrated use of price variations and by shifting Community action firmly towards structural elements with the aim of achieving a new balance in production. In this respect, direct income support must be part of a definite plan; it must not simply provide aid but there have to be definite

production objectives which are consistent with the need to improve quality, lower costs and provide adequate support for alternative crops in which the Community runs a deficit.

If the less-favoured areas of the Community are properly helped through structural action, I believe that they can help significantly in overcoming our difficulties, especially in the case of deficit products. We shall be voting in favour of the Maher report, because we feel that it is a major contribution towards steering discussion of CAP reform in the right direction, so that we can arrive at a new strategy for the common agricultural policy.

Mrs Martin (L). — *(FR)* Mr President, ladies and gentlemen, I should like first of all, as previous speakers have also done, to congratulate Mr Maher on his report and on the quality of the proposals contained in it.

This report on farmers' incomes has come at an appropriate moment since consideration of the problem of farmers' incomes at this time when a reform of the common agricultural policy is being prepared and discussed cannot but clarify the debate and guide our thoughts and proposals in the right direction.

We cannot now fail to see that contrary to the aims of the Treaty of Rome farmers' incomes over the last ten years have fallen considerably and that this fall conceals deep disparities between farmers, products and regions in the Community and we cannot run the risk of allowing these disparities to continue.

Like the rapporteur I am convinced that a prices policy must be retained as the principal means of controlling agricultural incomes. And I should like to express a warning here to all those — including those here today — who feel the need to reduce price levels drastically in the interests of consumers, forgetting in so doing that the price of agricultural raw material is responsible generally only for a very small part of the price of finished food product. Forgetting, too, that only 60% of the EAGGF funds are paid to producers and that even within the EAGGF there are a number of products which are not strictly speaking agricultural products.

Such an approach would inevitably lead to the rapid disappearance of very many farmers, in particular in difficult areas where there are already frequent problems of desertification and, for all that, without satisfying consumer requirements, either as regards prices, for the world market rates to which reference is frequently made are at their current level because the production underlying these prices is subsidized production, as regards quality, for the quality we know in Europe is not always that displayed by the imported products. Risks exist. Recent accidents in France with imported horsemeat should be a lesson to us all.

Martin

As Mr Maher has already proposed, we must now finalize this pricing policy at Community level by structural measures aimed at all production sectors, all regions or all undertakings, where possible, so that the slippage can be corrected and by coordinated action in a variety of areas aimed at reducing production costs which, particularly over the past few years, have been rising faster than prices. Lastly, by direct income subsidy to all farmers for whom the above two types of action would be ineffective.

However, we should beware of being excessively generalistic on such a system. Apart from the fact that such a system can only affect those who claim to live by their labour, it would not be the most cost-effective of systems and what we would be striving to save the consumer could in fact cost the tax payer a lot.

I should like in conclusion to stress the need to take every necessary step to promote the development of the biotechnologies, in agriculture itself and in the agri-foodstuffs sector. The biotechnologies offer a way of reducing production and processing costs but also, in the long term and if research is sufficiently well advanced, of stemming surplus production and promoting the production of crops in which there is currently a shortfall.

During our session on the new technologies a number of experts agreed that our entry into the technological era would be more successful if industry and agriculture could release the added values and the wealth we so urgently require. It is exactly these added values which can be acquired by introducing new technologies, in particular the biotechnologies, to agriculture. It is there that I see, in spite of the depression in which we find ourselves today and which hangs over the future of agriculture, a glimmer of hope which we should seize and foster.

Mr Mouchel (RDE). — (FR) Mr President, knowing Mr Maher as I do, I am not at all surprised that he should have tabled a good report. Nevertheless, I, too, should like to congratulate him on it.

In his report he refers to the fall in agricultural incomes throughout the Community. Farmers and those who depend indirectly on agriculture apart, I do not think that the situation is causing panic in the masses. Nevertheless, those who work the land are entitled to a fair income.

The situation is particularly worrying for those who have no source of income other than from agriculture. Nor is the situation insignificant for other areas of the economy and, it is on this score at least that I feel the problem deserves our full attention. For young farmers and farmer's children the low level of income is an incitement to leave the land and swell the employment market which is already saturated. The result is the loss of land the desertification of a number of farming

areas. Generally speaking agricultural income does not accurately reflect the situation, and this anomaly has been pointed out in the report and made clear by a number of speakers, because there are considerable gaps between individual farmers, individual products, individual regions and these gaps are not always justified. It is a matter of urgency to draw the attention of the Commission, the Council as well as that of the Member States to this situation and to the need to take measures to increase agricultural added values — by fixing agricultural prices at correct levels, by reducing financial burdens, by reducing tax liabilities and by providing credit facilities, in other words the loans required to modernize agriculture. These loans should be long-term loans at a low rate of interest.

Agriculture is in some way in a situation similar to that of the heavy industries which cannot carry the burden of high interest rates. Let me give you an example. If the value of annual agricultural production represents 50% of the capital cost of this production, interest paid at the rate of 10% represents 20% of production costs. The situation is totally reversed for a tradesman whose turnover is five times that of his capital outlay. In his case a 10% interest rate corresponds to only 2% of the final cost of the product. This difference is not always adequately appreciated. Now, if we do not make allowance for this situation we run the risk of selling off agriculture as a valuable asset of the European Economic Community.

Redressing the balance of production must not entail farmers going to the wall. A climate must be created in which those areas where underproduction exists can be developed. Reference has already been made to mutton, for which we have a poor regulation and a poor policy which are unfair, at least in some countries, to those who would like to concentrate on this product which is a deficit one. The same problem exists for horsemeat. We cannot really call into question the Community regulation because there is no regulation. There is nevertheless a problem to be solved because it is not normal for farmers to be unable to develop underproduction areas without being penalized for it.

As far as the oil fruits and high-protein products are concerned there remains much to be done. I know steps have been taken but there are still major shortfalls in these areas. As regards other products which I have not mentioned today we cannot simply be content with satisfying our own needs. While for some products market outlets are available or could be made available, for others structural surpluses exist.

How can these tricky problems be resolved? I feel the introduction of quotas is not the right solution. Quotas consolidate the rich in their wealth and condemn to penury and the second order those who were late starters. They freeze the status quo and are a shackle to the dynamic. A better approach is to find solutions which involve the farming community in the pursuit of

Mouchel

new outlets, either by exporting or by selling to industry while at the same time finding a fair means of spreading the additional financial burden involved.

The economic development of the European Community is achieved by dynamic processes. This is also true of agriculture, which is one of our richest assets. If the fall in farmers' incomes is in itself a cause for concern, the under-utilization of this asset entails far more serious consequences for the Community.

I should like in conclusion to express the hope that we are all convinced of the need to avoid committing such a serious mistake.

Mr Graefe zu Baringdorf (ARC). — (DE) Mr President, I also prize Mr Maher's report for its sound analysis of the problem. Many different issues are spotlighted: the overall decline in agricultural income and the intensification of disparities both within agriculture and between different countries and different regions. It also demonstrates that those facing the most serious problems are small scale farming units and particularly those in disadvantaged regions. Nevertheless, Mr Maher, the report also conceals one fact, namely that farmers are in a more serious predicament than is indicated by this report.

25% of all EEC farms are no longer profitable. 50% are living on their capital. In other words, they have to run down their assets because their income is insufficient to support the family — and is not just the lack of an income, farmers are a dying breed. Although I have often quoted the statistic here, I hope it has lost none of its impact: every two minutes, one of the EEC's farms goes out of business. That represents 250 000 farms, 300 000 jobs, people that then swell the sad army of what is now more than 14 million unemployed.

The source of these problems has been widely researched — Mr Marck has particularly distinguished himself by calculating these in percentage terms — but in view of the serious of agriculture, I consider it quite cynical to suggest that poor education and training is the reason and that if farmers, the EEC, or whoever it might be, ensured adequate training that this would then safeguard farmers' livelihoods. That is simply not correct! More and more are being dragged down into the whirlpool — including farms espousing Mr Marck's philosophy, those expanding and profitable farming units that consider themselves above the dangers facing small farms — yes, there are still some high incomes in farming but they are also threatened by this vortex. They must understand that every small farm that goes out of business is another nail in the coffin of other, expanding farms. Every such farm makes successful rationalization that much harder.

Little time need be wasted in searching for the underlying causes. They are obvious: in real terms, there is

an annual fall of between 1 and 2% in prices for agricultural products and the Commission's reform proposal involves less a drastic increase in this rate (meaning that farmers will leave the land in even greater numbers), on the grounds that there are too many producers. That is quite wrong: far from there being too many farm producers, there are too few! Farms have, however, been forced into growth and overproduction as the only way of safeguarding their income. We must reverse this trend and not try, as the Commission and Mr Andriessen with his Green Paper are trying to do, attempt to establish Europe as an export power using the cheapest possible raw materials from farmers and thus putting the latter's livelihood at risk. Rather, we should set limits to farm production in small and medium-sized agricultural units. We need drastically higher agricultural prices and you know — after all, I have proposed it often enough — that these must apply to the lower-level production units. We need a scaled price system that will preserve small and medium-sized agricultural units and stop the trend towards a more industrialized agriculture.

This is the key demand of the entire alternative-agriculture movement in Europe. Such a system has already been introduced in a number of countries and I may return to this subject in a declaration on the vote. This would be one real way to help and with goodwill it would be possible. We are clever enough to get this done but, Mr Andriessen, there has been a deliberate decision not to take this route, because a different trend is favoured.

IN THE CHAIR: MR SEEFELD

Vice-President

Mr de Camaret (DR). — (FR) Mr President, Mr Maher's report comes at an important time for the agricultural community. Farmers' incomes have fallen again in 1985 and, to take only France, my own country, as an example, this year's fall has been one of 8.2%.

The fall is the result of the various factors mentioned in the report. With your permission I shall mention them once again. The fall in production volume, in particular milk, beef and veal with its direct knock-on effect on farmers' incomes; the practical stagnation of product prices accompanied by substantial increases in intermediate costs and social security burden; and lastly, the infringement of Community preferences and general CAP regulations.

To this list must be added the budgetary constraints which cannot but worsen the situation of farmers. Farmers are often accused of complaining too much and not accepting that a heavy burden is resting on the

de Camaret

European economy. But, on the pretext that they have no means of applying pressure on the government, must they be treated as outcasts from this economy? Do they not work as others do and often more than others do to ensure that Europe is practically self-sufficient in animal and crop production? On this score the aims set out in the Treaties have been achieved. We must pay tribute to Mr Maher for having skillfully put forward solutions which are fair and reasonable to remedy this situation.

His report clearly sets out the limits of the CAP which is closely geared to other policies so that the price device alone could not, by itself, solve farmers' problems. Will these proposals be heard by the other institutions and, what is more important, by our Ministers for Agriculture? There are grounds for doubt.

Is the Community setting out to kill off Green Europe at the very moment that Spain and Portugal, both fundamentally agricultural countries, are coming into our Common Market? Is the Community trying to sacrifice its farmers at a time when it has 13 million unemployed? Is the Community running down its agricultural and commercial capacity at a time when two thousand million of the Earth's population are suffering from starvation? We in the Group of the European Right feel — and this view is shared by the farmers' organizations — that the operation of the CAP must be reviewed and young farmers setting up in business given a chance to succeed.

We know that within 15 years half of today's farms will have disappeared. *Now* is the time to act, not only in the interests of the eight million farmers in Europe but also, and primarily, in the interests of the Community as a whole.

Mr Romeos (S). — (GR) Mr President, Mr Maher's admirable report really comes at the right moment, not only for the reasons which have been stressed by other Members but also because it coincides with the debates on the review of the common agricultural policy. It is being debated barely two months before the definitive accession of Spain and Portugal, which are mainly agricultural countries, and personally I think that it should also be linked to the debates on European union which are taking place both in the intergovernmental conference and in Parliament.

The remarks made by the rapporteur himself illustrate the reality which has been created by the application of the CAP to agricultural incomes. There is a very wide gap which it has been impossible to reduce. There is no doubt that the application of the CAP has actually brought about an increase in agricultural incomes, although not equivalent to the rise in incomes in other sectors, but the most important thing is that this increase in agricultural incomes throughout Europe has not been equally distributed, with the result that the imbalance which already existed even before the application of the CAP is being maintained.

As is pointed out in the report, the way in which price policy has been implemented, together with the inability to promote and implement a structural policy to improve the structures of, in particular, the regions which are in difficulties, has produced precisely the result which is described in the report and on which all those who have spoken so far have agreed. The CAP was based from the outset on market forces, and that is why it has not eliminated the inequalities, which have reached a ratio of 1 in 30. The differences between the regions remain considerable and we are bound to state that the positive results of the CAP have not been shared equally among the various regions.

We consider that the implementation of a regional price policy, as the Commission and others seem to be proposing, cannot improve the situation which we all see today, since low prices, unless they are accompanied by direct and general subsidies for the necessary structural changes in the problem regions, will maintain the inequalities in income. And it does not seem that any progress will be made with such a policy when in the 1986 budget we have such a small participation by the EAGGF Guidance Section. What is more, this inequality will be maintained unless low prices are accompanied by positive measures to support low incomes. Low prices cannot be put forward as a policy measure unless there is a serious effort beforehand to reduce production costs in the Community. The reduction of expenditure on the guarantee section will not be achieved even in the long term unless price policy forms part of a broader guidance policy. The horizontal fixing of uniform prices and aid cannot succeed in protecting agricultural incomes unless the inflation rate in each country is taken into account as a major factor, and this is not sufficiently stressed in Mr Maher's report.

Lastly, the scope for alternative employment, to which the report refers, in order to supplement farmers' incomes is very limited in the disadvantaged regions, and it is precisely there that farmers' incomes are low. I should not like, Mr President, to make any other — I would say positive — comments on the report, but I should like to point out that other measures should be proposed in addition to those proposed in the report: reinforcing collective action by farmers and assisting the better organization of production units, assisting plans for modernization, improvement and development, assisting young people who are trying to go into farming, providing interest-rate subsidies and other credit facilities with a view to reducing production costs, providing regional and financial incentives for setting up agricultural engineering cooperatives, and introducing new technologies.

I shall conclude by stressing that the adoption of this report by Parliament is a message to the Commission and the Council on the direction which the review of the CAP should take. It also confirms what we all accept, namely that without the convergence of our

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economies — beginning with the basic sector of agriculture — we cannot seriously talk of a united Europe with equal members.

Mr Raftery (PPE). — Mr President, first of all, like previous speakers, I would like to congratulate my Irish colleague, Mr Maher, on producing this fine report.

Agriculture, unfortunately, has become the victim of its own success not only in Europe but in all the developed countries, excluding the USSR, and indeed in most developing countries of the world. Apart from Africa, food surpluses now exist almost everywhere, even in India and China. These two countries, with almost two billion people, lived with famine and the threat of famine for centuries but are now exporting wheat and rice as a consequence of the success of Western policies and Western technologies applied skilfully where other systems had failed them.

In Europe, despite a drop of almost 12 million in the numbers engaged in farming, food production has increased dramatically in the last 20 years. Increased output per hectare, per animal and per labour unit as a result of new technology means that we can produce more than sufficient food with less farmers, less farm animals and less farm land. The consequence of this, in the absence of genuine export markets, is and will continue to be downward pressure on prices for farm produce, which in turn will continue to depress farm incomes further.

The Maher report has shown quite clearly how farm incomes have dropped significantly in real terms over the past 10 years, despite the continuous exodus of farmers from farming throughout the Community and despite the massive increases in productivity. In the light of the food supply situation in Europe and worldwide, we can expect this exodus to continue and it may even accelerate, especially from the disadvantaged areas unless urgent steps are taken to enable farmers to survive in these areas. The social consequences of this continued exodus for both urban and rural communities will be very detrimental indeed, particularly in areas of high unemployment such as Ireland. Such a development would certainly lead to increased national funding for farmers which would eventually undermine the common agricultural policy, thereby undermining the real foundation of the Community.

In these circumstances the Commission's proposals to use the price mechanism as a means of solving the food surplus problems should be firmly resisted for the following reasons. Firstly, there is no solid evidence to show that dropping prices will cut agricultural output. On the contrary, there is considerable evidence that the opposite could happen as a result of farmers, particularly those in the more favoured areas, trying to maintain income by increasing output.

Secondly, there is ample evidence that depressing prices will increase the exodus from farming in the poorer areas. A policy of depressing prices will simply give us more surpluses, less farmers, longer dole queues and mounting social problems. Already unemployment, as we know, is costing the Community countries 50% more than the common agricultural policy. This report, however, rightly suggests that the price mechanism alone cannot solve the income problems of these disadvantaged areas. Clearly, other means will have to be found. But let me make it clear that my colleagues and I in the Christian-Democratic Group are opposed to financial handouts as a means of helping small farmers. We want something more imaginative. In short, we want a reform of the CAP to give us a policy more appropriate to the circumstances of today, while maintaining and protecting the principles on which the common agricultural policy was founded.

A common agricultural policy designed to meet the need of the 1960s could not possibly be appropriate for the 1980s and 1990s, given the passage of time and the rapidity of technological change. Producing products which are in surplus, I would suggest, such as milk and beef, from land unsuited for that purpose, whether it be in the wetlands of the West of Ireland or in the highlands of the Alps, certainly does not make sense when one considers that these areas are very suitable for the production of a commodity such as timber, which is in deficit. Equally, continuing to produce cereals on soils capable of producing proteins which are in deficit does not seem very sensible. Clearly, we need some reorientation of policy to encourage alternative uses for land and to produce products which are in deficit, such as timber, proteins, fibres and fuel crops. Likewise, we must put more emphasis on finding alternative uses, such as fuel and biodegradable plastics, for products in surplus, particularly grain.

The lack of imagination on the part of the Commission in this respect is deplorable. Furthermore, the continuous reference to bringing prices in the Community into line with world prices overlooks the fact that world prices for food commodities are extremely volatile and invariably artificial. It also ignores, in the case of grain, the huge differences which exist in terms of farm structures, soils, climate and policies between the USA, the country which is setting the world prices for cereals, and the EEC. On the other hand, I am pleased by some suggestions in the Commission's Green Paper relating to supplementary means of helping income in the poorer regions, such as the promotion of tourism, aquaculture, crafts, environmental protection, etc.

While these can be important, they should be seen as a supplement to fair prices for agricultural produce, not, as I think the Commission sees them, as a substitute for fair prices. Secondly, the funding for such schemes should not come out of the agricultural budget. It

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would be more appropriate, I believe, to have them funded from the Regional and Social Funds.

Mrs Jepsen (ED). — *(DA)* Mr President, assessing trends in agricultural incomes is without doubt a sensible and correct idea. The only thing is that one should take care, when examining a single subject, not to become buried in detail and thereby miss the wood for the trees. For example, this report is in my view over-meticulous, and will hence be impracticable.

We Danish Conservatives wish to take this opportunity to caution against schemes that increase bureaucracy and do not benefit agriculture. The primary task of the European Parliament is to formulate an effective agricultural policy that is reflected by incomes. Our future agricultural policy must, in a modified form, be just as successful as the policy we have had up to now. However, competition is increasing both externally and internally. We must therefore take even greater care not to leave the actual producer in the cold when seeing to all the various other interests. In future, farmers — both large and small — who can find that combination of costs which offers the best chance of economic success should be rewarded as a matter of course by being allowed to produce according to demand and ability. Quota arrangements are thus the worst method of restricting production; it is better to have graduated intervention arrangements over a transitional period until output has adjusted to the market and until quality has become a more important factor.

Having said this, we naturally acknowledge our duty to guarantee all farmers a reasonable income. There are great differences between the individual Member States, so there is a need for support measures in regions where it is impossible to effectively maintain incomes at a reasonable level. However, care should be taken to distinguish this social policy — as it should be called in my view — from agricultural policy proper. Here too, we will continue to argue that any support measures introduced should be transitional arrangements to be phased out as and when a more appropriate structure is created.

We also recognize that there may be a need to maintain and support unviable farmlands for environmental reasons. Conservation is increasing in importance and will make financial demands. The Community should perhaps consider direct aid for increased investment in this area. This report has gone into a lot of detail, and since we regard it as a working paper in conjunction with the Commission's Green Paper, we will vote for it. However, on no account should we let future agricultural policy be remembered as a policy that suffocated all initiative and pleasure at work in a jungle of subsidies and social schemes! Instead, let us remember that becoming a farmer is a free decision, and farming is and remains a free profession like all other independent professions, where such freedom naturally

involves risk but where you really do have a chance if you do your best and know your stuff.

(Applause)

Mr Ferruccio Pisoni (PPE). — *(IT)* Mr President, ladies and gentlemen, this is not the first time that Parliament has discussed agricultural incomes in the Community. We need to take a new look at the methods used until now, in view of the steady deterioration of farm incomes in comparison with those in other sectors and the inability of the CAP's traditional methods to meet the challenge of a farm sector which has to cope more and more with the international Community market. The Maher report comes at a time when the institutional bodies, the political parties and farmers' professional organizations are busy reviewing the strategy for a reform of the CAP in a different light from the past.

When agricultural prices for 1985-1986 were fixed, Parliament adopted an amendment by the Group of the European People's Party. It was an amendment which I myself had tabled and the idea had come from Italy's National Confederation of Farmers, to which I am proud to belong. Our amendment stressed the need for CAP reform to offer definite prospects for agriculture with regard to incomes and the continued existence of farming activities. The text that was adopted in fact stated that the agricultural community needs secure medium and long-term prospects and therefore the necessary instruments must be devised as soon as possible to ensure that in this sphere the common agricultural policy achieves the objectives of the EEC Treaty, particularly those listed in Article 39. Among those objectives, we are focusing attention today on the problem of reasonable incomes.

We are fairly happy with this report and we should like to echo previous speakers and congratulate Mr Maher for his detailed analysis and for some of the points he made. However, the report does not go into all the aspects which have to be considered if there is to be an improvement in farm incomes. It provides a political opportunity which must not be lost if we want to make a positive impact on farmers' incomes, whether they are full-time or part-time farmers. The range of actions covered and the criticism of the disparities in incomes which still exist in some regions of the Community highlight the problem of how to guarantee a reasonable income to the least fortunate farmers against a background of CAP measures which are increasingly restrictive and subject to budgetary restraints.

It is clear that we have to be realistic and not kid ourselves, and what we have to do is to make the best use of the available financial resources and to coordinate in a better fashion the means which we currently have at our disposal, although these are not the only ones to be used. You are not going to guarantee agricultural

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incomes by fixing production quotas and co-responsibility levies. These measures penalize in particular the poorer farmers who live in the least-favoured areas where it is not easy to find alternative forms of production, but they also penalize the family-run farms which the new CAP should be helping instead of forcing out of business. In fact, what should be done is to give these farms a leading role in the production process or to bring them together in cooperatives so that production costs are reduced and they can compete more effectively.

It is our view that it is quite feasible to think along the lines of a flexible and interacting scheme for market prices and, where necessary, direct income support for farmers, especially in the least-favoured areas. If you simply adjust prices without providing suitable and proper income support for farmers, there is a risk that you are going to kill off those farm holdings which exist and operate in mountain areas and in the least-favoured regions. An agricultural policy concentrating on big farms and vast yields would not only be tremendously costly in social terms but it would also push farms out of business and produce territorial disparities which would be hard to remedy. In the current debate on the Green Paper and on how to remedy the contradictions which have appeared in the common agricultural policy until now, our starting-point should be the income to which farmers are undeniably entitled and which they cannot do without.

(Applause)

Mr Andriessen, Vice-President of the Commission. — *(NL)* Mr President, I think that it is quite correct to devote a separate report to trends in agricultural incomes in the Community. Clearly, these trends are and should be central to any agricultural policy. Moreover, it is important to acquire a proper insight into the disparities in farmer's incomes between regions and between holdings. Naturally, we need a proper statistical underpinning, and I think that Mr Maher's report has the merit of tackling the statistical and farm management aspects of the problem as well as the question of incomes as such.

As far as the latter is concerned, I regret somewhat that this debate is being held in isolation and not in conjunction with the more general debate we will be holding on the perspectives for the common agricultural policy, on the basis of the Green Paper published a few months ago by the Commission. This debate — as is evident from a number of observations made here — is, as it were, a kind of preliminary exercise, but clearly it is difficult for me to respond now to the numerous practical suggestions in anticipation of the more general debate. Firstly because I have not yet finished my consultations and I regard today's debate as part of this process. Secondly because we have not yet formally discussed the Tolman report, which — I hope and trust — will appear on the agenda in the near

future. However, this debate does give me the opportunity, Mr President, to make some comments on the situation and development of incomes in agriculture.

First of all, the concept of agricultural income itself. There are several definitions, and their meanings and hence results are not always identical, so in response to requests, for example by the European Parliament — namely during the debate on an earlier report by the same rapporteur — the Commission has been endeavouring these past two years to prepare, in addition to the usual data on agricultural incomes, a comprehensive document providing all kinds of information and intended for a wider audience. It is encouraging for me to note that both the rapporteur and the Committee on Agriculture, Fisheries and Food appreciate this initiative and the efforts we have made in recent years to meet requests for better and more detailed information. That does not alter the fact that there are still a number of misunderstandings, that interpretations occasionally differ widely and that there sometimes appear to be differences between the Commission's figures and those from other sources.

Mr President, I am not going to start a technical debate today on all these statistical matters. I just want to say one thing, namely that all the figures used by the Commission are based on figures we obtain from the national statistical offices or authorities. We process this information in accordance with a particular method, a method approved by all the Member States, in order to arrive at a proper comparison between these various Member States. Sometimes, national offices produce statistics that are at variance with those prepared by the Commission, but this difference is often only apparent in that differing concepts or definitions are being used. For that reason, we have developed a common method, and no statistics are published unless they have also been approved by the Member States. That being said, Mr President, I acknowledge, together with the rapporteur and most of those who have spoken in this debate, that agricultural incomes in the Community have not always developed satisfactorily in the past 10 years. It could be pointed out that in comparable situations in other industrialized countries agricultural incomes have undergone even more dramatic developments over the same period, falling by even 20 to 30%. This is certainly also because these countries have not had a common agricultural policy as we know it, but this does not alter the fact that in the Community as well agricultural incomes have become less stable than before, although we have been able to avoid the enormous price/income fluctuations found in other countries.

What is the origin of this instability? In the first instance, the weather has played an important role: at times excellent, at times bad. Secondly, there are the terms of trade in agriculture, i.e. the relationship between the prices received by producers and the prices paid for intermediate consumption.

Andriessen

This has worsened when output has increased considerably from one year to the next, but has not always recovered when output has settled at a more normal level.

Yet when the effect of these annual fluctuations is eliminated, a slight recovery in incomes may be observed in the Community over the past three years. And a comparison with the previous three years reveals an even clearer improvement. In the long term, admittedly, the trend, as noted in the report, is less favourable.

It should also be borne in mind that the situation on the agricultural markets has significantly worsened in the Community over the past ten years. It is precisely during this period that surpluses first arose or assumed sizeable proportions for most products in the Community. And clearly, the increasingly difficult market situation necessarily had an adverse effect on producer prices, although price and market policy did nevertheless prevent a collapse of producer prices in the Community. Moreover, these surpluses could not fail to have repercussions for agriculture and the common market and prices policy. In the period just past, we have been forced to take increasing account of factors other than agricultural incomes, such as the equilibrium of agricultural markets.

Mr President, if I may, I would like to say something more specific on agricultural incomes. I think that the debate on agricultural policy has overemphasized institutional prices, giving the impression that these are the only factors determining the development of agriculture. Agricultural incomes in the Community are not determined solely by guarantee prices for a number of major products. Incomes as such still continue to be determined by the prices obtained on the market. Farmers are still entrepreneurs and management methods can have a crucial impact on income trends. Mr Marck rightly drew attention to this point.

It is still the case that a market with a certain equilibrium between supply and demand offers the best guarantee for better prices for produce and hence higher incomes. A significant percentage of total output in European agriculture is found in sectors where, although there is external protection, support for the internal market plays a much less important role. As for example, in the entire animal processing sector. And also horticulture. The most important guarantees for those active in these sectors in fact come from the operation of the free common market. One cannot just look at the output side, one must also pay attention to the cost aspects and the quality of the product.

I therefore consider that our market rules in the Community should take more account of the added value provided by a true quality product. Thus in my view it will not do to give what is in fact feed wheat the same guarantee as bread wheat. In practice, it is also a fact that the incomes of European farmers do not follow

EEC guarantee prices. Having fallen considerably in 1983, average agricultural incomes in the Community rose in 1984 by 3.8% in real terms, even though there was scarcely any increase in ECU prices.

Secondly, when using statistics some care must be taken in choosing the base year. Accordingly, it is not justifiable in my view to compare 1973 — a peak year — with an extremely unfavourable year, 1983. I therefore think that we have to take such factors into account when making comparisons.

If we compare average agricultural incomes over the past three years, 1982, 1983, 1984, with the figures for the three previous years — which I have just referred to — we see that agricultural incomes in the Community rose on average by over 6% in real terms. For one country there was a slight drop, namely Italy. And in Germany the increase was lower. I concede that, but I am talking here about a period in which incomes outside agriculture also undeniably declined in terms of purchasing power.

Mr President, in saying this I do not wish to claim that European agriculture is doing well. However, I do want to point out that there are a number of factors apart from just guarantee prices which determine incomes.

Mr President, during this debate many have talked of measures that could or should be taken to do something about agricultural incomes. The Commission considers, and has said so in its Green Paper, that we must continue with a policy in which market prices play a major role in aligning supply and demand within the common agricultural policy. But it is not saying just this, as has again been suggested in this debate by some honourable Members. The Commission does not aim to give the economic objectives of the common agricultural policy priority over its social goals. And neither does it think that the latter can be achieved solely via prices policy, its view being that they should be achieved mainly through other instruments of the common agricultural policy: supplementary measures, structural policy, socio-structural policy, regional policy and others, and I note with satisfaction that we are agreed on this point.

Mr President, I also agree with those who have said that our starting point must be the maintenance of the family farm as the cornerstone and basis of the common agricultural policy. The problem will be to find ways and means of realizing this aim.

Mr President, in these comments I have confined myself to the incomes situation. I look forward with great expectation to the wider debate with the honourable Members of this House on the problems of agriculture as such and its future development.

Mr Maher (L), rapporteur. — Mr President, I want to thank all those who took part in the debate and who

Maher

contributed to it. I include in that the Commissioner for Agriculture.

There are just a few points I wanted to pick up which perhaps were not emphasized originally, namely on the question of unemployment and the consequences of unemployment caused by excessively low farm incomes. It is inevitable that if farm incomes are low, people leave the industry and seek other forms of employment. I think we have got to do the sums on that. We have got to look at the cost that involves. I think that when discussing agricultural policy we tend to make inadequate estimates or analyses. I am afraid that the Commission even in its review might now be guilty of that. I put it to Commissioner Andriessen that I think it is your responsibility in the Commission to weigh up the cost of the changes you are proposing so that we will begin to see and begin to show the European taxpayer whether in fact what we are doing now is more or less expensive in terms of the total cost, not only to the Community but in terms of the consequent costs arising in Member States as a result of making the changes. After all, if you are buying a particular model of motorcar the only way you have of deciding whether the price is cheap or dear is to compare it with other models. Often we have no other model. We say that the CAP is very expensive but by what criterion do we say it is expensive? What is the alternative and what would the cost be?

Could I also make a point that I spoke in my report about the cooperative question. I say to Mr Marck that what I was really referring to there was that while cooperatives have a lot of work to do in helping farmers in the marketing and processing and transportation sectors, there is also a lot they need to do inside the farmgate. Very many small farmers are totally over-capitalized owning independent sets of machinery and equipment that cannot be justified. If there was a cooperative operation where they could share many of these pieces of equipment and machines, their costs would be reduced. After all, cutting the costs of the farm inputs and the farm services also increases income and in a more effective way, than by increasing prices.

I am glad also that the question of food aid was mentioned because again I think people say too glibly that we want to get a balance between supply and demand and yet they ask what we are going to do about the hunger in the world. If we do not have any surpluses, what do we have to distribute? We have to have surpluses in order to be able to meet the requirements of people who are less fortunate than ourselves. I think that point needs to be made now.

Mr Graefe zu Baringdorf made one good point and I would like to pick it up. Many people think that by reducing the number of farmers and making farms larger you solve the problem. If that was the case the farmers of the United States would have no problems whatever, particularly in the mid-West where the

farms cover vast territories. Yet they are in deep trouble. So it is quite clear that you do not solve the problems of farmers by giving them very large farms. In fact, you are, if anything making the situation worse.

President. — The debate is closed. The vote will be taken at the next voting time.

5. Counterfeit goods

President. — The next item is the joint debate on the

- report (Doc. A2-116/85), drawn up by Mrs van Rooy on behalf of the Committee on External Economic Relations, on the
 - proposal from the Commission to the Council (COM(84)705 final — Doc. 2-1540/84) for a regulation laying down measures to discourage the release for free circulation of counterfeit goods;
- report (Doc. A2-119/85), drawn up by Mr Turner on behalf of the Committee on Legal Affairs and Citizens' Rights, on the
 - proposal from the Commission to the Council (COM(84)705 final — Doc. 2-1540/84) for a regulation laying down measures to discourage the release for free circulation of counterfeit goods;
- report (Doc. A2-115/85), drawn up by Mrs van Rooy on behalf of the Committee on External Economic Relations, on international trade in counterfeit goods.

Mrs van Rooy (PPE), rapporteur. — (NL) Mr President, ladies and gentlemen, in order to illustrate that trade in counterfeit products is not a theoretical but extremely concrete problem, I am standing here before you dressed entirely in counterfeit goods confiscated in Europe. I would naturally like to emphasize that I do not normally wear these clothes, I am doing this merely to underline the seriousness of the problem.

Trade in counterfeit products has risen dramatically in recent years. It is not just the volume that has increased, the range of counterfeit products has expanded as well. Such trade is no longer limited to luxury goods, such as watches and cosmetics; on the contrary, recent years have also seen counterfeit goods among pharmaceuticals, car parts, medical equipment and computers, to mention but a few.

Because trade in counterfeit goods happens to be illegal, there are naturally no official figures, only estimates. Thus the International Chamber of Commerce estimates that total world trade in counterfeit products amounts to around 60 000 million US dollars. French industry reckons that it loses as much as 5 000 million French Francs a year, while the Swiss watch industry

van Rooy

estimates its losses at 1 000 million Swiss Francs per year. For the EEC as a whole, we may certainly assume a figure of several thousand million ECU a year.

Of course, this trade in counterfeits is in the first place extremely damaging to brand name manufacturers here in Europe. They lose sales not just on their domestic markets but also on export markets, since the trade in counterfeits flourishes outside Europe as well. As the quality of counterfeit products is often poor, these manufacturers can moreover lose their reputations into the bargain, which again reduces sales.

However, counterfeits harm the consumer as well, even though the opportunity of buying cheap products seems attractive at first sight. For these counterfeits are often poor in quality, and furthermore the consumer usually has no redress if the purchased product proves to be defective, because the counterfeit producer cannot normally be traced. Nevertheless, the most important consideration is that counterfeit products can also be dangerous to the consumer. In my report, I list a whole range of dangerous counterfeit products, which have been found on the European market as well. I can mention a few: children's toys that turned out to be inflammable, brake parts that proved not to work, and medical equipment, such as heart pumps, that contained counterfeit parts. Counterfeit drugs for diabetics have also been found on the German market; such counterfeit pharmaceuticals represent an extremely worrying problem particularly in developing countries. There is only one word to describe this kind of trade at the expense of the health of the consumer: it is absolutely criminal and therefore needs to be vigorously combatted.

However, the trade in more innocent counterfeits, such as luxury goods, can in no way be condoned either. Trade in these counterfeit products happens to be so profitable because the costs are so low. The costs are low because counterfeit producers do not have to pay either for research and development or for marketing, because they live off the brand name as parasites. We must therefore regard trade-mark counterfeiting as a form of theft pure and simple. No more, no less.

The Committee on External Economic Relations therefore feels that counterfeiting should be combatted more effectively not only in the interests of the consumer and the brand name manufacturer, but also in the interests of society as a whole.

This must be done at different levels. First of all at international level, because the trade in counterfeit goods distorts competition and hence seriously disrupts international trade. This subject needs to be raised in the new GATT round. A draft GATT code has already been published. However, ratification and implementation will take time. We cannot afford to wait. A European policy must be developed as well.

And the first thing the Community should do is to make better use of its powers in the field of trade policy by incorporating safeguards against counterfeiting in trade agreements with third countries. The US does this and not without effect.

We must acknowledge that partly under American pressure a number of South-East Asian countries have fortunately been taking more effective action against counterfeiting in recent years. I am thinking in particular of Hong Kong, Taiwan and also Singapore. However, the Community can also examine ways of using its new trade policy instrument against countries that do not do enough to combat counterfeiting. After all, this damages the export interests of European industry and the new instrument is designed precisely to protect these interests.

Since many counterfeit goods continue to come from third countries, we must see that controls are tightened at external frontiers. The Committee on External Economic Relations therefore fully supports the objective of the Commission's proposal for a regulation, namely to raise an effective barrier against counterfeit products imported from outside the Community. I would nevertheless emphasize that this regulation must be regarded as a first step on the way to securing better protection for intellectual property rights.

The regulation does in fact have a number of limitations: firstly, it gives customs authorities the power to check imports only if they come from third countries. This limitation is nevertheless justified. The Committee on External Economic Relations shares the Commission's view that this regulation should not apply to intra-Community trade because this would run counter to the aim of achieving the internal market by 1992. Our goal must be more effective controls at external frontiers and fewer controls at internal frontiers.

Does this now mean that the Committee on External Economic Relations is not convinced of the need to do something about counterfeiting within the Community? No, of course not, but we need other instruments to do this, we need to look at different methods. We must face the fact that in most of the Member States the sanctions are much too mild and the penalties not severe enough to deter counterfeit traders, certainly not when we remember that a large part of this trade is in the hands of international crime, drug dealers etc., who will really not be deterred by a 3-month prison sentence. Hence our call for the Member States to give higher priority to this problem and to impose heavier penalties.

Another limitation of the proposal is that it only covers trade-mark counterfeiting and thus does not apply to other forms of piracy, for example in the field of copyright. Naturally, such piracy also needs to be combatted, but not by means of this regulation. For we must realise that this regulation in itself will considerably

van Rooy

increase the workload of the customs services, and it will be far from simple for them to detect trade-mark counterfeiting when we consider that currently only around 5% of imported goods are physically checked. The Committee on External Economic Relations thus proposes that the customs services should first acquire experience in fighting trade-mark counterfeiting. If the regulation functions satisfactorily, it can perhaps then be amended to include copyright counterfeiting.

I will not go into the other amendments tabled by the Committee on External Economic Relations because they speak for themselves. I would only like to stress that it is extremely important that confiscated counterfeit goods should as a rule be destroyed. This is the only guarantee that these goods really will be taken out of circulation and not cause harm to the legal trade-mark owner. Only in exceptional cases should other procedures be permitted. This is a point that is insufficiently highlighted in the regulation as proposed by the Commission, which allows far too many exceptions. We therefore consider that this needs to be amended.

Finally, Mr President, I have a criticism to make of the procedure followed by the Bureau in connection with this regulation, namely its appointment of two rapporteurs. Fortunately, my colleague, Mr Turner, of the Committee on Legal Affairs and Citizens' Rights, and I were able to work together in a pleasant and constructive manner, but normally speaking we must nevertheless say that it is extremely inefficient to appoint two rapporteurs. I hope this remains a unique case in the history of this House, and that two rapporteurs will never again be appointed for one and the same subject.

Mr Turner (ED), rapporteur. — Mr President, may I first of all say that it was a very rewarding relationship that the two rapporteurs had, but also a very undesirable one because of the effort and trouble we had to go to to get the same reports and same amendments. All our committees had to be very patient with us as we to'ed and fro'ed across the two committees. I hope it will not happen again especially as this is a regulation which comes automatically into effect.

However, we have agreed entirely on what we are going to propose. Counterfeiting is not a legal expression except for coins but it is very seriously wrong if honest manufacturers, traders and consumers are badly affected because goods can be produced which are similar or identical to well-known goods with trade-marks which are identical or almost identical to the trade-marks of the true owner. We have put down amendments to deal with both of those matters rather more precisely than the Commission has done. The danger, as Mrs van Rooy says, is that you often get mechanical parts for cars and machinery which are actually substandard. However, quite apart from that it is a fraud perpetrated on the consumer and an abuse

of the trade-mark owners' proper rights in terms of loss of sales and reputation.

Mr President, this regulation does not affect substantive trademark law which is a much wider right and is now being harmonized in the EEC where one can have confusingly similar trade-marks but not ones that are almost identical. There an honest dispute often arises between two reputable companies as to who is entitled to use a particular trade-mark and whether one has gone a little too close to the other or not. Now those are honest disputes in the courts and they are totally different from the question of counterfeiting, where the manufacture of the alleged counterfeit material is actually attempting to deceive the public. This regulation, therefore, does not in fact affect substantive law at all. The rights of the trade-mark owner who is suffering loss because of counterfeit goods are thoroughly covered in substantive law under trademark law as it exists now in each Member State and soon will be harmonized throughout the EEC. There are, however, practical difficulties when goods come in because they are so difficult to identify — unlike in the case of a genuine dispute between two honest traders. They must be stopped at the frontier. Hence this is a proposal for using the customs officers to prevent counterfeit goods coming in across the external frontier.

Now it is not possible, as Mrs van Rooy said, to set up barriers within the EEC, on the same basis in the internal market, to stop counterfeit goods being produced within the EEC.

Therefore, neither of us can accept Amendment No 13 by the Committee on the Environment, Public Health and Consumer Protection. As I say, very soon we shall have a common law in the EEC on trade-marks and it will be perfectly possible for, say, a trader who feels he has been aggrieved in France by something that has happened in Italy to sue in Italy under a common trade-mark law. That is quite different from the case of, say, a Frenchman who is aggrieved by something which has happened far away outside the EEC in the Third World, where he cannot, of course, get at the person who has circulated the counterfeit goods. That is the first amendment that I am afraid we cannot accept.

The second one is Amendment No 14, which says that designs and styles should also be included. Now, one cannot do that, because there is a perfect right in very many cases to copy things that are on the market. You don't have an automatic right to prevent somebody copying your goods on the market, unless you have a registered design or a copyright or some intellectual property right. So, it is not possible to include mechanisms for dealing with designs and styles.

Amendment No 14 also raises the question of copyright. There it is possible to have provisions, because copyright is a right, though it is difficult to tell without

Turner

a case in the court exactly whether a copyright has been infringed or not because it is very complex law. For that matter we both agree that this matter should be held over to a later stage, and it may very well be, as Mrs van Rooy has just said, that it will not be the customs officers or the mechanism of the customs which will be used to deal with copyright.

Finally, Amendment No 11, which Mrs van Rooy referred to obliquely, calls for the destruction in all cases of goods that are counterfeit and have been taken off the market. We really cannot accept this form of wording, because many counterfeit goods may be made of valuable materials such as leather or even gold or anything you like. Of course, it is not practicable to destroy them. Once they are confiscated, it must be absolutely certain that they do not get back onto the market in a counterfeit form. That is all that is required. Therefore, we advise against Amendment No 11 by the Committee on the Environment, Public Health and Consumer Protection.

Mr Besse (S). — *(FR), draughtsman of an opinion for the Committee on Economic, Monetary Affairs and Industrial Policy.* — Ladies and gentlemen, I shall not dwell on the variety and scale of counterfeit goods which, today, affect not only luxury items but also every area of industrial, agricultural and cultural activity.

I shall limit myself for the short time allowed to reminding the House of the economic and social consequences of counterfeit goods and to calling upon you to consider the Commission's draft regulation as well as making a few additional suggestions.

First, the economic and social consequences of counterfeit goods and, first and foremost, their negative effect on turnover. Falling turnover in companies as a result of counterfeit goods is widespread. Total world trade in counterfeit goods amounts to 60 000 million dollars. The scale of the loss for the EEC can be put at several thousand million ECU per year. To these losses must be added the cost of investigation and prosecution of the forgers, estimated at 1-5% of turnover depending on the firms concerned.

Second, the loss of prestige. The most serious effects are still the loss of reputation and of customers in the wake of the appearance of counterfeit goods.

Lastly, in relation to this first aspect, the loss of jobs. Job losses are estimated in the EEC at close to 100 000 at least. And our Community stands idly by as its brand names are plundered.

In March 1984 during the French Presidency a memorandum stressing the urgency of this problem was submitted to the Council of Ministers. Companies in the Community can no longer be left exposed to face a network of increasingly well-organized forgers, parti-

cularly the SMEs who, unlike the big multinationals, do not have the means to protect themselves.

Second, the commission's draft regulation. The Commission has submitted a draft which, to its great credit, proposes Community controls to cover this field. When this regulation comes into force the holders of a trade-mark will enjoy similar protection against counterfeit goods throughout the Community. This protection will provide the customs authorities with the power to take action at the Community's external borders to prevent the circulation of suspicious merchandise and, where applicable, to provide for its confiscation.

The Committee on Economic and Monetary Affairs and Industrial Policy, of which I am and have been the draughtsman of an opinion, has by and large given its seal of approval to this draft regulation. This instrument is nevertheless limited in its scope and we have put forward in our opinion a number of additional proposals on which I would like to base my concluding remarks.

These additional proposals relate to practical aspects of the fight against the forger, to the prevention of forgery and to international action of a general nature.

As regards the practical aspects, the draft regulation relates only to trade-marks. It should be quickly backed up by other proposals to provide more effective protection against the film forger, the recording pirates and patent forgers who are a threat to the cultural and scientific heritage of the Community.

Member States must also harmonize and consolidate their legislation so that without jeopardizing the creation of an internal market the production and marketing of counterfeit goods can be curbed within the Community.

My second remark concerns prevention. We feel prevention is essential. The suppression of counterfeit goods can only ever be effective in isolated cases. The problem must be tackled at source. The forgers network is complex and the problem is difficult to pin down. Prevention of forgery presupposes closely coordinated measures by all the authorities concerned. The Community must set up a data base on trade-marks which can facilitate anteriority searches and, by virtue of the information held, perform crosschecking and selective efficient controls at the borders.

My third remark concerns international action. Here, too, the Community must also seek to protect itself against counterfeit goods by incorporating safeguards clauses in any commercial agreements it signs and, where applicable, apply economic sanctions to those countries which take no action against the forger.

Coordinated and determined action on the part of the Community cannot but strengthen its position in the

Besse

third round of GATT talks aimed at adopting a code of practice in this field.

Essentially, these ideas are, I am happy to say, contained in the two reports tabled and I would draw your particular attention to the quality of the work of Mrs van Rooy, who is a member of our committee.

In conclusions, I should nevertheless like to stress the need for the Community to provide not only the legal instruments but also the technical tools — the data bases, a number of which are in the process of being set up, which are needed quickly so that they can be used to provide a better means of thwarting the development of counterfeit goods.

It is equally essential while on this subject for the Council to adopt without delay the regulation on the Community trade-mark which by a single registration procedure will protect the trade-mark holder throughout the Community.

Mrs Jackson (ED), *draftsman of an opinion for the Committee on the Environment, Public Health and Consumer Protection*. — Mr President, our Committee was consulted rather late in the day, and I apologise to the House that our opinion is not in written form but in the form of amendments to the Turner report.

The consumer has of course, as a number of people have said, a very valid interest in seeing that counterfeiting is brought under control. Therefore we welcome the regulation, but we have tabled amendments to it where we feel that it is unsatisfactory. We would very much like to hear the Commissioner's reaction to our amendments.

The best thing I can do in the short time available to me is to try to explain them.

Amendment No 10 to Article 1(2) of the regulation differs from the amendment proposed by the Committee on Legal Affairs and Citizens' Rights. We are concerned about goods bearing trademarks that are deliberately designed to be nearly identical to existing ones. For example, Haig Whisky spelt 'Haige' and looking exactly the same as Haig Whisky but not the real thing. We would like to see such goods brought within the scope of this regulation. We do not know whether what we are proposing is the right way to do it, but we would like to hear from the Commission whether it is possible to do so.

Amendment No 11 to Article 5(1) has been tabled because we simply don't understand what the Commission means when it says:

Confiscated goods shall be disposed of outside the channels of commerce in a manner which minimizes harm to the trademark owner.

Does that mean that the Commission proposes that fake Chanel perfume should be given away to old

folk's homes? I can think of other examples, but I would like to hear from the Commission exactly what it means by this. In our view, any such act of allowing onto the market in some way or another counterfeit goods allows those goods to substitute for the real thing.

Amendment No 12 seeks to delete Article 7. This is largely because we don't understand Article 7, which reads:

This regulation shall not apply to small quantities of goods released for free circulation for personal use and not intended for sale.

That *seems* to mean that counterfeiting should be allowed if you don't do too much of it. Again, there is a problem of substitution for the real non-counterfeit goods if you allow any release of counterfeit goods onto the market for free circulation. What *does* it mean, Commissioner? We would be very interested to hear.

We have put down two brief amendments to the motion for a resolution. We would like to hear from the Commission — and this is why we have put in Amendment No 13 — exactly how we *can* deal with counterfeit goods originating within the Community. As regards Amendment No 14 to the motion for a resolution, we would like to see this regulation as a first step towards more effective protection of intellectual property. We hope to hear from the Commission exactly what its next steps in this area will be.

Mr Ford (S). — Mr President, we are facing in the Community a major problem with regard to counterfeit goods and one that is likely to increase in the future. We need to be aware of that.

In the United States, counterfeit car parts have a market of US\$ 3 000 million each year. These parts, which come from Taiwan and India, are often ineffective and a safety hazard. But we equally need to be aware of the potential job losses within the European Community.

Europe has been reasonably well protected in the past because of a tight distribution network in car parts. But that may not necessarily be so in the future. Certainly, the manufacturers of these counterfeit goods in this area are already turning towards Europe. They are *currently* responsible for direct losses of 100 million ECU per year, which is equivalent to the loss of an estimated 6 000 jobs in Europe.

But not only do we have to try and stop the import and production of counterfeit goods through trade agreements, particularly with countries like Taiwan, South Korea and India where many of the counterfeit goods are produced; we also have to consider — and it is one of the points that has not been raised — the sale

Ford

of counterfeit goods purporting to be of European origin and sold in third countries.

We have the example of goods made in Taiwan, exported from Taiwan to Japan and undermining the market there for European goods because they actually purport to be European products. We must take this up not only with the Taiwanese but also with the Japanese and other countries where these fake European goods are sold, because this also affects our markets.

We need to be aware, at the same time, that there are counterfeit goods produced within the Community and sold within the Community. I think we need to take action together. I agree with a lot of what has been said already by other speakers. Nevertheless, I do think that there are areas where there are difficulties with the report as it is currently presented.

For example, I personally have a cassette which is supposed to come from Europe but was counterfeited in Taiwan and exported to Japan, where I bought it. The price of that cassette in Taiwan was \$ 1.50, in Japan it was \$3, whereas the genuine European article cost \$ 10. The quality of that cassette is not in fact any worse than that of the commercial cassette would be. The companies, the trade unions and the Community need to undertake the appropriate public relations exercise to demonstrate to the people of Europe that the short-term gains from buying these counterfeit goods are far outweighed by the long-term losses that actually will effect their countries.

But equally, I would like to give two warnings. Cost differentials between audio and video counterfeits are, as I have just said, very high. But I feel it is also incumbent on the manufacturers to try and reduce these cost differentials, because too often people feel that what is actually being argued is that we should be using the law to maintain, in some cases, monopoly profits.

Equally, it should not be seen as a way of stopping the consumer from purchasing goods which though they are similar, are in fact not counterfeits. We are talking about goods that pretend to be something other than they are, and not talking about goods which happen to be cheaper and on some occasions better, but happen to be imported. Some people would certainly like to see a form of import control on the pretext of preventing counterfeiting.

Mr Zahorka (PPE). — *(DE)* Mr President, we have already heard some amazing examples of counterfeiting. I would like to add that a counterfeit chip was once responsible for delaying the launch of the United States space shuttle. Perhaps some technically-gifted person would sometime like to check for counterfeit parts in our voting system.

Luxury goods, technical components and increasing numbers of everyday articles are being counterfeited

with enormously destructive consequences for the employment market. I would like to restrict my remarks to those aspects involving foreign trade.

Firstly, I would like to take what is rather an unusual step here and compliment the Commission. In June 1983, the Commission took the initiative by writing to GATT, the General Agreement on Tariffs and Trade. We favour inclusion of the EEC proposal in the next round of GATT talks and a breakthrough would be possible if the Community were to take concerted action with its trading partner, the United States. A consensus could quickly be reached on this point and I regret comments from the Asean countries to the effect that they do not favour inclusion of this question in the next round of multilateral trade discussions — perhaps on the grounds that all the earlier decisions of the Tokyo Round should first be implemented.

The EEC has recently decided, approximately a year earlier than scheduled under the Tokyo agreement, to take steps to reduce customs duties. This therefore gives us good grounds to demand faster action on trade and counterfeit goods from our trading partners in the Far East. The need for a European trade-mark cannot better be highlighted than by this phenomenon of counterfeit trade. I consider that European measures to protect manufacturers should begin with this point — not just trade-marks but also protected designs and anything else that can quickly be achieved.

I believe that there has been progress in the self-regulatory mechanisms of international trade. This is demonstrated by the case of Taiwan which until a few years ago was synonymous with such imitation products as brands of textiles, toys, car accessories, sports articles and electronic goods. More Rolex watches used to be produced in the Far East than in Switzerland. By passing appropriate legislation, Taiwan has put an amazingly rapid end to most of these practices and, in so doing, has set a good example to the entire region.

Hong Kong, Japan, Thailand, China, the Philippines, Indonesia and also Brazil, Argentina and, to an increasing extent, Mexico appear in a less favourable light when it comes to their participation in the world market. A fall in counterfeiting in one area, such as in Taiwan, is accompanied by rapid growth in other areas. There is always a market for such products! It is simply a matter of where laws are being suitably stringently applied and where not.

I want to emphasize that our approach involves neither protectionism nor the erection of trade barriers. On the contrary, any country tolerating imitations has to be made aware that its access to foreign markets will be made more difficult even for genuine products. Moreover, a country will be less likely to attract foreign investment, licences and know-how if it does not properly protect intellectual property and fair trading.

Zahorka

Mr President, on behalf of my group, I would like to thank Yvonne van Rooy and her colleagues on the other committee for passing on this positive encouragement to the Commission. I trust that this report will stimulate a high-quality European internal market as well as fair trading worldwide.

Dame Shelagh Roberts (ED). — Mr President, I congratulate Mrs van Rooy and Mr Turner on the excellent work which they have both done on the proposal for a regulation and Mrs van Rooy on her fuller report.

In my capacity as chairman of the Committee on External Economic Relations, may I endorse the protest which both the rapporteurs made at the decision of the Bureau to refer this report to two committees. It does so happen that Mrs van Rooy and Mr Turner were able to work together quite admirably in happy accord, but the situation might have been otherwise. I do think that the more sensible course to follow is to refer a report to one committee and to invite the other committees to give an opinion.

On behalf of my group, I commend very much Mrs van Rooy's report on international trade in counterfeit goods to the House. I recommend the House to read the explanatory statement which contains some extremely interesting, albeit alarming, information about the trade in counterfeit goods.

Mrs van Rooy organized a very effective public hearing for the Committee on External Economic Relations in Brussels, where we gathered a lot of evidence which enabled her to prepare this report. You will have seen this evening that Mrs van Rooy is a great believer in visual aids and has most effectively demonstrated here the dangers of counterfeiting.

I do not think it is necessary for me to go into any detail on the hazards to health and safety. They have been referred to by the rapporteurs and they are contained in the report. Likewise, I do not feel it is necessary to go into detail about the fact, counterfeiters are stealing — and that is not too strong a word to put on it. They are robbing the product of the money that has been put into research and marketing by the manufacturers of the original goods. In the process, they may undermine the particular industry. If they do that, jobs will be lost. So there are dangers in terms of health, safety and jobs.

I hope the Commission will accept the amendments which the Committee on External Economic Relations and the Committee on Legal Affairs and Citizens' Rights have put forward to the proposal for a regulation — welcome though the regulation is in any event — and I hope they will accept the amendment which seeks to strengthen and toughen it.

I also hope that the Commission will be able to assure us that it will take on board the recommendations in

Mrs van Rooy's report that we should use our clout in terms of negotiating with the countries which turn a blind eye or, indeed, sometimes encourage the manufacture of counterfeit goods; that we will use our clout in trade negotiations in order to try to reduce this menace.

The United States has already been effective in this respect. The danger, as I see it, is that if counterfeiters cannot get their goods into the United States they may be all the more anxious to get them into the European Community.

I also hope that the governments of the Member States will take on board the recommendations which are contained in Mrs van Rooy's report, because, unfortunately, we have to admit that our hands are not clean in this matter. There are examples of counterfeiting within the Community. I would like to see member governments taking firm action in this respect.

Insofar as there is a consumer interest which might be thought to be at variance with the proposals before the House tonight — Mr Ford referred in his statement to the fact that there are plenty of consumers who, of course, will be very happy to obtain a perfectly satisfactory commodity at a reduced price — my message to consumers is this: if, in fact, the commodity turns out not to be perfectly satisfactory, they will have no comeback, no means of redress whatsoever against the manufacturer of the genuine article.

The second thought I would like to leave in the minds of such consumers is this: by obtaining a bargain for yourself by buying counterfeit goods, you in fact destroy jobs in Europe in the long term. You, the consumer who has bought the counterfeit goods, will be the poorer for so doing.

On behalf of my group, I commend the report to the House.

IN THE CHAIR: MR ALBER

Vice-President

President. — The debate will now be adjourned for voting time.

6. *Votes*

REPORT (DOC. A2-111/85), DRAWN UP BY MR BETTIZA ON BEHALF OF THE POLITICAL AFFAIRS COMMITTEE, ON RELATIONS BETWEEN THE EUROPEAN COMMUNITY AND THE COUNTRIES OF CENTRAL AND EASTERN EUROPE

Explanations of vote

Mr Bruno Friedrich (S). — (DE) I should like to explain why Mr Jiri Pelikan and I are voting in favour

Friedrich

of the Bettiza report although possibly most of my Group will be abstaining.

I remember very clearly what the former President, Mrs Weiss, said at the opening of Parliament in 1979. She said that we could not speak for the whole of Europe and that we should not forget Eastern Europe. This Parliament has been to New Zealand, Kampuchea and Greenland in the past but since its constitution the Bureau has not approved a single mission to a country in Eastern Europe. What this means is that we have treated a part of Europe as if it were a political steppe between the Danube, the Elbe and Vladivostok.

The Bettiza report could have offered this Parliament a fine opportunity for seeking and finding a large majority. But I agree with you that there can be no immediate relations between the EEC and Comecon. There must first be national relations. It is totally wrong for the Committee on Political Affairs to reject the motion which includes the Soviet Union in this process because this way you will achieve nothing.

You could have established whether Gorbachev's statements for Europe were meant to be taken seriously. You could have made a gesture. It is important that this first step should be taken and we see the Bettiza report as such a step. It was not the fault of the rapporteur. Mr Pelikan and myself are voting in favour in anticipation that within a year you will have been proved wrong.

Mr Serge (COM). — *(IT)* Mr President, ladies and gentlemen, on behalf of my group I want to say that we shall abstain from voting, in view of the outcome of the vote on the amendments.

We should have liked to vote in favour of this report but we feel that one or two of the ideas that have emerged here have confirmed a certain lack of courage and initiative, when the resolution could instead have provided an encouragement and another step forward for the change which is to be desired in relations between the EEC and Comecon. We feel that an opportunity has been lost. By abstaining, we want to indicate that, in the future as well, we intend to advocate a proper examination of actual intentions and a controlled expansion of the opportunities for cooperation in various fields.

Mr Ephremidis (COM). — *(GR)* We shall vote against this report, and our reasons for doing so are simple. What is stated both in the motion for a resolution and in the explanatory statement is different from what is stated by the rapporteur and certain other Members who support the motion. They are not seeking to achieve genuine relations between the two parts of Europe but are taking a selective approach with a view to achieving different aims, and there is an underlying anti-Sovietism which is expressed some-

times furtively and sometimes openly. We do not think that this helps to create commercial, economic, cultural and other links. We also find other contradictions in this report. We support the idea of bilateral relations between the EEC and Socialist countries, and such relations would be helped along by a framework agreement. The rejection of this idea confirms what the real, underhand aims of this report are, and this is why we shall vote against it.

(Parliament adopted the resolution)¹

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**REPORT (DOC. A2-122/85), DRAWN UP BY
MR MAHER ON BEHALF OF THE
COMMITTEE ON AGRICULTURE, ON
TRENDS IN AGRICULTURAL INCOMES IN
THE COMMUNITY**

Explanations of vote

Mr McCartin (PPE). — I have been a Member of this Parliament for six years and this is only the second time I have stood up to give an explanation of vote and I have listened to hours and hours of them.

I support this report. I was very impressed by the almost unanimous agreement the report has received both in plenary sitting and in committee. But I have to ask myself on what we are all agreed. I think it is the fact that this report is a catalogue of the problems, rather than proposals for solutions. It is a very good catalogue of what is wrong with agriculture. However, when the time comes for us to sit down and work out solutions, the camaraderie will not be nearly so evident. We all know, after years of the common agricultural policy, that there are tremendous variations arising from climate, particular farming systems, different economic policies in Member States, and so on. But even where products and climate are similar, there can be serious disparities. For instance, there is a difference of 30% between the prices secured by Irish farmers for their products and the prices obtained by their counterparts on the Continent. This is what seriously concerns me. I come from a region peopled by half the farmers of Ireland and those farmers only succeed in getting one-quarter of the aid that comes to Ireland through the CAP. I do not agree with this policy.

Mr Maher has introduced two new elements. One concerns part-time farmers, the other differentiated income support. But neither is explained and neither is

¹ The rapporteur was:
— IN FAVOUR of Amendments Nos 2, 3, 5-7 and 17;
— AGAINST Amendments Nos 4, 8-13, 18-21 and 23-26.

McCartin

conclusive and we would have a tremendous row if Mr Maher were to stand up and say exactly what he meant. We would not have any agreement at all. I can support the report as a catalogue of the problems but I look forward to the proposals for solutions.

Mr Adamou (COM). — (*GR*) Mr President, the report and the motion for a resolution on agricultural incomes by the Committee on Agriculture, Fisheries and Food is accurate and contains positive ideas for tackling the problem, and so we shall vote for it. We should like, however, to make certain comments both on the problem of agricultural production and on the measures for safeguarding agricultural incomes, especially as regards Greece and the special nature of its agricultural economy.

Firstly, we agree with the implementation of a system of direct subsidies to farmers, but we are radically opposed to a parallel reduction in production and the planned removal of farmers from their land, as proposed in the Commission's Green Paper. What we want to see is direct subsidies being accompanied by a rise in agricultural production.

Secondly, agricultural policy must encourage agricultural cooperatives to extend their activities to processing and marketing their products, so that the subsidies and aid to support agricultural products go to the farmers and not to the people in related sectors such as manufacturers, traders and importers.

Thirdly, the system on which farmers' incomes mainly depend must be based on the cost of production and allow the producer a reasonable profit. Account must also be taken of the level of inflation in each country, and farmers' incomes must be supplemented by appropriate subsidies so that producers who have high costs can cover their losses.

Mr Verbeek (ARC). — (*NL*) 1985 has seen the EEC show even more clearly that it is farm-orientated — although the important thing is the market not the farmers. Responding to the market means copying the United States and the Reagan administration — further reductions in farmers' incomes, further economic exploitation of them, pushing down prices and then dumping on the world market. Responding to the world market means driving out of existence those few small, vulnerable, local markets that still survive and, with them, the local farmers. That's the course now adopted by the EEC and the United States. Is it a rational one? It is the logic of the agro-industries, the agro-bankers and of the giant farming units comprising that supermarket mechanism. It will mean the loss of a further 3 million long-established small family farms — and even that is not the end of the story.

Mr Andriessen spoke again this afternoon as if it was the only alternative, as if this is what market forces

demand: the hidden hand, the secret weapon, the black hand of capitalists. Ladies and gentlemen, this is a kind of planning but a completely capitalist one, basing everything on planned destruction instead of on the age-old, fine network of food production. I will therefore abstain.

Mr Graefe zu Baringdorf (ARC). — (*DE*) I will vote in favour of this report because I know from the Committee that the rapporteur is committed to the farming community by his mentality and way of thinking.

My vote in favour will however be a reluctant one because as I mentioned earlier he has omitted references to the dramatic situation in agriculture that has been created by the Communities' agricultural policy and deliberately engineered by those responsible. It has been frequently repeated that farmers are inadequately trained. Nonsense! This gives rise to hopes that by better training all farmers could be kept in productive farming. The current agricultural policy precludes this. It is enough to look at production trends in the growth farms to see what surpluses would result.

The hopes placed in cooperatives are deceptive, not to say false: the cooperatives have grown into giant capitalist undertakings over which the farmers have no control and which no longer represent the interests of the farming community but those of its own business and its managers.

In my view — and, Mr Maher, you know what I think — the best solution is that offered by price differentiation, by a system of graduated prices which pays smaller farmers more for their products so that their work is rewarded. This is the major problem. Farmers work is undervalued. It is no longer rewarded. The report should specify this as a solution and not all the others which though admittedly of relevance are not central to the issue.

The central issue is that farmers live from the prices they obtain and these prices must cover their production costs. This must be made applicable to small farms too and not only to rationalized production because industrialized production leads to the use of chemicals which destroy the environment and adversely affect food quality.

Mrs Ewing (RDE), in writing. — Farmers cannot all be dealt with fairly by the same rules. Some farmers, like mine in the Highlands and Islands, are marginal farmers, disadvantaged by distance from markets, sour soil and severe climate. For example, cattle have to be indoors for twice or three times as long as in other parts of the EEC.

We either have to face up to a two-tier CAP or we have to have structural programmes such as the pro-

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posed structural programme passed by the European Parliament and agreed to by the Commission but never introduced. Farmers' incomes in my area are 'breadline'. There are no Rolls-Royces there and sometimes no motor cars.

It is time that the CAP acknowledged the diversity of the situation, such that in some disadvantaged areas of the Community farmers' incomes are often on the same level as social security allowances.

(Parliament adopted the resolution)¹

7. Counterfeit goods (continuation)

President. — The next item is the continuation of the joint debate on counterfeit goods (Docs. A2-115/85, A2-116/85 and A2-119/85).

Mrs Tove Nielsen (L). — *(DK)* Mr President, trade in counterfeit goods has been assuming ever-increasing proportions in recent years. Earlier, this problem particularly affected the luxury industry, for example expensive watches and cosmetics. Technological development has since meant that piracy of trade-marks has extended to much larger sectors, for example the manufacture of parts for cars and aircraft. This is a problem that concerns all of us and the Community's many companies. I might mention a specific example from my country, Denmark, the counterfeiting of the world-famous Lego bricks. There are many other examples as well.

It is important to emphasize that the fight against counterfeit goods is not just a question of protecting industrial property rights, even though these are important in themselves. In the broadest sense, this is a question that concerns us all. The manufacture and sale of counterfeit goods very frequently involves breaches of labour, tax and social legislation for example. If one adds that counterfeit goods are very often of a poorer quality than the originals, it is quite clear that consumers are not just being led up the garden path, they are also very often exposed to health hazards.

We in the Liberal Group therefore welcome the Commission's proposal for a regulation. If the Commission takes note of Parliament's amendments, the introduction of such a regulation will be an important step towards preventing the access of counterfeit goods to Community markets.

At the same time, it is important to emphasize — as do the reports — that proposals to allow the customs

authorities to suspend the release of counterfeit goods imported from third countries are not enough. It is just as important to tighten the national laws in the countries where counterfeit goods are manufactured. The Community must therefore ensure in future that safeguards against the infringement of trade-marks are incorporated when concluding trade agreements or granting general preferences.

In this connection, the Community should naturally also press for the inclusion of this subject on the agenda for the forthcoming GATT negotiations.

Finally, I would like to say something about the amendments tabled to the reports. Although the Liberal Group supports the vast majority of amendments, there is one we cannot support. This is amendment No 13 tabled by the Committee on the Environment, Health and Consumer Protection. The reason we cannot support this amendment is not because we do not agree that steps should be taken to restrict the sale of counterfeit goods originating within the Community as well. However, a proposal to allow the customs authorities within the Community to take action against such goods would mean stepping up customs controls between the Community's Member States. This is the opposite of what we want. If we are to have the internal market functioning by 1992 — which is our aim — there can be no point in creating additional customs formalities between the Member States. Instead, we should call on the Commission to strengthen coordination with a view to tightening existing national legislation outlawing the manufacture and sale of counterfeit goods.

A second example I could mention in this connection is the United States, where the infringement of a trade-mark can be punished by a fine of between 250 000 and 5 million dollars and up to 5 years imprisonment. We perhaps do not need to go so far in the Community, but a tightening of legislation is quite clearly required.

Mr Fitzgerald (RDE). — Mr President, I warmly welcome Mrs van Rooy's report on international trade in counterfeit goods. It clearly identifies an area of clandestine activity that has been ignored for far too long. I also compliment Mr Turner for his support.

The dimensions of the problem of international trade in counterfeit goods, goods which are sold as if they were the original product, are well set out in both the explanatory statement and the resolution. I have no hesitation in strongly supporting the initiation of stern action to eliminate this trade, including the confiscation and destruction of such goods and the prosecution of those who produced them. Action must be coordinated, not only at Community and Member State level, but also on the widest possible international scale, including GATT and the Customs Cooperation Council, as well as trade agreements with third

¹ The rapporteur was:
— IN FAVOUR of Amendments Nos 1, 2, 5 and 6;
— AGAINST Amendment No 3.

Fitzgerald

countries. Counterfeiters deprive the owners of the genuine product of their legitimate income and rights and make a mockery of all the resources charnelled into research and development, the costs involved in marketing and selling a product, whether it be in the clothing and textile sectors, computers or beverages. Whether we are talking about a manufacturer in Ireland or elsewhere, the appearance of a pirated version means lost sales, lost jobs, court actions — often protracted and costly — loss of good will, reputation and markets. The consumer is in effect robbed and cheated and sometimes lives are endangered by faulty products, including medical supplies.

I call on the Commission to request from each Member State a detailed report of known cases involving counterfeiting. At least 100 000 jobs are estimated to have been lost in the Community as a result of this practice. The value of such trade in the EEC is put at several million ECU each year. In the northern part of my country, in Newry, a fine of £ 700 was recently imposed on a wholesale wine and spirits distributor for using false labels and diluting alcohol. Throughout Europe, rogue Irish coffees are sold. Irish coffee originated in Ireland; it can only be made with Irish whiskey; and all too often what is described and sold as Irish coffee is, in fact, coffee made with neutral spirits. I call on the Commission to introduce measures directed at (a) the elimination of such deceptions being perpetrated against consumers, and (b) ensuring that beverages which contain a traditional spirit and which carry the same geographical designation as that spirit, such as Irish coffee, thereby implying to the consumer that the beverage contains such a spirit, be protected.

In Germany, a whisky was produced which claimed to be Irish and to have been distilled by a company in Ireland. No such company was ever registered in Ireland. The product was withdrawn as a result of legal action.

Cream liqueurs also originated in Ireland. Their entry onto the market has created a significantly new and important use for dairy products. This can only be welcome in the light of concern over excess dairy capacity. Irish cream liqueurs are now known worldwide. However, in the light of the report we are discussing, the following should be noted: this leading Irish product has rogue imitations in Spain. Everything but the contents are virtually identical. Legal action is pending against two producers in Spain. Because of import controls in that country, which I hope will disappear when Spain joins the Community, Irish producers are restricted to exports of only 30 000 cases a year. If the controls had not existed, this particular firm could have expected to treble its sales. Instead, Spanish imitators moved in to provide a counterfeit product for the additional market. The loss to the Irish manufacturer of the additional Spanish market is estimated at between one and one-and-a-half million pounds at export-price levels — probably double the value at retail prices.

In conclusion, there must be no sanctuary for such counterfeiters.

Mr Rogalla (S). — (DE) This is a serious problem and I agree with all those here who pointed out that major economic values are at risk. I cannot however help feeling that some European industries are also guilty of thieving here and there on foreign markets and putting counterfeit goods into circulation.

Let me also recount a personal experience. You know that I am on good terms with the customs officers. When recently my son cleared merchandise from Brazil — namely a wedding present — in Antwerp on the customs forms accompanying the merchandise was written 'Best regards to Dieter Rogalla. We are staying put!'

(Laughter)

These regards were from the customs officers and this brings me to the subject, namely the work which genuine customs officers in this Community could do, in other words protect this customs union *vis-à-vis* third countries as required by Article 9. These duties to protect include protection against counterfeit goods and not only as regards trade-marks but also as regards other protectable rights such as copyrights. It is therefore quite logical that the Socialist Group, as Mr Ford has already pointed out, is lending its full support to these reports which have been drawn up by the familiar team of van Rooy and Turner. We should like to put on record that the customs authorities have capable, well-trained officers who would have no difficulty in solving this problem, both for trade-marks and copyright. It is therefore wrong to say that it would be difficult to extend these regulations quickly to areas other than trade-marks. I should like to express a particular request that this be done and would like to mention in particular the high calibre of the customs authorities.

Here again we have an indication of the importance of a common customs authority because there is an obvious need to ensure a Community-wide standard procedure for tackling the counterfeiters of trade-marks. Methods must be uniformly coordinated throughout the Community and I find it particularly gratifying that the Commission has indicated at various places in the text the emergence of a common procedure by pointing out that either the customs authorities or the Commission could take the necessary steps and, lastly, that the Commission has expressed assurances that any problems in the implementation can be overcome without jeopardizing the Community's economy. I welcome this contribution to a consolidated customs union. And I call upon the Commission to ensure that when protection *vis-à-vis* third countries is being established, internal mobility is improved and fully implemented without delay.

Mrs Fontaine (PPE). — (*FR*) Mr President, counterfeit goods are really an international scourge. It is only when you remember that counterfeit products on the world market now account for between 3 and 9% and that these products are not only luxury articles but also now include high technology — medicines, chemicals, software — as has been clearly shown in the reports and pointed out by a number of speakers that you begin to appreciate the scale and seriousness of the problem.

The counterfeit goods are harmful in two ways. They harm the firm whose name they usurp by undermining their reputation and reducing their sales. However, they also create serious risks for the consumer, in particular when spare parts or chemical products are concerned.

Lastly, it would seem that the economic consequences of counterfeit goods are not inconsiderable. The reports tabled also add some particularly interesting figures on the economic consequences.

I should just like to add that the trade in engine spare parts by itself has led to the loss of 6 000 jobs in Europe. The French perfumers estimate their losses at 10% of their annual turnover.

The Commission's proposal for a regulation, together with the amendments tabled by Mrs van Rooy and Mr Turner, is a decisive step towards beating counterfeiters and I fully support the proposals of these two excellent reports.

I should just like to concentrate on two aspects. The first aspect is the scope of the regulation. The scope is limited because the regulation will apply only to products originating in third countries which have not yet been put in full circulation. As things currently stand and given the need to create the vast internal market in the community it is admissible that the procedure envisaged by the Commission does not relate to products from the Member States. We fully realise, however, that counterfeit goods produced inside the Community cannot be ignored and I therefore approve the suggestion in Mrs van Rooy's report which called for a strengthening of the relevant national legislation.

Second, considering that the damage is done mainly by third country markets counterfeit goods cannot be effectively tackled other than by closer international cooperation. Enhanced legal protection for Community industries can only come from international trade negotiations. It is therefore also essential to coordinate action on this level.

A series of converging and mutually complementary measures at Community, international as well as national level are needed to tackle the growing and multi-faceted curse which counterfeit goods represent. And I welcome the major step put forward here today.

Mr Kilby (ED). — Mr President, the pernicious trade in counterfeit products now accounts for an estimated 3% of world trade. In the Community alone, we have lost an estimated 100 000 jobs owing to this underhanded trade practice, including jobs in my own constituency of Nottinghamshire.

Important as the job losses are, there are, however, other equally important considerations. The first — and I believe this to be the most important consideration of all — is that counterfeit products are a gross deception of the public. The aim of the counterfeiter is to deceive. It is to deceive the unsuspecting buyer into believing that the product in question is the genuine article produced by the genuine producer when it manifestly is not.

Secondly, it is grossly unfair to the genuine producer, who not only loses sales on the world market, with the consequent job losses, but also finds the public's faith in the quality and reliability of the genuine product destroyed. In other words, this practice undermines the genuine trade-mark.

If you buy a set of brake-linings marked 'Ferodo', you expect your brakes to comply with the strict standards observed by the genuine producer. You certainly do not expect your car to take more than twice the stopping-distance under maximum brake-load. And yet unsuspecting members of the public in my own country have been killed as a result of fitting such counterfeit products.

If you buy a patented medicine which you have come to rely upon to give you relief, you do not expect to be subjected to a violent reaction. But this is precisely what has happened to many unsuspecting members of the public who have been duped by counterfeit pharmaceutical products.

We cannot stop others from attempting to copy somebody's product, but when that copied product is then marketed under the genuine producer's trade-mark, the aim is crystal clear: it is to deceive the public. When that counterfeit product also fails to meet the genuine producer's quality, reliability and safety standards, the practice becomes highly dangerous to the public at large.

The Commission's proposals, supported by Mrs van Rooy's excellent report, are the first significant steps in an attempt to arrest this pernicious practice. If the proposals fail to achieve their object, then I, for one, would support much tougher measures in the future, such as those introduced by the Chinese Government. In its determination to stamp out the trade in counterfeit products, that country can send top management in the offending company to prison for up to five years. Unscrupulous managers may be prepared to take illegal risks when the penalty for being found out is only a relatively minor fine on the company itself. But managers do think twice when they know that the

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final result of taking such risks may well be their being sent to prison.

Much as I support the proposals, I hasten to add that if we do not stop this pernicious practice with this set of proposals, then I, for one, would fully support much tougher measures in the future, including the banning of such companies in non-Community countries from trading with the EEC for up to two years.

Mrs Thome-Patenôtre (RDE). — (*FR*) Mr President, on behalf of the Group of the European Democratic Alliance I should like to summarize the reasons why we support Mrs van Rooy's report on international trade in counterfeit goods.

Basically, counterfeit goods represent unfair competition and theft to the detriment of the genuine producers. The number of counterfeit goods is increasing sharply, both in terms of quality and quantity, since the high technology industries are now also affected — electronics, information technology etc.

In social terms the international trade in counterfeit goods is the cause, within the Community, of a serious level of unemployment directly attributable to the fall in turnover of the genuine producers.

From the point of view of the European consumer, and a number of members have already stressed this point for it is important as it runs counter to the generally held view, is that it is an illusion to believe that the consumer will benefit from lower prices as a result of the counterfeiter's work. Experience has shown that in the final analysis the more expensive products which are accordingly of a higher quality offer better value for money.

We fully support the measures put forward to tackle the counterfeiter, in particular the proposal that the customs authorities at the Community's external frontiers play an active role, the establishment of an arrangement in the Community under which the holders of a trade-mark would be treated identically in each of the Member States, the priority given to the control of counterfeit goods coming from third countries, as this priority must be given in a market which claims to be a real internal market and, lastly, the legal definition of a European trade-mark so that only one registration procedure will be needed.

The RDE group will therefore vote in favour of Mrs van Rooy's and Mr Turner's reports, which have been tabled at a time when the urgency of the problem calls for swift action to protect our interests.

Mr Ryan (PPE). — Mr President, this is a very serious debate. There is no need for me to repeat what has already been so well written and said in the course of the argumentation. If, therefore, I direct my atten-

tion to another aspect of it, I hope that the rapporteur, for whom I have the greatest of respect — and all rapporteurs, I should say — will understand why I am directing attention to a matter which needs the attention of the Bureau of this Parliament and of the Quaestors.

I have read all the reports assiduously and I must admit that I had great difficulty in finding any new points emerging between the basic document that the Commission originally produced and what was subsequently written about it by the rapporteurs, including the draftsman of the opinion of the Committee on Economic and Monetary Affairs and Industrial Policy. I am appalled to think that today we are considering three reports, each of which has attached to it the same eight-page appendix, to wit, the opinion of the Committee on Economic and Monetary Affairs and Industrial Policy. Three times we have the one set of words put before us. I must congratulate the author, Mr Besse, on this very wide distribution of his literary words. I believe it must be one of the best-sellers in Europe at the present time. Not only can he compose something but he can have its distribution trebled at the expense of the European taxpayer.

The time has come when we ought to reform our procedures in Parliament. If we want our views to be respected, we should present them in a way which commands respect. That does not require that when you tell the truth, you have to repeat it three times over. It is appalling that we have had something that is so crassly stupid and extremely wasteful, not to mention the fact that it is very boring to find yourself reading the same thoughts again and again.

Mr President, I am sorry I have had to use two minutes of my precious time in order to draw attention to that, but it is one example of extreme waste in this Parliament which must be attended to if we are to have our working methods respected.

I endorse the views of all the rapporteurs, but I have one particular point to put to Mr Turner. In his amendments to the Commission's proposal he wants to limit counterfeiting to identical articles. I do not think that goes far enough. There are some names that spring to mind, and I would just refer to one of which his own country is justifiably proud. The name Rolls-Royce could be applied to a large number of articles which Rolls-Royce do not manufacture. This could lead people to believe that they do manufacture them. If those products were inferior, it could undoubtedly damage the reputation of that firm. I think the Commission is right to extend the idea of protection beyond identical articles.

In general, Mr President, I am in total agreement with all three reports and with the attached opinion.

Lord Cockfield, Vice-President of the Commission. — Mr President, this is a subject of great importance

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both to industry and to consumers, and the wide degree of interest in the subject is well demonstrated by the number, variety and importance of the speeches that we have heard this evening. I am particularly grateful to Mrs van Rooy and the Committee on External Economic Relations and to Mr Turner and the Committee on Legal Affairs and Citizens' Rights, both for the way that they have illuminated this problem and for their support for the Commission's proposals. That support has, indeed, been demonstrated to exist in all parts of the House and extend across all parties and all interests.

The regulation introduces Community measures aimed at protecting the Community more effectively against imports of counterfeit goods from third countries. That such measures are necessary is shown by the increased volume of imported counterfeit goods in recent years. The divergent rules in force in the individual Member States clearly have not been an effective deterrent.

The regulation takes effect at the point that counterfeit goods first enter the Community. It deliberately does not cover trade in counterfeit goods which are already in free circulation within the Community. The proper working of the Community internal market requires that goods, whether genuine or counterfeit, which are already in free circulation in the Community should not be subject to the kind of restrictions proposed in the present regulation. A qualitatively different approach is needed to deal with counterfeit goods already in free circulation within the Community. I am glad to see that both committees recognize this distinction.

The regulation will make a major contribution to solving the serious problems caused by imports of counterfeit goods from third countries. Sales of such goods within the Community harm the reputations and livelihoods of manufacturers and traders alike. These goods are often of an inferior quality. They prejudice the interests of consumers and can constitute serious hazards to public health and safety.

Under the terms of the regulation, a trade-mark owner can apply in writing to the customs authorities in one or more Member States for the release for free circulation of counterfeit goods to be suspended. Of course, he must first have valid grounds for suspecting that an attempt to import such goods is likely. Where the trademark involved is a Community trade-mark, its owner may apply to the Commission, which in turn will inform all Member States concerned. Where a customs office establishes that goods entered for free circulation correspond to the description of the counterfeit goods contained in the application, it will suspend their release until it is conclusively established whether or not the goods are counterfeit.

Where it is established that the goods are counterfeit, they should as a normal rule be confiscated. I would

assure the committees that no new non-tariff barriers to legitimate trade will be created as a result of the regulation.

The two committees have suggested a number of amendments to the proposal that are intended to make the procedure more effective. Apart from the amendment tabled to Article 5(2), to which I will come back in a moment, the Commission can accept the aim of all the other amendments tabled by the rapporteurs of these committees. If the House agrees, the Commission will redraft the relevant articles using Parliament's suggestions as a basis. This will, I hope, meet a number of the points raised by Mrs van Rooy.

As far as Article 5(2) is concerned, I fear that I cannot at this stage accept its deletion. At least one Member State attaches considerable importance to this provision, which may be used only in exceptional cases: for example, where confiscation is deemed to be a sanction out of all proportion to the offence committed. An example might be where the importer did not know that the goods were counterfeit. But it is important, in this connection, to make the point that Article 5(2) specifically provides that, where the goods are not confiscated, the importer and others concerned shall be deprived of any benefit.

Apart from the amendments tabled by the two rapporteurs, to which I have just referred, two amendments have been tabled by the Committee on the Environment, Public Health and Consumer Protection. They concern the second subparagraph of Article 5(1) and Article 7. I am afraid that these two amendments go too far and would not be acceptable to the Commission. May I say why. The second subparagraph of Article 5(1): the amendment would say that goods which are counterfeit must be destroyed. We agree with the views of the two rapporteurs who say that it is sufficient if the goods are disposed of outside the channels of commerce, and in a way which minimizes loss to the trade-mark owner. I agree with the points made here by Mr Turner in his speech.

The second of these amendments which the Commission could not accept is for the deletion of Article 7, which says that the procedures are not to apply in the case of small quantities of goods imported by private individuals. The reason, quite simply, is the impossibility of policing such provisions in cases of this nature, for example, a visitor who returns from the Far East and who happens to be wearing a counterfeit watch, or in possession of a counterfeit fountain pen. Both the GATT itself and the United States legislation have a similar provision to the one proposed in the regulation.

The Committee on the Environment, Public Health and Consumer Protection has also tabled two amendments to the motion for a resolution. In his speech, Mr Turner referred to these amendments. One concerns counterfeiting within the Community. While I agree with the need to undertake action in relation to this

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problem, such action could not be similar to the rules proposed in the regulation. As this point was raised by a number of speakers, including Mrs Jackson and Mrs Nielsen, perhaps I might explain this point in rather greater detail.

The possibilities for combating counterfeiting would be improved by the adoption of uniform substantive Community legislation such as that proposed for the Community trade-mark and for the Community patent. A further step would be to study the possibility of legal sanctions provided by national laws. The Green Paper on copyright problems, which the Commission intends to publish shortly, will include a detailed examination of possibilities in the context of audio-visual piracy. Many of these are capable of more general application outside the copyright field. The Green Paper will accordingly constitute the next step in developing Community policy in this area.

The other amendment proposed by the Committee on the Environment, Public Health and Consumer Protection concerns measures covering counterfeit designs and styles and copyright infringement. The Commission is not opposed to the idea of extending the coverage of the regulation, but it is felt that it is advisable to start with trade-marks. Once some experience has been gained, the possibility of its extension to other contractual property rights will be examined. The main concern will be that any extension of the scope of the system should be workable in practice for the customs authorities and should not create new tariff barriers.

The reports of the two committees suggest that implementing regulations should include specific rules on the form and nature of the security required to indemnify the competent authorities or compensate the importer for any loss or damage resulting from abuses of the procedures. The reports also suggest that implementing regulations should include specific rules on the level of the fees covering the administrative costs. I can confirm that the implementing regulations will indeed fix such specific rules, and I agree that the level of the fees should be reasonable, and should be the same throughout the Community. I hope that with this assurance, and with the explanations and comments I have given, Parliament will accept the proposed regulation.

Mr President, may I now turn to the second van Rooy report, namely, that dealing with international trade in counterfeit goods. I am grateful to Mrs van Rooy and to the Committee on External Economic Relations for having submitted useful reflections and proposals on the problems of international trade in counterfeit goods, and, indeed, to all of those honourable Members who have given vigorous support to what she has said, particularly to Dame Shelagh Roberts and Mrs Fontaine.

It is difficult, I am afraid, to reach international consensus in this matter. This is demonstrated by the fact

that very little headway has been made in the GATT since November 1982 when a working group was established to examine this question. This working group has not yet finished its report due to differences of opinion between the parties on the respective competencies of the GATT and other specialized agencies such as the World Intellectual Property Organization.

The Commission is aware of the ever-increasing dimensions of the problem and has from the outset been in favour of dealing with the issue within the GATT. Furthermore, it has stressed that the wider commercial policy implications of intellectual property equally deserve consideration. We are also following the discussions in the United States Congress to reinforce the existing remedies to protect intellectual property rights, and in particular the bill introduced by Senator Lautenberg to amend the Tariff Act of 1930 to increase protection of intellectual property rights.

We are in agreement, therefore, with Parliament's suggestions on tackling this problem. As I have said, we agree that action should be taken within the GATT to deal with the matter. We will continue our efforts to get agreement to this approach. We shall also examine, as requested by the committee, how this problem can be dealt with in the framework of future agreements entered into by the Community.

President. — The debate is closed. The vote will be taken at the next voting time.

8. EEC/Albania

President. — The next item is the report (Doc. A2-114/85), drawn up by Mr Tzounis on behalf of the Committee on External Economic Relations, on economic and trade relations between the EEC and Albania.

Mr Tzounis (PPE), rapporteur. — (GR) Mr President, I should like to start by pointing out that there is a revised Greek text of the motion for a resolution, in which the numbering is different from that referred to in some of the amendments. The only authentic text in Greek is the revised one, and this will help to avoid misunderstandings when it comes to the vote tomorrow.

Mr President, ladies and gentlemen, the report which I have the honour to present to the House does not of course claim to be authoritative, and there are many reasons for this: Albania's self-imposed isolation, the secrecy with which it surrounds its internal developments in almost all fields of public life, and the difficulty of visiting the country — all this means that all that becomes public is fragmented and incomplete data which are unsuitable for substantive assessments, and

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hence for drawing reasoned conclusions, and even more unsuitable for drawing up forecasts, which are in any case always fraught with risk. Despite this, the geographical position of the country, the geopolitical conditions affecting it, the well-known events of the last few decades and, in particular, the changes which occurred in its top leadership at the start of this year — all this paints a picture, albeit very incomplete, which I believe warrants the attention and even the interest of the Community.

Its proximity to Greece and Yugoslavia and its situation at the mouth of the Adriatic, which allows it to control entrance to that sea at the Straits of Otranto, is such that its foreign policy cannot leave the Community uninterested. The frequent changes in economic direction and the successive and certainly not accidental alignments with increasingly distant patrons — the list of possible alliances would now appear to be exhausted after the breaking-off of relations with the People's Republic of China — have destroyed the carefully cultivated myth of the autarchic development of the country, but at the same time they open up certain prospects for cooperation with the Community and the individual Member States. Although these prospects are undoubtedly limited, in view of the smallness of the Albanian market and the small potential of the economy, the Community has every interest in encouraging them. What is more, the structural weaknesses of the Albanian economy and the ideological constraints which have been translated into practice in the form of legal and, frequently, even constitutional provisions — which cannot be expected to disappear in the foreseeable future — represent major barriers to the development not only of its external economic relations, but also of its economy in general.

Finally, and of particular importance, the violations of human rights in general, and specifically of the sizeable and internationally recognized Greek minority — a minority ethnically linked with a Member State of the Community — about which there are numerous and authentic reports, create additional difficulties which must not be underestimated and which cannot leave unmoved this Parliament which must make known its sensitivity on these matters.

There are, however, indications that under the pressure of its own needs and its well understood interests Albania is today more disposed to introduce some slight measure of balance into its foreign relations. The pattern of its foreign trade over the last few years is one indication of this, and its albeit still hesitant willingness to enter into more substantial relations in the field of economic, educational and cultural exchanges displays a welcome trend towards realism. Moreover, public pronouncements indicate that Albania is willing to normalize its relations with Member States such as the United Kingdom and the Federal Republic of Germany with which they do not at present have diplomatic links. Does all this portend radical changes in policy? The Albanian leaders them-

selves deny this vehemently, but that is no reason for the Community not to take note, not to register these developments and not to react readily to any openings wherever they may be.

Those, finally, are the conclusions of my report. The Community must not be forced into action, but it must at all times be ready to show its good will and to accept in good faith and without self-interest any reasonable approach which may be decided upon by the Albanian leadership. At the same time, of course, the Community must — as its principles dictate — continue to declare its keen interest in respect for human rights in Albania and in the fate of the Greek minority in Northern Epirus.

(Applause from the centre and the right)

Mr Seeler (S). — *(DE)* Mr President, ladies and gentlemen, Albania today is for many people politically and economically something of an unknown quantity on the map of Europe. There will be some who will associate with this country memories of their youth when they were enthusiastic readers of "In the Land of the Skipetars" by the author Karl May, who was very popular with young readers and others the decades of dictatorship of Enver Hoxha and most of us probably belong to the latter group.

For a time Albania was a stronghold of Stalinism and for a time an outpost for the Chinese form of Communist dictatorship but throughout this time Albania has remained a part of Europe which one man as dictator ruled an entire people and treated them like his own private property.

Marx, Engels and, I feel, Lenin too, would turn in their graves if they knew what has happened in the past few decades in their name: centuries of Turkish rule followed by a few decades of more or less chaotic independence then under the rule of the Italian Fascists and now for more than 40 years a Stalinist dictatorship — that has been the fate of this small Balkan State.

We should not forget that Albania is a part of Europe and each of us is in some way co-responsible for it. We must therefore do everything in our power to ensure that gradually and carefully relations with this country are improved and help Albania to take its place in the European community of peoples.

It is above all our Greek colleagues who are particularly interested in improved relations between the Community and Albania for there are several hundred thousand Greeks who are living as an internationally recognised minority in southern Albania. I therefore find it regrettable that in Greece there is a public squabble over the correct way of improving relations between the Community and Albania. It is all the more regrettable that a non-partisan and completely legiti-

Seeler

mate difference of opinion was allowed to find its way out of the meeting of the Committee on External Economic Relations.

Our prime concern must be to demonstrate our willingness to enter into discussions, and by extension, to develop and improve our relations with Albania. Nobody wants to go and curry favour in Tirana. However, if there are signs of an increased willingness there to establish contact with us the long-term result — for both sides — could be extremely useful — for the people of Albania as well. My group will therefore support Mr Tzounis' balanced report.

Mr Zarges (PPE). — (*DE*) Mr President, ladies and gentlemen, my Group wholeheartedly supports Mr Tzounis' report. Although Albania is not of any major importance to the Community, and is unlikely to be so in future, we should nevertheless do everything to ensure that properly established relations become possible. This political principle must be included in any report by the Committee on External Economic Relations.

We all know that we will have to live with a divided Europe for sometime to come. It is our duty to overcome this division and to examine current policy constantly to see how this inhuman division can be dismantled because it is our goal to unite Europe and, when all is said and done, this goal cannot be achieved until a united Europe also includes those countries on the other side of the Iron Curtain. Until this goal is achieved we will have to live with a divided Europe and we must seek to do everything in our power to ease the lot of the people on the other side of the Iron Curtain, which of course includes Albania, and to minimise economic and political differences and tensions in general. This is why we are lending our support to Mr Tzounis' report.

However, I cannot deny that in the light of new information I doubt whether paragraph two, in which it is stated that the European Parliament notes with interest Albania's efforts to establish new trade relations with several Community countries is applicable. These efforts to establish contact with the European Community or with individual Member States are in my view not much in evidence.

Perhaps the first sign of contact with Yugoslavia is a signal. As we know, during the past few weeks a Yugoslavian journalist obtained an entry visa for the first time in many, many years. Let us hope that greater flexibility will be demonstrated with regard to Yugoslavia and that this flexibility will lead to the gradual and profound changes that are necessary.

In the talks which will be held we should however make it clear that the climate for such relations will be improved once this country has changed some of its laws which for us are as incomprehensible as they are

unacceptable. What other country has an Article 37 in its constitution, which has been valid since 1976, in conjunction with a paragraph 55 of the criminal code prohibiting any religious activity under pain of extreme penalties — including the death penalty? Where else is there a Decree No 59/12 with provisions for internal exile for an indefinite period and without a trial for anyone who represents a danger to the social order?

Family liability applies in particular for the relatives of prominent political detainees. We learn from Yugoslavian sources that as a percentage of the population there are more prisoners in Albania than in any other European country.

If the new leaders really desire to open the country to the West — and to the European Community — as referred to in paragraph two so that the export of Albanian agricultural produce, oil derivatives and ores can be promoted thus freeing the country from its immense poverty, any such development must go hand in hand with a complete reversal, of the Stalinist methods I mentioned earlier. I should like to stress this point with all due clarity while at the same time emphasising that we will support Mr Tzounis' report for the reasons I have outlined.

Mr Howell (ED). — Mr President, in entering this debate on Albania, I am aware that delicate negotiations between national governments and the Albanian authorities are already under way. Our debate will, I hope, positively influence those negotiations as an expression of the view of the people of free Europe.

My group very much welcomes Mr Tzounis' report and I personally pay tribute to his forthright approach to the issue before us tonight. He has demonstrated that very clearly in his presentation. Albania occupies a unique position, in a social, historical and political sense, within the family of Europe. It today faces new and unique problems in its efforts to develop and to play a full part in today's troubled world. To meet that new challenge Albania will, I believe, with a new enlightenment soon look closer at the world just beyond its borders. We seek to help to encourage that new adventure for Albania — an adventure we know will not be easy. We cannot ignore some of that country's internal difficulties, particularly in regard to certain minority groups and those who seek the freedom to practise the religion of their choice.

Nevertheless, we wish to encourage change in that country by association, not isolation. Hence we wish flesh to be placed on this resolution by offering Albania preferential trading conditions with the Community as the beginning of a new process of understanding. We are concerned that all negotiations relating to trade be conducted at Community level, while at the same time wishing to see new diplomatic relationships between Albania and individual Member

Howell

States. In particular, we look for a gradual increase in the accessibility of Albania to tourists as perhaps the best method of destroying the myths that surround this forgotten and semi-secret country.

In the past there have been many difficulties between a number of Community countries and Albania — not least Britain. Those historical arguments still infect our relations today. The time has arrived when those difficulties should be put behind us and a new horizon explored. The Tzounis report does just that. We ask the Commission and Council to take note and look positively at ways and means of offering aid to a new Albania. The possibilities are profound.

Mr Rossetti (COM). — *(IT)* Mr President, ladies and gentlemen, as the rapporteur pointed out, Albania is in fact a fairly small trading partner of the countries of the European Community. If, in spite of this fact, it was thought that it might be a good idea to draw up a report outlining the European Parliament's position towards this country, it was in my view for two reasons.

Firstly, there is Albania's importance, which goes far beyond its trade relations. The position of Albania makes it a vital and strategic point on the Mediterranean map. Europe cannot disregard what this country thinks about the problems of the area.

Secondly, the internal situation in Albania is likely to change, both politically and economically, from the generally closed attitude which prevailed until very recently. There is one objective fact which encourages this: as the rapporteur told us, in the next 15 years the population of Albania is due to increase by 25 %. Greater growth in the figures for national product will be increasingly needed, and it will be difficult to achieve this without expanding trade and economic relations with other countries, so that exports can make up for economic weaknesses and imports can meet the increase in domestic demand.

However, if you look at the situation carefully, you will see that there is another subjective, political reason for the Albanian leaders to widen their trading links with the countries of the Community, and hopefully in the future with the Community as such.

Signs of a more outward-looking policy have been evident recently. A few weeks ago a new trade agreement was signed with Italy; negotiations on an agreement have been going on for some months with the United Kingdom; other recent agreements provide for the supply of electricity and the opening of new frontier crossings with Greece; the new railway line to Yugoslavia has been finished; there have been new departures in the cultural field as well, with an increasing number of Albanian students at universities in Italy; there is a plan for allowing visits to Albania by tour groups who will use the Trieste-Durres ferry which

started operation — and this too is a sign of change — a couple of years ago and which for the moment is used for lorries.

Many of these initiatives are becoming reality thanks to the special efforts of certain Community countries, such as Greece and Italy. I think that it is right to acknowledge this in the resolution. Nevertheless, these efforts have found an echo in the cautious but positive attitude of the Albanian authorities.

Consequently, I feel that it is right for the European Parliament to encourage all this. And it should be done as part of a broader picture, and not simply from the point of view of trade. The idea should be to make the Mediterranean a sea of peace, a sea which joins rather than divides people.

Basically, the aim we have to work towards is one of stability in the Mediterranean, while of course respecting the principles of equality, independence and non-interference in the domestic affairs of the various countries. The rapporteur is right to point out, in the excellent explanatory statement which accompanies the resolution, that while it is only human to hope for positive developments the unexpected could very well happen. He is even more correct when he says that the Community must monitor events carefully and formulate a policy which will discourage any disruption of peace and the *status quo* in the Balkans. Consequently, we thought it would be a good idea to table an amendment which makes specific reference to this point in the explanatory statement, and we hope that the rapporteur will view it as a constructive suggestion.

Even though Albania today is not ready to have relations with any economic group but only with individual countries, it would also be a good idea for the Community to make it clear that it is ready to deal with Albania in the same way as with other non-Community countries in the Mediterranean.

By way of showing our constructive attitude, we have withdrawn the amendments Nos 7 and 8 which we had tabled. At the same time, I should like to point out to the rapporteur two areas in his report which might unfortunately cause the Albanians to adopt a harder line. The first concerns recital A which refers to trade relations between Albania and the EEC, because at the moment there is trade only between Albania and the countries of the Community. Secondly, there are two references in the report to possible cooperation; we like the idea, but it is one which is impossible at present under the legislation and constitution of Albania.

It might be more helpful to speak of collaboration, Mr Tzounis, without in any way weakening the Community willingness which, I feel, we all support. It goes without saying that we regard this report highly and we shall be voting in favour of it.

Mr Schwalba-Hoth (ARC). — *(DE)* We Greens are somewhat amazed and surprised by the tone of

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certainty with which former speakers have assessed this report on trade relations with Albania. There are in our view a number of inconsistencies. While fully realising that trade can be used in a fundamental way to promote peace, we also know that trade formed the basis of colonial relations and that at the present time there are neocolonial relations which are based on trade.

It is however strange — and I say that as somebody who has been here for just over a year — that suddenly the 'enclaves' in the world, which currently belong to no economic system or block are on the agenda here under the heading of trade relations. We have already debated trade relations with Taiwan and Hong Kong and now it is the turn of Albania.

I have reservations. From the Left I hear Mr Seeler recommending that we do not 'acurry favour' and I hear on the Right Mr Zarges calling for 'properly ordered relations'. I also have a feeling that an attempt is being made here to exploit the situation as it exists in Albania at the present moment. Enver Hoxha is dead and the political system is accordingly more fragile.

As we all know, over the past few years Albania has been making considerable effort in foreign trade with the result that exports from Albania to the Community quadrupled between 1974 and 1983 while exports from the Community to Albania trebled in the same period. However, I also feel that as a trading superpower the Community is discovering areas where it can get a foothold to prevent other trading super powers taking over. It looks to me as if a claim was being staked.

And why? Let's be honest! The major powers in the Community want to see Albania remain outside the Warsaw Pact. They also want to benefit from the almost 500 000 kWh which is the amount of power that Greece and Yugoslavia imported in 1979. They want to exploit the power vacuum and lastly, get their hands on the chromium. As you know and as the report also stated Albania is the world's third largest chromium producer and the world's second largest exporter. In 1980, 955 000 tonnes of chromium were exported, of which 80% went to countries in the West.

Two days ago there were reports in the press to the effect that South Africa, which is the major non-Communist chromium supplier in the world, was responding to the reduction in trade relations and the imposition of sanctions by us by stopping its exports to the Community, in particular to Great Britain, and the USA. I believe that the Community needs this chromium because chromium is essential to the armaments industry.

Chromium is used in steelmaking and in aircraft and vehicle construction. I feel too that this unanimous

approval should be accompanied by a few words of warning because it is simply not sufficient to say 'fantastic, we are delighted that this backward Albania is now closer to being integrated into our economic system!'

Mr Christopher Beazley (ED). — On a point of order, Mr President, is it correct that persons in the public gallery may not applaud debates in this House? I ask for your ruling.

President. — Yes, that is right. I did not see it or hear it myself; I should otherwise have objected.

Mr Howell (ED). — May we ask that strangers be removed if they take part in a debate in this way? They are not there to take part in debates. They are there to witness what is going on. Perhaps the ushers should take note and take the appropriate action.

President. — I should like to remind listeners in the gallery that no expression of approval or disagreement is allowed.

Mr Schwalba-Hoth (ARC). — (DE) I think the House ought to be delighted that there are a couple of dozen poor souls who are listening to us in the gallery. In this respect, Mr President, I applaud the clever way you dealt with the situation.

President. — The Rules of Procedure take precedence over your personal view.

Mrs Pantazi (S). — (GR) Mr President, the topic of the report by Mr Tzounis takes on particular significance today since for the first time the European Parliament is devoting a special debate to the relations between the Community and Albania. Furthermore, if we examine the latest developments in Albania's external relations, we note that, more than any other, the moment is highly conducive to such a debate. Of course we cannot ignore the fact that this is a completely unilateral initiative, and this being so, we are aware of all the reservations on the effectiveness of such an initiative. This does not mean, however, that today's debate cannot be a positive first step towards the gradual resumption of relations between the Community and Albania. It is well known that isolation from the international stage has been Albania's political choice in recent decades. However, the far-reaching changes which have been taking place recently in Albania's external relations lead us to the conclusion that the Albanians are tending to take a more differentiated approach to this choice. The fact that bilateral economic relations have been established between Albania and certain Community countries, particularly

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Greece, Italy, France and West Germany, is tangible proof of this. And since these are four Member States of the Community, I think that if the Community as a whole is going to deal with this question, it will have to adopt a cautious and well-thought-out approach. The Community's strategy will have to be geared towards seeking areas of common interest, which means that relations will have to be productive and mutually profitable, avoiding any kind of interference in the politics of a sovereign state. If we really wish to institute a new form of relations, the Community's approach to Albania must not be based on a policy of preconditions. If we look at the course adopted by Albania since the war, it is clear that the country is not susceptible to interference and pressure of this kind. On the other hand, we think that the Community will have to pursue to a greater extent a strategy of positive inducement towards Albania. We consider that the bilateral relations between Greece and Albania which have emerged in the last three years may be considered as a model for the Community. Furthermore, it is perhaps useful to draw attention to a few points. For the first time, ladies and gentlemen, there has been an exchange of visits by the Foreign Ministers of the two countries. Agreements have already been signed on transport, educational and scientific cooperation, the easing of postal restrictions, and telecommunications. Especially in the field of cultural cooperation and the Greek-Albanian educational programme, Greek lecturers have already gone to Gjirokastër to teach at the pedagogical institute there. The Kakavia border crossing has been opened after 40 years, and cooperation between the two countries on tourism is about to be introduced. This constitutes considerable progress in relations between the two countries, and it is basically due to the policy of positive inducement pursued by Greece. In the past other Greek governments have tried other ways and means, but these have always failed miserably.

I should now like to make the following comments on the motion for a resolution contained in the report by Mr Tsounis, and in particular paragraph 5, which refers to the Greek minority. We consider that the fundamental problems of the Greek minority — i.e. freedom of movement, cultural needs, education, etc. — can only be settled in a climate of mutual trust, which can only be created by developing Greek-Albanian relations. The fact that in a public speech Enver Hoxha himself encouraged the Greek minority to preserve their language and their national traditions leads us to the conclusion that the more these relations are developed the more the atmosphere will be improved and this improvement will be felt by the Greek minority living in Albania.

In conclusion, Mr President, we should like to state that we shall vote for the report by Mr Tzounis with one reservation. With regard to paragraph 7, we should like to state that although we do not welcome actions like those referred to in this paragraph, we nevertheless consider that references to this kind of

incident are not conducive to promoting better relations with Albania.

Mr Ford (S). — Mr President, I am delighted that even amongst a small audience we are having a debate on Albania, because the fact that we are having a debate owes at least something to myself as the originator of the Rule 47 motion for a resolution on the subject.

I am probably one of the few Members of this Parliament, if not the only Member, to have visited Albania — I went there 15 years ago.

What we are talking about, as far as I am concerned, is not economic relations with Albania, which accounts at the moment for 0.03% of imports to and exports from the Community. It is a poor country, the poorest country in Europe. That, of course, is not the fault of the present regime, but the fault of the colonial heritage . . .

(Laughter from the right)

. . . over the past years. I see no reason why poverty should be thought of as being entirely the fault of the regimes that are in power. This means that I hold no particular brief for the current Albanian regime or any previous Albanian regimes.

What we are talking about is, if you like, political, and it is political in the sense that Albania is in transition. Since I originally tabled the motion for a resolution twelve months ago — and I was told at the time that Albania was a very static regime, nothing was going to change — we have, at least in Albanian terms, seen major changes already. We have had the death of Enver Hoxha and we have had the developments and the talks which are going on about bilateral trade relations. It is important that the Community involves itself in deciding and opening up the opportunities that are available to Albania.

There was, however, evidence before the death of Enver Hoxha that there were factions within the Albanian Party of Labour. There were, and still are, tensions there between the technocrats, the realists — those who want to move somewhere along the path of the Chinese (15 years ago we would have been told there was little prospect of change in China) — and the Stalinists and the ideologues who want to maintain Albania where it is. That was shown by the death of Mehmet Shehu. Now we have a new leader whose contradictory statements — and they *are* contradictory, at least as reported in the Yugoslav press — seem to me to indicate that there are similar struggles, factional alignments within the Albanian Party of Labour now. What we have to demonstrate to the Albanians through our vote — and I shall be supporting the report, even though I have reservations about paragraph 7 — is that Europe is available and will extend a

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hand if the Albanians wish to take it up. We do not want to insist. We want to say to the Albanians that if they want to start opening up the country along the Chinese road, we are there and willing to help them, rather than forcing them into other directions which would actually pose major problems for Europe.

The strategic importance of Albania is undeniable. We must bear that in mind when we make our decision on this report.

Mr Sutherland, Member of the Commission. — Mr President, first of all I would like to thank Mr Tzounis for the clear, concise and well-balanced report which he has presented and to express my appreciation of his contribution and the contributions of the other honourable members to this debate today.

I have very little to add to the statement of facts included in this report. The Commission shares the rapporteur's view and wishes to see the necessary conditions established for the development of economic and trade relations between the Community and Albania.

The Commission, indeed, has followed with interest the recent improvement in economic relations between Albania and a number of Community states. Some of those developments were referred to in the course of the debate which has taken place today. The Commission believes that it is quite natural that this improvement should be extended to relations with the Community as such as opposed to the individual Member States. The Commissioner has been asked during the course of this debate today for careful examination of possible positive developments.

I should like to point out that on a number of occasions the Community has already expressed willingness to put relations with the state-trading countries in Eastern Europe, including Albania, on a normal footing. Albania also received the outline agreement sent to all the state-trading countries of Eastern Europe in 1974. At that time the sending of this outline agreement represented the Commissions signal, so to speak, of its readiness to open negotiations with each of those countries with a view to concluding a trade agreement. To date the Albanian Government has not reacted to this offer or made any comment in regard to it. But I would like to take the opportunity, on behalf of the Commission and the Community, to confirm that this offer is still open and that the Community for its part is still open and that the Community for its part is still willing to look at all possible ways of improving our relations with Albania. We are ready, as asked in the resolution, to encourage any steps Albania might take in this direction, and in this sense I think that I am expressing a view which is entirely in accord with the views which have been expressed during the course of this debate.

However, one point stands out very clearly in Mr Tzounis' report, namely, that the economic policies currently pursued by Albania's leaders do not encourage — to put it mildly — the development of its foreign trade. We do not wish to become involved in Albania's domestic politics, but it is clear that the Albanian leadership's economic policy constitutes one of the determining factors for the development of relations in the future.

(Applause)

President. — The debate is closed. The vote will be taken at the next voting time.

(The sitting was suspended at 8 p.m. and resumed at 9 p.m.)

IN THE CHAIR: MR LALOR

Vice-President

9. *Commission Delegations in the ACP countries and Maghreb and Mashreq*

President. — The next item is the report by Mrs Daly, on behalf of the Committee on Development and Cooperation, on the importance of the delegations of the Commission of the European Communities in the ACP countries and the Maghreb and Mashreq countries and the status of the overseas staff of the EAC (Doc. A2-92/85).

Mrs Daly (ED), rapporteur. — Mr President, I have much pleasure in presenting my first report to this Parliament, which is based on a Rule 47 resolution on the importance of Commission delegations in the ACP, Maghreb and Mashreq countries and Israel and the status of the overseas staff of the European Association for Cooperation.

The report examines in particular the role of Commission delegations in the light of their increased responsibility and their vital function in the implementation of Community development policies. It also takes account of recent developments with regard to the statute of European Association for Cooperation staff. Staff of the European Community delegations in ACP and MMI countries are employed by the European Association for Cooperation, which was established in 1964, when the Yaoundé Convention came into force. It is a non-profit-making association under Belgian law. It is responsible for recruiting and managing delegates, advisers and agents as well as the other staff of the delegations in associated developing countries.

Daly

The Association is governed by an administrative council composed of Commission officials. The role of the EAC has been developing consistently since the organization's inception in 1964. At present the delegate in each country is responsible for general representation of the Commission and the preparation, technical and financial control of all projects as well as their day-to-day supervision and ultimate evaluation.

Delegates play an even more crucial role in the local distribution and management of emergency and food aid. Indeed the air bridge in the Sudan was conceived and is being organized by the Commission delegation in that country. In countries operating food strategies in conjunction with the Commission, the delegation has a particularly important role. Food strategies are established jointly by the country concerned and the Commission, and the daily implementation of the strategy devolves on the delegation staff.

In July 1976 the Commission announced its intention of making overseas staff in the ACP and MMI delegations civil servants, indicating that the integration procedure would be scheduled over four consecutive budgetary years. That was in July 1976. However, in the overwhelming majority of cases this has not happened. In 1983, 56 staff members of the EAC headquarters at all levels in Brussels were titularized with the support of this Parliament. Representations of the overseas staff maintained that they should immediately have the same conditions of service, i.e. job security and European Community pensions, as had been agreed for their 56 colleagues in the Logistic Service in Brussels.

The initial response from the Commission was negative, whereupon 182 senior delegation staff members introduced a lawsuit at the European Court of Justice in December 1983. However, they felt it would be preferable to reach agreement rather than fight in the Court, and following some encouraging discussions with the Commission in 1984, their plaintiffs have left the court procedure pending while awaiting the outcome of current negotiations.

The staff of the EEC delegations should be titularized to increase their job security and strengthen the position of delegates and their staff when dealing with difficult situations which could arise in the course of their work. Titularization would also allow exchange between DG VIII in Brussels and delegations overseas.

I feel also that the Community should take account of their increased responsibilities and reflect these in civil-service status. While basic salaries for the A and B grades of EAC staff are equivalent to those of Commission officials, social security benefits are notably inferior, despite the fact that pension contributions are identical. This is particularly true in respect of pension rights and dependants' allowances in the case of death. We feel that this is a gross injustice.

On 5 December 1984 the Commission again took a decision of principle in favour of integration and in 1985 reconfirmed the intention to titularize the officials in question, but has insisted on prior modification of the European Community Staff Regulations. The Commission has also refused the principle of retroactivity with regard to pension rights, and has not asked for posts in the 1986 preliminary draft budget for the titularization of EAC staff on the ground that new posts are required for incoming Spanish and Portuguese officials. Members of the Committee on Development and Cooperation feel that the Commission should demonstrate its good faith and in fact seek those posts in the 1986 budget. We have therefore tabled an amendment to the draft budget to titularize all EAC staff — A and B grades in particular.

The responsibility for titularization of EAC staff now lies with the Director General for Administration, DG IX. That is a change and they have assured me that they wish to amend the Staff Regulations governing the terms of employment of all extra-Community staff, including those in delegations to industrialized countries. Proposals regarding the modifications in question are currently before the Commission, and the Staff Regulations Committee has now been consulted. The Director-General of Administration has informed me that provided the Commission and different institutions agree to the proposed Staff Regulation modifications, a request will be made in the 1987 preliminary draft budget for the posts required. Our amendment has been tabled to demonstrate our view that further procrastination by the Commission will not be tolerated.

A major point of concern to the staff of the EAC is the unsatisfactory nature of their current retirement pension arrangements. EAC contractuels contribute to OSSOM, which is a Belgian public social security and pension fund for overseas employees. Even though delegates' contributions to OSSOM are equivalent to those paid by Community officials to the Community's pension fund, social security benefits, as I said before, are considerably less. This is quite unacceptable. Given the age of many of the staff — 102 are over 50 years old and 61 are over 55 years old — it is vital that pension rights be transferred satisfactorily to the Community Fund following titularization.

We hope that Parliament and the Commission will jointly approach the Belgian Government concerning the unsatisfactory management of this pension fund. We do not find it acceptable that people are actually receiving less in pension benefits than would accrue from the capital transferred immediately.

Finally, the Committee on Development and Cooperation recognizes the vital role of delegations in ACP and MMI States and we feel that they must be aided in carrying out their tasks in a climate of better security of employment. I would ask Parliament to support this report and the amendment from Mrs Rabbethge

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regarding training. I should like to thank the Legal Affairs Committee, and particularly the draftsman of its opinion, Mr Hoon, as well as the staff of the Development Committee for their support in the preparation of this report.

(Applause)

Mr Hoon (S), draftsman of the opinion of the Legal Affairs Committee. — Mr President, I begin by congratulating Mrs Daly on the thoroughness of her report and on the quality of her presentation this evening.

I speak to this report on behalf of the Legal Affairs Committee, which prepared an opinion on its legal implications. There have in the past been some considerable controversies over the legal status of the staff of the European Association for Cooperation. The essential legal question raised in Mrs Daly's report is whether or not they should be integrated into the Community system as civil servants and, if so, on what terms. Such a change as she mentioned would significantly enhance their employment status, particularly in respect of their pension rights. The present difficulties, to a great extent, began in 1983 when the 56 Headquarters staff of the European Association were established as Community civil servants. The Overseas staff — the subject, in effect, of Mrs Daly's report — not surprisingly wish to enjoy similar employment status. Indeed, there seemed no particular reason at the time why there should have been any distinction made between them.

As a consequence, the Overseas Staff started legal proceedings before the European Court to have their position considered, with a view to having the Court decide whether or not they were similarly entitled to be treated as Community civil servants. That action brought by 182 members of the Overseas Staff, though still before the Court, is awaiting a political solution, which we are considering, and it is clearly to be hoped that as a result of our discussions there will be a rapid settlement of the political problem, making any further legal proceedings unnecessary.

The matter was further legally complicated by the proceedings brought by the Headquarters Staff of the European Association to have their pension arrangements reconsidered. Having been made Community civil servants, they wanted their pension arrangements to be made retrospective to the start of their service with the European Association, irrespective, that is, of the date of their incorporation as European civil servants.

Those proceedings gave rise to the Salerno Decision delivered by the Court in July of this year, which not surprisingly denied the claim to retrospectivity and upheld the Commission's view that this was not permissible. Without a specific commitment to retrospectivity, it is clear from that decision of the Court that it

cannot be read into the employment status of these particular employees of the Community and is unlikely to be read into any other employees' contracts with the Community.

In conclusion, therefore, providing appropriate amendments are made to the Staff Regulations, there is nothing to prevent the incorporation of these employees of the European Association as Community civil servants. Such a change, the Legal Affairs Committee concluded, was essentially a political rather than a legal decision but one to be welcomed, nevertheless, as a signal of the Community's determination to take seriously its role in development and its relations with other parts of the world.

(Applause)

Mrs Schmit (S). — *(FR)* Mr President, ladies and gentlemen, when I first read Mrs Daly's report I found it a little technical, even somewhat technocratic. The man or woman in the street, our voters, will certainly not know what to make of such things as the EAC, DG VIII, ONGs, etc. But, despite the hackneyed formulations and learned tediousness of the jargon used in all our resolutions and reports, what we have here is a fundamental issue which commands the support of the Socialist Group.

People who say 'official' very often, unfortunately, think in a negative manner of 'bureaucrat'. We should not forget, however, that a good official — and that's the only kind we want — is above all the good executor of a good idea and a good concept. And we to have a good concept, that of European development and cooperation policy, which we want to set apart from post-colonial, neo-colonial reflexes and from the domineering ambitions and military strategies of the superpowers.

In line with the rapporteur's ideas, I am not opposed to including in the report the current and future Commission delegations in the non-associated developing countries. Nevertheless, I would like to see the initial emphasis being placed on the delegations in the ACP and South Mediterranean countries, and that — where the non-associated countries are concerned — the embassies of the Ten (soon to be twelve) Community Member States do more in this field.

As for the ACP and the Maghreb and Mashreq countries, I have said 'yes' to the establishment of Community delegation staff because this would, as it were, provide a kind of higher status for, and recognition of, the on-the-spot work done as part of our development and cooperation policy. I say 'yes' to social justice and social security for staff who, in contrast to previous colonial adventurers, are not afraid to call themselves idealists furthering the good cause of our continent, and are ready to work together with other idealists, by which I mean the non-governmental organizations. I

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say 'yes' to exchanges of officials from DG VIII in Brussels and the future delegation officials referred to here.

Excuse me one touch of irony. The proposed exchange reminds me a little of the methods of, and ideas behind, China's Cultural Revolution; applied with a little more wisdom, it will contribute not only to decentralization — something I am all for — but also to on-the-job training and a mutual exchange of instructive experience. It will also help to maintain abroad a realistic evaluation of the European institutions' scope for voluntary financial aid. It might avoid the 'pen-pusher' mentality developing in Brussels with its nervous, hopeless and frustrating ineffectiveness, without any real feeling for the fundamental problems and for the different cultures to be found in the countries concerned. On the other hand, on no account do I want to see this report, among other things, leading to an invading army of officials and bureaucrats without any sense of calling, out for their own personal gain or to impose on our non-European partners elaborate, and as a consequence, sterile theories or hare-brained schemes.

I have received numerous specific complaints on this score from personal friends in the Third World. Neither do I want to see officials on European missions who surround themselves, at the expense of European taxpayers, with the kind of very unsavoury luxury so much loved by the former colonisers.

I shall close by expressing my appreciation for the Daly report in general, as well as for the opinion of the Committee on Legal Affairs and Citizens' Rights in particular, from which I quote:

Whilst this report by the Committee on Development and Cooperation clearly touches and concerns a number of legal issues, the outstanding substantive question of whether certain overseas staff of the European Association for Cooperation should be given the status of European Community officials is essentially a political decision to be determined according to the needs of development policy.

This, ladies and gentlemen, is a reasonable approach, one which we support and which is worthy of our Parliament.

Mr Sutherland, Member of the Commission. — Mr President, I am grateful to all the contributors to this debate. I am also particularly grateful to Mrs Daly for her report. Subject only to some nuances, the Commission welcomes the motion for a resolution before the House and the support it proposes that Parliament should give to the titularization of the staff currently serving in the 60 or so delegations of the European Association for Cooperation.

We look forward to the continuation of this support when we come forward shortly with the detailed pro-

posal for the modification of the Staff Regulations necessary for us to accomplish the aim of titularization and also when this proposal comes before the Council of Ministers for final decision. I was somewhat surprised by the rather vituperative comment on procrastination by the Commission. I can assure Mrs Daly that there has not been and will not be any procrastination as far as this Commission is concerned.

There are a couple of nuances that I would like to take up, as I indicated initially. The first of these is that the problem is wider than that of the staff of the AEC delegations. The motion for a resolution notes the difficulties in non-ACP developing countries, but in practice the Community is represented, as has been pointed out by some speakers, worldwide by delegations managed by the Commission covering a wide spectrum of situations and needs. At present we have to try to manage the staff in these delegations under at least two sets of different rules, the AEC Statute and the Community's Staff Regulations, the latter being quite unsuited for the conditions of service in countries such as Chad, Nigeria, Brazil and even Japan. We need a management framework which will apply to all these delegations, so that we can give the same conditions of service to all staff outside the Community adapted to the needs of the country in which they are serving.

The second nuance concerns timing. As the Committee on Legal Affairs and Citizens' Rights has recognized, titularization of AEC delegation staff is not possible until the Staff Regulations have been modified. The Commission submitted a draft of its proposals to the interinstitutional Staff Regulations Committee in July. It hopes to be able to put it to the Council and to Parliament in a few weeks, once the opinion of this committee is available. However, there is no practical possibility of a decision on this proposal until late into the second half of next year at the very earliest. This is why the Commission has set the objective of an implementing date of 1 January 1987 with the request for the necessary posts in the budget for that year. The motion for a resolution proposes to Parliament to create the posts in the 1986 budget. I must very clearly underline that the creation of these posts cannot of itself lead to the titularization of the staff concerned. On the other hand, I can again underline the Commission's firm wish to go ahead as fast as possible. I also confirm that the creation of the posts is of itself without any budgetary cost.

The third point that the Commission wishes to make concerns the proposal to extend the scheme for trainees within the AEC set out in paragraph 14 of the motion for a resolution. We do not agree that the coverage of this scheme should be enlarged to include nationals of the ACP countries. The Lomé Convention already includes important actions for the training of nationals of the ACP countries. It is not appropriate to include such nationals in our delegations which administer aid towards the ACP states. The AEC is a

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small organization which can only absorb a limited number of trainees. Priority should be given in this context to candidates from all the Member States, of which the resolution itself rightly underlines the importance.

The last comment I want to make concerns the pensions of the existing AEC staff. The Commission is aware of this problem and considers that the concern of the AEC staff is legitimate. The principle of non-retroactivity is one accepted by all the institutions, including Parliament. We cannot change it now for this group without being unfair to many others, but we will seek with the Belgian authorities a solution which is fair and in full conformity with Community law. We welcome the support of Parliament to this end.

While discussing a radical change in the existing structure of Community representation in the ACP countries, I should like to pay tribute to all those who have played a part in the system which has existed for 20 years. In regard to some of the comments relating to those who have served the system, I would like to say that the experience of the Commission has been almost universally one of applause for the assistance which we have received from our delegates. It is no criticism of their efforts that the time should now be ripe for change. On the contrary, this is confirmation of the solidity and efficiency of what they have constructed.

We must seek to retain all that is best in the system they have created. The Commission is grateful to Parliament for recognizing this, and we look forward to working with you to accomplish the changes that are now appropriate.

Mr Welsh (ED). — This is more a point of clarification, Mr President, than a point of order.

During his speech the Commissioner referred several times to something called titularization. Now I am pretty sure that there is no such word in the English language. I would like to ask you, Mr President, as you share a common language with Commissioner Sutherland, whether you could kindly explain, for the benefit of myself and others who are not expert in these matters, what titularization means.

President. — Before I call on the Commissioner to give the explanation, though this is not, of course, a genuine point of order, I would remind you that your colleague, Mrs Daly, mentioned it on numerous occasions. In fact, it is built into her report. I am very sorry, Mr Welsh, that you did not get around to reading it, because it is a very valuable report.

Mr Sutherland, Member of the Commission. — Mr Welsh, I would have expected you of all people to know that the very best English has always been spoken in Ireland. If you want to know the correct termi-

nology to be used in any debate of this kind, come to me in future and I will put you right. Titularization is the word that is properly used in the debate. I will give you an explanation of its derivation at a later stage in the evening.

President. — If that does not measure up, I have no doubt that Mrs Daly will fill in. It is in paragraph 8 of her report.

The debate is closed.

The vote will be taken at the next voting time.

10. *Generalized Tariff Preferences Scheme*

President. — The next item is the report (Doc. A 125/85) by Mrs Heinrich, on behalf of the Committee on Development and Cooperation, on

I. the communication from the Commission to the Council on the review of the European Community's generalized tariff preferences scheme (COM(85) 203 final — Doc. C 2-41/85)

and

II. the proposal from the Commission to the Council fixing the Community's generalized tariff preferences scheme for 1986 (COM(85) 425 final — Doc. C 2-85/85)

Mrs Heinrich (ARC), rapporteur. — (DE) Mr President, I hardly dare to go on to say 'ladies and gentlemen', because there is barely anyone left here. The generalized tariff preferences scheme affects those developing countries not directly covered by other preference agreements such as Lomé or the Mediterranean agreements and therefore particularly concerns the developing countries of Asia and Latin America, together with Rumania, China and the colonies of Member States and third countries.

There has been a gradual move towards differentiation of the generalized tariff preferences scheme, the most important such change in the scheme, which dates from 1981, being that beneficiary countries are differentiated on the basis of their level of development and on the extent to which the product concerned has been processed. However, only a small minority of countries has been able to take advantage of this system.

The ten countries benefitting most from tariff preferences currently absorb 80% of these so that the poorest developing countries and those least able to compete find that the quotas have been very largely exhausted and that they are faced with the common external tariff. For this reason, the Commission has proposed a new and more extensive form of differen-

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tiation which would allow the withdrawal of preferences for those products that now compete so successfully on international markets that they could continue to be profitably exported without any preference.

The Committee on Development and Cooperation has decided that it is too early to evaluate this more extensive differentiation and wishes to wait until it becomes clear exactly what consequences the measure will have and how it will affect trade patterns. If, after examination, it appears that preferences can be withdrawn, there must be an individual examination of the entire situation in the country concerned.

The committee also urges that preferences be retained for those countries deeply in debt. Our committee also criticises the Commission for not incorporating in any way in its proposal the resolution by the European Parliament urging that newly industrialized countries also offer tariff preferences to developing countries in order to stimulate their export trade.

Our committee is particularly critical of the Commission's proposals when it comes to their handling of the less advanced developing countries. Not only are there no concrete proposals with respect to this group of countries, but the proposals do not specifically include the products concerned, which are particularly agricultural ones. Your rapporteur believes that not only is the charge of protectionism justified but also the much more serious criticism that the industrialized countries of the Community are partly responsible, through the very structure of their trade, for the hunger existing in many developing countries. Thus large areas of — fertile ground in developing countries are used for export products and, because Community products governed by the CAP are excluded from the general tariff preferences, large fertile areas in these countries are used to produce non-CAP products, for example cattle fodder — with all the attendant consequences in terms of the Community surplus production, for example of beef, and in damage to the environment both in the Community and in the developing countries.

Turning my attention to monocultures, the European Parliament has repeatedly emphasised that the tariff preferences scheme can help developing countries only if processed as well as unprocessed agricultural products are included. The Committee on Development and Cooperation, and Parliament, have repeatedly urged this in the past and the committee now repeats that call to extend tariff preferences to CAP products.

Moreover, our committee again urges greater transparency in the preference system to allow developing countries to remain fully informed about the remaining quota quantities. That could be done by supplying the social partners with better information and it is difficult to understand why this was not done long ago. Research is being conducted into the most complicated forms of communications technology, yet data on trade patterns is said to be very difficult to obtain!

In the present report, the Committee on Development and Cooperation again urges that those developing countries accorded tariff preferences comply with the international minimum standards for working hours, working conditions and social security laid down in the conventions of the International Labour Organization. It also asks that the social partners be involved in the monitoring of the situation. The only reaction from the Commission to this demand by our committee and by Parliament has been to say that the Council rejects any en-bloc move to make tariff preferences dependent on the observance of ILO conditions.

Although we are quite aware that the Council pays little attention to Parliament's decisions, this is an issue that makes one painfully aware of Parliament's powerlessness. Nevertheless, the committee has again included this demand in the present report.

If I may express my personal opinion, I believe it is highly inconsistent for the Council to talk about democracy all the time yet to ignore democratic resolutions when they concern working conditions in the developing countries with which the Community trades and equally inconsistent to have a completely untroubled conscience while talking of social security and justice.

(Applause)

Mr Cohen (S). — *(NL)* Mr President, on behalf of the socialist group, I can state that we agree with the main thrust of the Commission's proposal on generalized tariff preferences because the system has undergone some improvement particularly with respect to the poorest countries although we consider that the system still includes too few processed agricultural products.

While in agreement with the principal features, we object to the major innovation, differentiation. We favour differentiation if it means that poor countries can benefit to a greater extent but we are against if it means robbing the poor to improve things slightly for the poorest. That is, of course, an unacceptable form of differentiation.

We also find it quite unacceptable that the Commission should propose this when not only the poorest but also poor developing countries are saddled with a debt problem unparalleled in history. It is for this reason, and partly thanks to the contribution of the Socialist Group, that the report of the Committee on development and cooperation has taken its present form. We did indeed want to delay judgement on the new form of differentiation proposed by the Commission and we will therefore vote en-bloc against any amendments attempting to have differentiation included after all.

We believe that the system as it now exists contains enough escape clauses to cope with any problems that

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may crop up. It is a unilateral system we have established and at no stage has there been any consultation with developing countries. We have, therefore, ourselves written release clauses into the system. The worst of these is undoubtedly that preferences are granted in the form of tariff quotas which means that the system applies intrinsic quantitative limits.

Moreover, and quite obviously when one considers that it is a unilateral system, there is no multilateral body capable of impartially judging whether the release clauses have been fairly used. All in all, we believe that these aspects render it quite unnecessary to make further refinements to the system such as those the Commission has proposed for this year.

Once again, we agree to a very large extent with the proposals for improvements on the product side, in other words with the Commission's new proposals, but reiterate our standpoint that we cannot accept the new form of differentiation. We want to see the draft resolution submitted by the Committee on Development and Cooperation left in its present form and will vote accordingly tomorrow.

Mr Zahorka (PPE). — *(DE)* Mr President, this almost empty House! I can soundly recommend the Commission's proposals as bedtime reading for anyone suffering from insomnia. They are more exciting than some detective novels and anyone who can get through so much paper just discussing tariffs and borders must have experienced an almost physical pleasure in drafting certain passages where a virtue is made of complexity.

Our group will vote for the report but I would like to take this opportunity of making a number of fundamental comments on the generalized tariff preferences scheme. I think an extensive debate, providing a critical examination of the entire system, is a good idea and assume that we are in principle opposed to tariffs as an outdated economic instrument.

If tariffs did not exist, we would have no need to discuss tariff preferences. The European Community is currently a world leader in the struggle to achieve global free trade and it will be playing a key role in the preparation and execution of the next round of GATT talks. It is a moot point whether the system for generalized tariff preferences can, in the long-term, still prove a useful form of development aid and I would like to cite, in a very abstract form, the view of a growing number of economists who have increasing doubts on this point.

It is precisely the very poorest countries that we must manage to help with our development policy and to that extent I am quite delighted to hear demands for the inclusion of primary agricultural products. I am not sure what some supporters of our agricultural policy will think about it nor do I know whether,

when it comes to the point, this proposal will win the day.

What is obvious is that a trend must be set whereby even the newly industrialized countries will grant tariff preferences to the least developed countries. On this point, the Commission's proposal is rather inadequate and there is still a failure to provide a properly differentiated definition of a developing country.

In my view, the Commission has taken the correct action by introducing the last tariff cut agreed at Tokyo a year earlier than planned, on 1 January 1986. By cutting tariffs earlier than it was required to do, the EEC has definitely made a concrete contribution to limiting protectionist tendencies and, if we are honest, we must recognize that the generalized tariff preferences scheme is but an attempt to retain — be it in a limited form — an existing protectionist system.

My comments are meant as a stimulus to a thorough debate in this Parliament on the lessons learnt from the generalized tariff preferences scheme and on how it has affected the ACP states and European industry. To bring in here the earlier discussions on counterfeiting, I think we should also discuss whether such clauses shouldn't be included as part of a package deal, establishing a linkage between the granting of certain tariff preferences and, for example, such things as a judicial structure to combat counterfeiting and other similarly reprehensible phenomena.

I want to emphasize my support for stronger differentiation by the Community, associated with self-criticism and an examination of this foreign trade instrument. I say that not as a member of the Committee on Development and Cooperation but as a member of the Committee on External Economic Relations — which perhaps adopts a different view point — but a critical examination of the generalized tariff preference system is unavoidable if one takes into account the financial situation in many developing countries and one's desire to strengthen their economies. We will nevertheless vote for this report, though with more reservation than in the past, but a more critical approach will be necessary in the future.

(Applause)

Mr Peter Beazley (ED). — Mr President, my group will support the Commission proposals and the Heinrich report on GSP. We are not, of course, clear as to how, in paragraph 9 of the Heinrich report, consideration given to ecology aspects can be incorporated into differentiation, but this is a detail in relation to the important principle which this report embodies.

What concerns us, however, is to ensure that GSP is made to work effectively in the way intended and that it should not be used as a back door to a new approach to a form of trading agreement outside of

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GATT. GSP is a well-founded derogation from GATT. Once developing countries have moved forward beyond the point at which the special GSP arrangements are necessary, these arrangements cannot be further extended in time or quantity. It must not be the case that 'once a developing country, always a developing country'.

The criteria on the basis of which GSP is granted must be scrupulously respected. The basis for GSP must continue to be a product-by-product basis, for example, the GDP per head of a country may be low, but that country may be sitting on an oil well or a gas field and have exceptional advantages in particular products.

The Community may well be able to take limited quantities of a product benefiting from Generalized Special Tariff Preferences, but it could well be disastrous for the Community to increase these quantities under GSP terms. Hence it is right that the next steps in this valuable scheme should be concentrated on helping the less-privileged countries and not those whose economies have started to take off, i.e. where the favourable terms may be beginning to have undesirable effects on the Community's industry and trade.

My group supports the contention in the opinion of the Committee on Economic and Monetary Affairs and Industrial Policy on this report that 'differentiation in treatment between the most competitive developing countries and the poorer ones should be made sharper where the original aspects of GSP have been achieved'. It is essential for Parliament to monitor where the actual practice of GSP is living up to its objectives, and that there is a satisfactory review of preferential limits for sensitive industries. This requires up-to-date knowledge of product requirements by markets and relative cost basis.

Finally, I wish to consider regional agreements and cumulative origin. The situation is very much dependent on individual circumstances. It may be reasonable, for example, in the ASEAN region to permit cumulative origin in particular products. This, however, would not be the case with the Gulf states in oil and gas-based products. Once countries or regions have progressed up to the limit of GSP in particular products, they must be considered as part of a world trading system with the necessary disciplines which that implies. The likelihood of establishing free-trade area agreements with ex-GSP countries is small because the advantages which that type of agreement grants must cover all products and be totally reciprocal. So, GSP must remain GSP and be consistently re-orientated to the poorer nations.

Mr Iversen (COM). — (DA) Mr President, on Tuesday my party colleague from the Danish Socialist People's Party, Mrs Boserup, spoke about the Dimitriadis report on the European Investment Bank. We

repudiated the gross exploitation of the developing countries by a Community body in clawing back profits from projects financed by the EIB in order to fund projects in the Member States.

I would, therefore, like to commend Brigitte Heinrich today on her report. We have always advocated that the rich countries should show solidarity with the poor countries. We also call for this solidarity to be translated into financial aid for these countries. We have likewise supported the demand by the developing countries for the introduction of a new world economic order, which would for example enable developing countries to obtain reasonable prices for their products. Although what we have here is not a new world economic order, we do have a whole range of extremely sensible proposals. We support the demand for priority to be given to the least developed countries over those countries who have already reached a more advanced level of development.

Finally, I would like to praise the rapporteur for calling for consideration to be given to ways of incorporating ecological aspects in the differentiation of the scheme. Even if we are in no doubt whatsoever that the Community is currently the main beneficiary of cooperation with the developing countries, and will continue to be so for many years to come, we appreciate the ideas put forward by the rapporteur, and we will support this report.

Mr Sutherland, Member of the Commission. — Mr President, on behalf of the Commission I would like to thank the European Parliament for its continuing interest in the Community's scheme of generalized preferences and for its support for the Commission's efforts not merely to maintain but to improve the scheme.

The objectives of the GSP are, of course, to help those countries to speed up their rate of economic growth by offering them an incentive to industrialize in the form of preferential access to the markets of the developed countries. The Community's GSP scheme has been an undoubted success over the years. Imports which receive GSP benefit have grown from less than 1 billion ECU in 1972 to more than 12 ½ billion ECU in 1984. Perhaps it is no harm to remind ourselves of that fact at the commencement of this speech.

As we are now half-way through the second ten year period — the decade from 1981 to 1990 — it has been appropriate to undertake a mid-term review and, in particular, to examine whether the important remodelling of the machinery of preferential limits undertaken in 1981 is realizing its objectives: in other words, whether it is achieving a better balance in the distribution of GSP benefits between beneficiary countries.

Our proposals are intended to do a number of different things. First of all, to translate into detailed draft

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legislation the general ideas published in the Commission's mid-term review document and to provide for the participation for the first time in an EEC-GSP scheme of Spain and Portugal, although only with effect from 1 March 1986.

The purpose of any review must be to ensure that the scheme continues to respond to evolving circumstances, both inside the Community and in our trade relations with the beneficiary countries themselves.

The Commission's own conclusions have been that the changes introduced into the scheme in 1981 — the individualization of preferential limits which enable simultaneous access to be guaranteed to each supplying country and a more sophisticated differentiation in the allocation of benefits to be applied, more closely tailored to the real needs and attainments of the individual developing countries — have resulted in an encouraging shift in the pattern of utilization. The distribution of GSP benefits is now less concentrated among a relatively small number of countries than in the scheme of any other major OECD donor.

The Commission believes, therefore, that in most circumstances it is still appropriate to continue to use the existing techniques of differentiation. However, it has also concluded that the Community must now consider how to respond to the emergence, as yet only on a small scale but likely to grow in the future, in a handful of the most advanced developing countries of suppliers of manufactured products which in any objective sense are so fully competitive that they no longer need the advantage provided by GSP to retain their position in the market but which, by clinging to the privileges of the GSP, might actually block the possibility of improvements for other less-advanced countries.

Mrs Heinrich, the rapporteur of the Committee on Development and Cooperation, says that judgment should be suspended on the Commission's proposal to meet this situation by introducing limited product-country exclusions. I believe that not merely is the proposal fully justified but that it ought to be seen as an inevitable progression in a logical and consistent policy.

If I may remind Members of Parliament, the Community has since 1975 applied a number of different techniques of differentiation in the allocation of benefits on sensitive products; but this application has been with a common philosophy: differentiation should be applied only to the particular products or sectors which are defined as sensitive. That is because of the concern felt by Community industry and the fact that that industry has to undergo painful structural adjustments which are aggravated by the pressure of imports, particularly from GSP beneficiary countries. This process of differentiation would also identify those especially competitive suppliers from whom preferential imports would be strictly controlled.

To identify situations where, for a particular product, an exporting country can no longer be regarded as needing GSP entry, the Commission has proposed criteria which we believe to be objective, fair and transparent: GSP withdrawal only in regard to products for which the supplying country (a) has already been previously identified as highly competitive and has therefore been made subject to the strict form of preferential control of an individual quota, or (b) has now demonstrated the attainment of full competitiveness within the EC industry, either by being responsible by itself for at least 20% of the EC's total imports from third countries or by its exports of the product exceeding the value of the quota more than ten times over the average of the two years 1982-1983. The application of these criteria would lead in 1986 to a grand total of no more than 26 product-country exclusions affecting four countries: Hong Kong with 12 products, South Korea with 10, Brazil and Singapore with two products each. The maximum value of GSP imports disqualified would have been 62 709 650 ECU in the EC's GSP scheme of this year. The total value of imports from the four countries of the 26 quota products in 1982 was 2.2 billion ECU, or 35 times the value of these quotas.

As examples, the quota for shoes from Brazil was 3.5 million ECU, while total imports were 59 million. The quota for radio and TV sets from Singapore was 2.5 million ECU, while total imports were 293 million ECU.

So far I have directed my remarks to the question as to whether the exports of the countries affected by the 26 product-country exclusions are likely to suffer from the stop. However, to put the Commission's proposals in their true perspective, it is necessary to appreciate fully that this is only one element in a total package which we believe, if adopted, would create a substantial overall improvement in the possibilities of preferential access to the EC market.

Far from having any protectionist motivation, the Commission itself has recalled that the Community has repeatedly pledged itself to improve access for developing countries' exports and, in particular, to improve the GSP.

The counterpart to this small number of product-country exclusions is a set of complementary measures which aim to go well beyond maintaining the value of the EC's offer in real terms and actually set out to rejuvenate the system. The Commission proposes to achieve this through a substantial liberalization of the scheme for other suppliers and on other products, combined with a wholesale reevaluation of preferential limits and the adoption of a new formula to ensure buoyancy and future growth. This would lead to the abolition of an unprecedented number of quotas as well as to outright transfers of products to the non-sensitive list and increases in the values of preferential limits going far beyond the often rather timid and

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over-cautious levels of increases adopted by the Council in recent years.

However, precisely because this exercise would involve replacing so many strict controls, either by flexible ceilings or completely open-ended systems, it is not possible to quantify in advance the likely value of these increased GSP imports. We are, however, confident that for nearly every product in question, potential suppliers able to take advantage of such openings already exist in other, not so advanced developing countries. They cannot get their chances unless we agree to clear the way fast by accepting these limited exclusions.

I would like to refer now very briefly to Amendment No 1 tabled by Mr Herman. With this additional information I hope that Parliament can now give its backing to the amendment to paragraph 7 put forward by Mr Herman and Mrs De Backer-van Ocken and give its unqualified support to the Commission's proposals to carry the Community's present policy of differentiation further with the introduction of limited product-country exclusions on the basis of criteria which are objective and transparent and which would be more than balanced by substantial liberalization and improvements for other suppliers and in other sectors.

There are a couple of other points that I would like to make in conclusion. While sharing the generous desire of Parliament to seek additional ways of helping least developed countries to raise their rates of economic growth, in particular by removing any obstacles to entry to the EEC market, I have to say that the Commission has difficulties in seeing what further measures could be introduced within the framework of GSP policy and its agreed objectives.

The Community has in fact led all other OECD donors in liberalizing access for this group of countries, which for several years now have been eligible for completely duty-free access for all manufactured and semi-manufactured industrial products, including textiles, and have been exempted from the reintroduction of duties under preferential limits.

In the agricultural sector, unlike other developing countries, least developed countries also receive duty-free entry, and the 1983 product coverage was virtually doubled to put them nearly on a par with the ACP states. The Commission's proposals for the 1986 GSP scheme would, in fact, complete that exercise, and it is not feasible to go further than this. Over the years since 1971 the GSP offer in the agricultural sector for developing countries other than the least developed has been transformed virtually out of recognition by the inclusion of many tropical fruits, herbs and spices, vegetable oils etc., although we have to remain careful not to denude the advantages given to ACP states of any value. The GSP now does also include some products covered by the common agricultural policy, notably tobacco, and the Commission is pro-

posing for 1986 to include certain citrus fruits. What is technically impossible, however, is to reconcile a mechanism which is fixed on an annual basis, such as a tariff reduction, with the kind of variable charges that are used to regulate the market for some of the most important basic commodities covered by the CAP, such as cereals, meat, dairy products and sugar. This is what the draft resolution appears to be calling for.

Like other GSP donors, the Community has watched with sympathy the renewed interest in moves to promote trade between developing countries and to set up a global system of trade preferences between them. While we hope that any system that eventually emerges is governed by rules that are fair and transparent, we have to recognize that these discussions and later negotiations are going to be conducted by the developing countries largely by themselves, perhaps under the auspices of UNCTAD, with ourselves on the sidelines. The same arguments that have led the Commission to reject introducing the concept of reciprocity into the GSP apply equally strongly to conditioning GSP eligibility or improvement on the most advanced developing countries opening their markets first of all to poorer developing countries.

With regard to the point raised on ILO standards. On the subject of conditioning GSP eligibility to the observance of certain minimum ILO standards, the Commission tried for six successive years, between 1979 and 1984, to persuade the Member States to examine ideas put forward in a communication inspired by Mr Cheysson himself in 1978. Each year this proposal was rejected out of hand. With no apparent prospect of a change of heart among Member States, the Commission has regretfully abandoned this concept.

Finally, on the issue of cumulation of origin, I would like to dispel some misunderstandings. The system of partial cumulation of origin for the benefit of the three regional groups Asia, ASEAN and the Andean group in the Central American common market has been applied by the Commission since 1975. However, following criticisms, in particular by ASEAN, that the system of partial cumulation did not go far enough, the Council, on the basis of proposals put forward by the Commission, has this week adopted a new regulation which not merely presents the rules much more clearly but will provide for full cumulation between the countries in these groupings of all originating products used at any stage in the manufacturing process.

Mr President, the length of my speech is in itself a demonstration of the many facets and complexities of the Commission's scheme. In spite of several attempts to simplify it, a considerable effort is required on the part of exporters and trade officials in developing countries to master its details. The draft resolution once again calls for the stepping up of information and training on the GSP to improve understanding and

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utilization of the scheme. I must remind you, however, that last year the very modest funding for GSP information was slashed by 41%, which left the Commission no choice but to cut back drastically on its actions. If the enhanced opportunities which the Commission believes would result from the adoption of its proposals are to be taken up, it is imperative that this budget line be restored to the 1984 level in real terms, as the Commission has proposed for the 1986 budget.

(Applause)

President. — The debate is closed.

The vote will be taken at the next voting time.

11. *Bee-keeping*

President. — The next item is the report (Doc. A2-91/85) by Mr Mertens, on behalf of the Committee on Agriculture, Fisheries and Food, on the promotion of bee-keeping in the Community.

Mr Mertens (PPE), rapporteur. — *(DE)* Mr President, ladies and gentlemen. If the European Parliament were to look for a suitable mascot as a symbol of its work, I would recommend choosing the bee. Why the bee? Firstly, the bee has the wonderful ability to construct and maintain its own state.

(Applause)

Secondly, the bee is world-famous as a hard-working insect, you all know the expression "busy as a bee". Thirdly, their work results in natural products that are not only tasty but also possess significant healing properties. I will come back to this later. Fourthly, the bee can, if necessary, sting and, fifthly, its remarkable linguistic skills allow it to make itself extremely well understood among its peers.

I mentioned a valuable natural product and I would like to give a few examples. When the children in my family had colds, our mother gave us hot milk and honey which soon got rid of the cold. Everyone knows how beneficial honey is to the nerves and for the energy balance of the body. Fewer are aware that beeswax is an efficient remedy for pollen-induced hay fever and probably only a handful know that honey is the best treatment if, during a beach holiday, they cut themselves on a shell. The sealing-wax sometimes produced by bees is particularly effective against immune deficiencies. Imagine the future prospects for this!

Finally, those women setting particular store by their appearance and wanting a young, firm skin should apply a beeswax face mask and o!, regardless of their

age, the skin will become attractive, sweetly-perfumed and taut.

All this is, however, perhaps not even the most vital contribution by bees which is, almost certainly, that their activities keep plants alive since approximately 80% of trees and plants are dependent on cross-pollination. This is one of the bee's roles in orchards and other crops as well as, and this needs stressing, in wild plants. It is precisely by this cross-pollination that it maintains an ecological balance or even permits ecological progress, aids the survival of the animal kingdom and provides birds, insects and butterflies with food by fertilizing wild plants. The importance of this explains the common practice of granting incentives to bee-keepers to operate in orcharding areas.

To give a few figures on the scale of bee-keeping in the European Community, we have approximately 360 000 bee-keepers, running some 4.7 million hives, producing approximately 50 000 tonnes of honey valued at around 200 million ECU. Impressive as that figure is, we are not self-sufficient in honey and can indeed cover no more than 30% of our needs. That's a great pity, particularly in view of the valuable product produced by our bees and also perhaps in view of the competition posed to our bee-keepers by imports from other countries with better climates such as Eastern Europe, South America, China or Australia.

It is particularly regrettable that recent years have seen a huge reduction in bee-keeping (it has declined by approximately a third) in spite of the useful activities of bees. Why has this occurred? The answer is that this small and industrious insect has very many natural enemies — not only an unfavourable climate but also diseases. In particular, I would mention the Varroa mite which reached here from the East in 1977 and has spread enormously, destroying numerous hives. There is insufficient time to discuss control measures but I would like to say that it is a very dangerous disease because normal and non-harmful pesticides are inadequate to control it. We also have no idea how we can deal with a second phenomenon, that of the killer bees. An additional problem, particularly in previous years, has been the number of bees killed by pesticides. Although one can definitely say that there has been a great improvement in this field, much still remains to be done.

For a number of years now, the Commission has provided gratifying amounts of aid for bee-keeping with grants, in ECU, for each hive and has supplied sugar for additional winter feed. These grants have, however, not fully satisfied even the Commission since the aid is too thinly spread and has not yielded the desired results. It has, therefore, decided to adopt a different approach to give more affective aid and to support bee-keepers in a fair way.

What has now happened, however, is that the Commission's initial calculations have shown that the

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budget must be increased by a factor of 25 if this is to be done properly. Such a change, though, cannot be brought about just like that. In this context, the Committee on Agriculture, Fisheries and Food has tried, in the form of the report now being discussed, to encourage the Commission to take action in a number of fields.

This aid will principally be directed to bee breeding, especially the breeding of queens. Farming folk say that the bull is half the herd but, as all bee-keepers know, the queen is proportionally much more important than that.

The Community should also be active in marketing and by providing information and training especially for young bee-keepers and pollination advisers who can then be involved in pest-control measures.

We urge the Commission to take prompt steps to put a precise proposal on this issue before the Council. I would like to turn now to two particular points mentioned in the amendments. Our suggestion that grants should be channelled through national organizations does not mean that we want to exclude a large number of regional organizations or individual bee-keepers. That is not the case and I would like to stress the point.

Some members, any my colleague Mr Stavrou will soon address this point, believe that it would be best simply to continue the existing aid schemes. I believe that this would be ineffective and that we should adapt as quickly as possible to the new trend.

Most of the motions can be ignored because they are included in our report. If the Committee on Agriculture, Fisheries and Food has found it possible to vote unanimously for this report, I can in fact only recommend that Parliament does the same.

(Applause)

Mrs Van Hemeldonck (S). — *(NL)* Mr President, our rapporteur and ladies and gentlemen, I very much want to thank Mr Mertens for his honeyed words which have a very feminist ring to them. If one thinks for a moment of Maeterlinck, the Belgian author, it is even a story with a political moral because Maeterlinck has shown how sensible it would be for human society to model itself on that of the bees.

Although he listed a long series of arguments in favour of bees, I believe that Mr Mertens nevertheless missed out one. In the area where I live, north of Antwerp in a heathland region, swarms of wild bees sometimes settle between the shutters and the window of a house, leaving behind a honeycomb ten centimetres thick — this being seen as a symbol of good luck for subsequent generations. I believe that as a symbol it is found as early as in the Odyssey and in the Bible: where bees thrive, people must also be happy.

Leaving that aside, however, I would like to make a couple of comments from the point of view of the consumer. I think that it is particularly important for consumers to be provided with a clear description of the honey product being sold. The quality of honey varies depending on where it is harvested and the time of year. There is no abstract criterion for honey quality but taste is definitely one of the major aspects. Spring honey, autumn honey and honey tasting of lime, rosemary, heather and thyme all vary greatly in composition, keeping qualities and smell. I consider it important that consumers know the exact source of the product and at what time of year it was harvested and that consumers would, therefore, benefit greatly from having this information.

The rapporteur has focused attention on the medical qualities of honey and how these may be used in natural healing. I believe that these qualities are, indeed, recognized here in Europe and this is what makes any kind of industrial production of honey unacceptable and has prompted my amendment calling for action against the bee 'industry' and against what one could almost call a 'battery-bee' system, such as one finds in the Eastern European countries, for example, where bees are fed with sugar. It is of course quite wrong to give the name 'honey' to a product of what is in effect a small-scale industry, simply placing a bowl of sugar in front of a hive so that it will be converted into honey. That could be better done in a factory. I urge the recognition and protection of bee-keeping, especially in some remote areas of Member States where completely natural methods are used to make outstanding products.

Mr Mühlen (PPE). — *(FR)* Mr President, whilst congratulating our colleague Meinolf Mertens on his excellent report, which broadly speaking has my approval, I would like to make a number of observations.

First of all, in common with many bee-keepers, I regret that the aid regulation expired in mid-1984 and that since then there has been a void. It is not yet known exactly how this will be filled, and the insecurity and lack of information about the future system thus continue to cause worry in the bee-keeping world.

Secondly, whilst regretting that the old sugar aid system cannot be retained on an improved basis, I am of the opinion that the new system, whatever its nature, must take into account the complexity of the structure of bee-keeping in different countries. And whatever the circumstances, it should not be limited to the introduction of structural aids from which only professional bee-keepers will profit, but it must also — or rather above all — encourage the activities of those who merely engage in bee-keeping as a hobby.

Thirdly, I would like to support the rapporteur and welcome the interest in a Commission project to

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promote training. In my country the government is of the opinion that it is necessary to lower the age structure of bee-keepers and is taking steps in the same direction. The Commission's support is of course essential.

Finally, you will appreciate that the bee-keepers in my country are worried about the spread of varroa disease. I have already submitted a written question to the Commission on this subject and very much hope that it will be able to provide me with information on the most recent results of its research in this area.

In conclusion, I would like to express my support for extending action on bee-keeping to the honey market and the promotion of quality honey. I would of course have little understanding for any thwarting, by the Commission, of activities to promote the Luxembourg national brand of honey, as happened in the case of butter.

These, Mr President, were the observations which I wanted to make.

Mrs Jepsen (ED). — (DA) Mr President, at this late hour, the debate is lent great significance by the humble bee and I would also like to weigh in with a few complimentary remarks.

I will not, as in the rapporteur's report, mourn the passing of the annual subsidy on each hive. This is an absolutely shining example of the consumer's willingness to pay even quite a high price provided the product is of good quality. I am therefore quite satisfied that we should channel the aid into the fields cited under consideration 4 of the report.

We can, of course, seek to increase bee populations in the long-term since we all recognize how indispensable bees are in maintaining the ecological balance. We are, however, in no doubt that the best aid we can offer bee-keepers is in the form of effective marketing. The quality standards of Community honey are so high that it will always find a market in preference to many imported products. We can secure an adequate market for our producers by giving the consumer adequate certainty that our products have not undergone any treatment that might reduce the healthgiving properties for which apicultural products are renowned.

I hope that Mr Mertens' mother, when she gave him honey as a child, was aware that honey cannot be heated to more than 49 degrees without losing its medicinal properties. It would appear that she did know about this. We can aid our producers by informing consumers that this is a quality product which, for example, has not been heated, as is done in some places because it improves the consistency of the honey and makes it less dense — though at the cost of a decrease in its medicinal powers.

That there is also a need for training in this specialized and quite complex profession, seems perfectly obvious. The report has our full support where it recommends the commitment of financial resources to research and development. We Danish conservatives believe that the obvious role for the Community is in sponsoring research in all fields and that money is far better used in this way than in the form of across-the-board subsidies.

I would like to close by regretting that so few colleagues were able to hear Mr Mertens' inspiring introduction tonight which formed a stimulating and sincere supplement to what was already a good report.

Mr Boutos (RDE). — (GR) Mr President, ladies and gentlemen, I should like to begin by congratulating Mr Mertens on his admirable report, with which he has demonstrated that in addition to the realism of his ideas he has poetic leanings, which help to further the matter we are discussing today.

All the previous speakers have described bees and honey in glowing terms. Their mouths dripped honey, as we would say in Greece. But I am afraid that we are taking a romantic approach to the problem, and this shows, as does the report by Mr Mertens, that we are not tackling it seriously enough. We all accept that nowadays bees and honey have also been adversely affected by the development of our technological civilization, by the use of plant protection products, and by the adulteration of the product through the excessive use of sugar, which means that honey is not produced entirely with natural substances. While Mr Mertens comes to the conclusion that the aid granted up to 1984 was insufficient to increase honey production, he has reservations about proposing to the Commission an amount which would adequately help bee-keepers and bees.

Mr President, ladies and gentlemen, I should like to say that among the welter of expenditure on our agriculture policy it should be possible to find a sum — a few tens of millions of ECU — to subsidize a product which is produced in the Community and is superior to all the corresponding imported kinds, whether they come from Eastern Europe or elsewhere. We have already admitted that the honey we produce covers barely 30% of our requirements, and yet we are hesitating to aid bee-keeping. I think we must overcome this hesitation, overcome our inhibitions and, as a Parliament, take an overall decision.

Therefore I do not at all share Mr Mertens' view that the matter is dealt with fully by his report and that it contains all possible proposals, and I would ask Mr Mertens to be favourable towards the amendment which I have tabled and according to which aid to bee-keeping should be several times more than that granted hitherto. This is a necessary measure.

Boutos

I should like to make one last comment, Mr President. Honey production naturally varies from place to place, and when we speak about honey, we must speak about pure honey which comes from the various plants and shrubs which grow naturally and without the use of other substances. However much the sugar industry is subsidized, what interests us is not aiding the sugar industries via bee-keeping, but helping bee-keepers to produce pure, high-quality honey.

Mr Marck (PPE). — *(NL)* As you see, Mr President, the EPP Group is very well represented this evening — not just because Mr Mertens is speaking, since he really needs no support, but because we attach a great deal of importance to everything concerned with honey and bee-keeping.

The bee-keepers of all European countries want to make a concerted attack on this dreadful disease which endangers, and threatens to destroy, the bee population. All possible action should be taken at a European level to combat varroic acarine disease and this will require financial resources beyond the scope of the bee-keepers themselves. Although purely amateur producers are a thing of the past, most bee-keeping is still on a small scale and usually provides only a second income.

Finance must be made available both to continue further scientific research and to meet part of the costs of combating varroic acarine disease. Scientific research will continue to be necessary if the disease is to be eradicated and further research is essential because the current control method is either not sufficiently effective or poses health dangers. Incidentally, as with many pesticides, the question arises of harmonization of European legislation and the various national regulations. Why are certain pesticides permitted in one Member State and forbidden in another?

More direct financial aid must be made available since without it bee-keeping will disappear in spite of the high quality of its products.

The bee-keepers in my own country demand a significant increase in aid to 3 ECU per hive. Unless this is done, they will have to abandon bee-keeping since treatment against the varroa mite has to be carried out in three consecutive years if it is to have any success. Aid for bee-keeping also benefits agriculture in general and the ecology; as Mr Mertens has so abundantly shown. The bee-keepers demand that the aid-allocation system also take into account their own representative organizational structures which may vary from one country to another. Incidentally, it is to the advantage of the consumer because European honey is of particular high quality. We hope that the Commissioner will not prove indifferent to the efforts of more than 360 000 European bee-keepers; if necessary, we can sweeten him up with a nice pot of honey.

Mr Hutton (ED). — Mr President, I have been stung into taking part in this debate this evening by the strong feelings which bee-keepers in the south of Scotland have expressed ever since the ending of the previous Commission scheme to help see bees through the dreary Scottish winter.

Although the Commission thought that the cost of that scheme outweighed its benefits, it was certainly popular with bee-keepers. In Scotland, as you will know, Mr President, we have a great many advantages, but sunny winters are not among them. A way of levelling the conditions which Scottish bee-keepers face in comparison with our more fortunate brethren in the sunnier southern countries of the Community must be fully justified in ensuring fair competition.

It is especially hard for Scottish bee-keepers not only to have to put up with cold, wet winters — and this year particularly, a long wet summer — but also to see bee-keepers in the Mediterranean area aided through the Integrated Mediterranean Programmes, as well as having the Good Lord's bountiful sunshine.

The Community only produces 30% of its own honey, and it must make sense to help small farmers in particular to obtain a diversified income from something the Community actually needs, instead of going half-way round the world to Australia, to China, to Mexico and even to Cuba of all places to get it. If we are serious about encouraging honey production, I believe that we also have to be serious about encouraging a code of conduct at a European level so that bee-keepers can be notified in advance of crop spraying, which can wipe out whole hives at a time.

Other Members have talked about the need to coordinate the work being done to eradicate the varroa mite at a European level. That must make sense, for it must be our aim to remove this scourge from European bee-keeping.

Mr President, I hope this report will sting the Commission into effective action. There are swarms of bee-keepers, not only in Scotland but throughout the Community, who can make use of assistance. Although the bees' methods of production have not changed with the onward rush of modern technology, may I suggest to Mr Mertens two other reasons why Parliament should approve of bees: they indulge in no restrictive practices and they are immune to trade union restraints.

Mr President, I hope that the support of this House will create a buzz of activity in the hives of the south of Scotland and all over Europe.

(Laughter and applause)

Mr Kuijpers (ARC). — *(NL)* Mr President, ladies and gentlemen, a late-night debate on such a subject

Kuijpers

may seem unimportant but bees are extremely important in Europe because, after all, there are more beekeepers than there are residents of the Grand-Duchy of Luxembourg.

A swarm of bees is, Mr Andriessen, an example of what Europe ought to be: orderly, sharing the same experiences and working together. On a personal level, though doubtless less so in your own case, I find it a bit irritating that a swarm of bees is led by a queen. On the other hand, I find the colour of bees and wasps particularly attractive and you can hardly grudge me this as a Fleming. Do not, however, forget that they can also sting!

In all seriousness now, Mr Andriessen, I would like to urge all Member States to make suitable areas available to bees, for example alongside motorways and railways. In Europe, there are so many hectares of uncultivated ground with all kinds of flowers to make bees feel at home. It would be a unique step for Europe to return to one of the oldest forms of land use, namely bee-keeping.

Finally, I would like to comment on the value of the product. During the war, we had to make do with an artificial sweetener. The Mertens report describes the various properties of honey and one can also think of certain desert peoples who can survive for generations on hot water, certain kinds of tea, and honey. Without wishing to attack the conventional sugar industries, I feel that honey, and the bee with all its sweetness and prickliness, nevertheless deserves our attention at this late hour.

Mr Stavrou (PPE). — (GR) Mr President, the imaginative way in which Mr Mertens has presented his report this evening is, in my view, worth far more than many other arguments which we have heard time and again in this House. Mr Mertens reminded Mrs Van Hemeldonck of the famous work by Maeterlinck, which gives a most accurate description of the life of bees. And I too am reminded of another famous work by a French priest, who at the end of the 18th Century described the powerful Catholic state of Syros in the Aegean and decided to call it *The Bees* in order to give an accurate picture of its excellent organization.

The report by Mr Mertens on the promotion of bee-keeping in the countries of the European Economic Community is the culmination, as you know, of a series of motions for resolutions which have gone before and the *desiderata* of which are reflected, in my view, clearly and accurately in the rapporteur's text.

The altogether meticulous presentation of the problems currently affecting bee-keeping in the Community, the statistical basis of the data provided, and the listing of the measures proposed for improving this production sector, do not leave much room for criticism. Mr Mertens has drawn up his report like

someone who is familiar with the problems of bee-keeping and who feels for the people whose livelihood it is. To the usefulness of bee-keeping, Mr President, and to the properties of the really precious — at least from the health point of view — product which honey is, perhaps we should add the large amounts of foreign currency which the Community can acquire by assisting the development of bee-keeping in its Member States.

Mr President, I haven't enough time to comment further on the report before us, but I should just like to dwell on one of its more important sections, which concerns the use of plant protection products. I wanted in fact to ask the Commissioner to take into account that the use of such substances does not have the same effects in all the countries and that in many cases their harmful influence is a function of the climatic conditions which prevail in each of them. I think that this fact could usefully be pointed out to the Council of Ministers so that when it is exercising its power to adopt the Commission's proposals it will take account of the special nature of each country as regards geographical and climatic conditions, and of course in such a way as to permit the use of different amounts of these plant protection products depending on the particular case.

In conclusion, Mr President, I should like to say that these measures really need to be adopted urgently since I think that we have dragged our feet unpardonably on this question.

Mr Andriessen, Vice-President of the Commission. — (NL) Mr President, in closing this debate I must regretfully conclude that the Community is not what the Old Testament would call 'a land of milk and honey'. We have too much milk and too little honey.

(Laughter)

I therefore believe that we will have to send out other scouts in search of a happy future for the Community beyond its borders.

What has impressed me in this debate is that bees have struck a certain poetic chord in this worthy Parliament. It does my heart good to see that in view of all the difficult debates on agricultural policy that we have had here and undoubtedly will have in the future. After all, it is an important issue. Amongst all the budgetary problems, butter mountains, wine lakes and meat mountains that we have, it is perhaps not so easy to convey the message that attention also has to be paid to that small and subtle presence that plays such a significant role in the achievement of quality etc. It has also struck me that one speaker said this evening that sugar was used in the past to bring bees through the winter and that bees, in the form of the high-quality product that they can supply, contribute to the sugar problem in the Community. That confronts one with the mutual links between individual problems.

Andriessen,

What can the Commission now do in response to this debate and to the excellent report tabled this evening by your worthy rapporteur? I do not want to devote too much time at the moment to this debate and will therefore make a couple of concrete comments on the Commission's current approach to the problem of maintaining the bee-keeping industry and what action can be taken by the Community with respect to bees.

One thing is certain, we are in agreement with those suggesting that it would be advisable to drop specific direct measures in favour of emphasizing general measures to benefit bee-keepers. The Commission adopted that view in 1968 and repeated it in a report to the Council in September 1984. On this issue, I think there are no major differences between us but some may perhaps exist on the issue of the form to be taken by these measures and here a distinction must be drawn between preventative and sales-promotion measures on the one hand and these intended to strengthen and improve production.

As far as the preventative measures are concerned, some members have spoken of varroic acarine disease and I am delighted to announce here that the Commission has recently given its approval for a continuation of research into this as part of the pluriannual programme to coordinate agricultural research. In addition to what I have already mentioned, this programme also includes research into problems associated with any residues resulting from the use of certain acaricides and the exchange at Community level of research results. The Green Paper, which nowadays must crop up in virtually every debate in this Parliament on agricultural issues, points out that phytopathological research must be stimulated. I must, however, make one point and that is that such action is only possible if the budget allocates additional resources to agricultural research.

The Council of Ministers will also have to take a decision on the draft directive on the marketing of phytopharmaceutical products. This directive will provide the framework for the later definition of adequate criteria to ensure the protection of bees.

As for the remaining issues, I believe that it must be possible to make better use than in the past of measures in the field of structural policy to improve production and marketing, including training and refresher courses for bee-keepers. Incidentally, the Council agreed with the Commission's viewpoint by adopting the Commission's report on bee-keeping in October 1984.

I believe that existing Community regulations and measures concerning the processing and marketing of agricultural products — the well-known Regulation 355/77 and others — do offer possibilities, not least of which is a systematic approach in the form of the integrated Mediterranean programmes. My staff will of

course keep in contact with the industrial sectors concerned to ensure optimal use of these options.

The Luxembourg member has spoken of the use of a trade name and, among other things, expressed the hope that we will not do with bees what we did with the trade mark 'Luxembourg butter'. Now here I think that there is a difference. The basis of the Commission's opposition to Luxembourg's action was that imported milk should not be used to make trademarked 'Luxembourg butter'. Since bee swarms, however, are completely indifferent to frontiers, it will not be possible to apply the same criteria to honey imported from areas outside Luxembourg. I therefore believe that the honorable Member from Luxembourg need have no fear that the Commission will prove difficult in this way.

Finally, I would like to comment on the amendments and particularly amendment number two which suggests replacing 'having regard to' by 'stung into action by'. I find that an exceptionally appropriate amendment to a motion concerned with bee-keeping! I can only hope that Parliament has not felt too stung this evening by my comments on the motion.

(Applause)

President. — The debate is closed.

The vote will be taken at the next voting time.

13. *Table olives*

President. — The next item is the report (Doc. A 2-90/85) by Mr Filinis, on behalf of the Committee on Agriculture, Fisheries and Food, on the creation of a common organization of the market in table olives and the establishment of a register of olive cultivation in Greece.

Mr Filinis (COM), rapporteur. — (GR) Mr President, after our late debate on bee-keeping we now come to the debate on olives, which may not be as sweet as honey but which have their own excellent qualities and their own material and ancient cultural value. Table olives are an agricultural product which employs a large number of farmers in the southernmost regions of the Community of twelve, by which I mean some hundreds of thousands. It should of course be pointed out that in those regions of Mediterranean countries where the single-crop cultivation of olives predominates, olives are the main source of income for a large number of producers. Furthermore, the development of table olive cultivation in recent years has replaced certain difficult crops in the Community such as tobacco and cereals. In addition, table olives are often grown in hill or mountain areas which cannot be used

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for other crops. If olive groves were to be grubbed up or destroyed, it would cause untold ecological damage and would increase unemployment in the towns. Table olives are a high-quality product from the point of view of nutrition, taste and health value. They are widely consumed in the countries where they are produced and are a delicacy in countries where consumer expenditure is high. More generally, olive growing in the Mediterranean region is, as Mr Battersby so aptly put it, as deeply rooted in the remote past as Mediterranean civilization itself. It is no coincidence that the olive branch has from the earliest times symbolized peace and hope and has been used to crown the victors in the peaceful competition of the Olympic Games.

The Community of ten produced about 100% of its own requirements for table olives, whereas in the Community of twelve this figure will be 140%, which will create problems in marketing the product and in safeguarding the incomes of growers. However, we should not be unduly worried since table olives are a dynamic Community export product which, subject to further improvement, safeguarding of special Community varieties, a Community policy, advertising and facilitating the commercial movement of finished products, will presumably help to increase the Community's share of the world olive market. It should be mentioned that the improvement of the quality of table olives will lead to increased sales of the finished products and will ease the burden on the Community budget for subsidies to olive oil production and olive storage.

Ladies and gentlemen, when table olives are covered by the provisions of the CAP, it will reduce the number of products from the southernmost regions of the Community which are not covered in this way. This will give the producers in these regions a feeling of justice and satisfaction that they are being treated in the same way as all their counterparts in the Community. We think ultimately that the Community should select a suitable system for a common organization of the market in order to safeguard producers' incomes, protect the product from competition from third countries, and ensure that the product is absorbed by the market, that procedures are simplified, that the Community market is fully supervised, and that a system of common market is introduced which results in minimum expenditure from the Community budget. The Commission therefore needs to draw up and present to the Council a proposal for a regulation on the setting up of a common organization of the market which will definitely take account of the conditions actually obtained in the Community of twelve and which will at the same time be achieved as quickly as possible so that the regulation is adopted within the binding deadlines provided for under the Treaty of Accession of Greece to the European Community. And I would urge Vice-President Andriessen to tell Parliament when the proposal will be submitted

to the Council so that there is enough time for a regulation on table olives to be laid down.

I should like to conclude, Mr President, with a few words on the drawing up of a register of olive production in Greece. This definitely needs to be done since Greece is, in practice, the only olive-producing country in the Community of twelve which does not yet have such a register. Furthermore, the procedure for submitting proposals so that a start can be made on drawing up the register must be carried out in such a way that it is also possible to draw up a land register in the regions concerned. In addition, sums have already been withheld for this purpose from Greek farmers, and it is essential that from the next financial year this money should be available to subsidize the drawing up of the register of olive cultivation.

Mr Romeos (S). — (GR) Mr President, I shall be brief both because Mr Filinis has already put forward the main points of the problem and because the question is well known, particularly to the Commissioner, Mr Andriessen. The report by Mr Filinis is simply an updating of a question for which the Community has an obligation under the Association Agreement with Greece.

Mr Filinis asked the Commissioner for a binding deadline for proceeding with the regulation. I too should like to repeat this request, and the Commissioner's answer will show us to what extent what we fear or believe is true, namely that there is a conscious and deliberate effort to delay the progress of a regulation which, as far as we know, has been ready for many months. For we must all accept that, in addition to the need for the organization of the market in table olives, the present situation is unfair and producers in the same regions are being unequally treated. Since there is a common organization of the market in olive oil, we see that the Common Market provides olive oil producers with all the necessary protection for their product and their incomes, but table olive producers in the same region do not have any protection at all, and this is because — at least on the surface — there seems to be a delay in publishing the relevant regulation.

I should like to ask just one question on the current negotiations with the International Olive Oil Council: does the Council consider that a new international agreement on olive oil should also cover table olives?

Mr Stavrou (PPE). — (GR) Mr President, at the risk of also being called a romantic, I should like to begin by reminding you of a remarkable engraver at the beginning of the last century, the well-known French engraver Alexandre Fragonard, who depicted an ancient Greek banqueting scene in which a magnificent bowl of table olives figures predominantly.

The report by Mr Filinis really is a praiseworthy effort to preserve a healthy, natural and high-quality prod-

Stavrou

uct, an effort which we should do all we can to support so that olives regain the position they deserve in today's European and world diet.

Among the mass of all kinds of adulterated products which flood the food market and are extremely dangerous for the human organism, as Mrs Van Rooy so graphically described to us only this morning, Mr Filinis reminds us in his text that table olives, both fresh and processed, keep their nutritional components intact and thereby broaden the range of healthy products which advanced societies would do well to consume, while at the same time they constitute a valuable addition to the list of products which are sent to Third World countries as food aid capable of saving people from starvation.

For such a product, Mr President, the incomes of growers are among the lowest we heard about this morning in the debate on the Maher report. I would point out in this respect that in most cases the cost of gathering the fruit is made prohibitive by the lack of even an elementary technical infrastructure.

In view of this fact, Mr President, I should like to add a few words about the second section of the Filinis report, which concerns the establishment of a register of olive cultivation. I am convinced that the introduction and operation of such a register will be the beginning of the improvement and modernization of this important branch of Mediterranean production in the Community. This will open the way to the application in this field of the very latest methods of biotechnology, which this production sector so greatly needs. In this way thousands of poor agricultural holdings would be able to be incorporated into Community production and concentrate on quality rather than quantity, which they are currently vainly trying to increase so as to achieve a decent income. These are holdings, Mr President, which for many years have been struggling with primitive methods to combat destructive diseases such as that caused by the olive fly and have been endeavouring with what methods they have to maintain high quality in this exquisite product.

Mr President, I am particularly glad this evening because the report by Mr Filinis brings to an end, at least as far as Parliament is concerned, a procedure which began a year ago with a motion for a resolution which I had the honour of tabling together with Mr Boutos and which was followed up by two other motions for resolutions by Mr Romeos on the same subject.

For this reason my group will vote for this report as it stands.

Mr Battersby (ED). — (GR) This evening I shall also be very brief. Mr Filinis stated that the roots of olive trees go as deep as the culture of Greece and the Mediterranean peoples, and this is a very important truth.

And I must tell you that the roots of Greek culture are deep in the heart of Europe.

(The speaker continued in English)

However, Mr President, my group welcomes the Filinis report in that it underlines the importance of olive cultivation, historical, contemporary and future, to our European civilization and to Community agriculture. It also emphasizes the rapidly growing importance of the Mediterranean region in our Community, especially in the context of enlargement.

The olive is also a vital component in the social fabric of the Mediterranean region. There are today 1.2 million olive producers in the Community. Soon, with the accession of Spain and Portugal, this will be in the region of 2 million, mainly small farmers living on poor land which can grow few, if any, alternative crops. It is therefore vital that we support our olive producers to the maximum possible and practical degree. If we do not and if olive cultivation collapses, then we will be faced with a disastrous increase in rural unemployment. However, in supporting the olive sector, which will cost the Community 1 billion ECU next year and, once Spain and Portugal are fully integrated, in the region of 1.5 billion ECU a year, we must have effective control over the use of Community taxpayers' money.

The rapporteur has rightly emphasized the urgent need for a register of olive producers in Greece. No system can work effectively without a verifiable register of producers and accurate production returns. Verifiable registers must be established in Greece, Italy, France, Spain and Portugal so that all Community producers are registered, so that production can be checked and so that aid can be directed to the producers in greatest need.

Weak legislation without controls, without accurate registers or without effective inspection, can only lead to fraud. Italy already withholds approximately 15% of olive oil support payments in anticipation of fraud or of suspected over-enthusiastic applications. Such measures would be unnecessary if we had effective controls.

I now turn to my amendments. The purpose of the amendments I have tabled is to emphasize the fact that when Spain and Portugal enter the Community in two months time, they must not be omitted from or discriminated against in legislation prepared before accession. Also the fact that they must be incorporated as equals in any future legislation on olives, be it table olives or olive oil. They must have the same rights and obligations, including the obligation to establish producer registers, as all other olive producers in the Community.

I think Mr Filinis may consider that these amendments are too restrictive and that 'black and green' should

Battersby

read 'black and other' olives. However, I hope he will support them in the spirit in which they are submitted.

Mr Boutos (RDE). — (GR) Mr President, ladies and gentlemen, I am pleased with the content of the Filinis report and should like to say that my group will give it its unreserved support, although just a very few comments are called for. I should also like to say how pleased I am that this report is the outcome of an initiative which I myself took together with Mr Stavrou a year ago and which has led to today's debate. In substance the report by Mr Filinis does nothing more than remind Parliament, and through Parliament the Commission, that there has been an excessive delay in meeting the commitment entered into by the Community to set up a market organization for table olives, a commitment which was given at the same time as the agreement on Greece's accession to the Community. Let us not forget that this commitment was part of an overall 'package' of arrangements in which the advantages and disadvantages of Greece's accession to the Community had been weighed up. Thus the failure to meet this commitment alters the terms on which Greece joined the European Community. I also think, Mr President, that if this special and specific commitment to Greek producers of table olives is met, it will also smooth the way for any future arrangements on olives as a result of the enlargement of the Community.

I should like to take this opportunity of expressing my surprise at what Mr Battersby has just said, namely that establishing a single market will cost the Community about a million ECU a year and that this amount will increase to one and a half million ECU when Spain and Portugal join. If, as he now informs me, he also meant the cost of protecting oil, I would say that he is talking about two separate things, since the funds in respect of oil are already being paid, and we are talking here not about olive oil but about edible oils, which are a completely different product and the protection of which will only amount to a fraction of what it will cost the Community to protect olive oil. I think Mr Battersby will agree with me on this. As other members have remarked, Mr President, we must not forget that we are talking about a high-quality product of undoubted nutritional and health value which is in deficit in our Community. If we calculate imports and exports of edible oils from the third countries with which the Community has special agreements, we see that at present we are importing rather large quantities of such oils from the countries of the southern Mediterranean.

Let us not forget either, Mr President, that as time goes by the consumption of top-quality edible oils continues to increase, and this mainly means, as we know, black olives rather than green.

Mr President, much has been said about producers' incomes and the possibilities of alternative productions

to replace olive cultivation. What I should like to point out is how important olives and olive trees are for the social and cultural development of many Mediterranean countries, and particularly Greece. Let us not forget that the olive tree withstands the ravages of time just like peace, which it symbolizes.

I should like to conclude by reminding you that the emblem of the goddess of wisdom, Athena, was the olive, which was worshipped in the ancient Athenian Republic, and that in the Athenian Republic of Solon and Pericles it was thought that anyone who destroyed olive trees incurred the wrath of the gods. So people took care to impose the supreme punishment in such cases. I would not wish my remark to be considered as a personal reference to Mr Andriessen, whom we expect to take suitable measures to protect olives. We are not threatening the Commissioner with punishment, but we shall present him with an olive wreath when his proposals achieve progress towards the introduction of a common market organization.

Mr Andriessen, Vice-President of the Commission. — (NL) Mr President, the themes of our discussions this evening, whether about bees or olives, are obviously ones with an enormously long history — one could almost say archaic concepts intertwined with our culture.

In Israel, I have seen olive trees reputed to date from the time of Christ and listening this evening to discussions on the olive problem, I have a feeling that it takes us right back in the culture and history of Europe and of Greece. Nevertheless, I must offer my apologies for the delay in issuing our report on the situation in the Community and particularly in Greece, as we promised to do at the time of the accession. That report has been delayed partly because the common market for table olives has been greatly affected by the accession to the Community of Spain and Portugal, quite apart from the fact that the officials concerned with this study have also had to spend time devising a great number of practical regulations and directives related to the accession.

What I can at any rate promise Parliament is that the report, which is mentioned in the relevant Treaty texts and associated documents, will very soon be submitted to Parliament. I have the feeling, Mr President, that the viewpoint of the speakers this evening, particularly the rapporteur whom I would like to congratulate on his description and analysis of the situation, may differ from that of the Commission. In the Commission's view, existing texts do not state with absolute certainty that the Community is obliged to establish a common organization of the market in table olives and to take the relevant additional measures. There is one definite obligation and that is to describe the situation as it is, to determine any relevant measures that are required and to submit these to the Council of Ministers for discussion so that any necessary decisions can be taken.

Andriessen

I am not saying that the Commission does not intend to produce such proposals but only that the Commission is not convinced that it is required to do so. In any case, if the Commission decides that such proposals must be made, it will do so within the framework of the report promised by the Commission at the time of Greece's accession.

So much, Mr President, for a common organization of the market, aid to producers etc. The Commission is studying the matter and I cannot therefore make substantive comments on these problems this evening.

I would like to make a second comment concerning the national register of olive producers. I agree with the comments this evening that such a register is urgently needed. Unfortunately, a problem has cropped up that makes it impossible for Greece to apply the methods foreseen in the directive for producing this register. In effect, the directive assumes that a land register already exists but at present this is true of only approximately 20% of Greece. The intention of the Greek government — with the approval of the Commission — is to undertake the simultaneous establishment of a register of olive producers and a national land register and that, of course, will incur additional costs, work and problems.

What we have done is the following. We have established links between the Commission, the Joint

Research Centre and the appropriate authorities in Greece in order to find a solution to the technical and financial problems associated with the issues I have just mentioned as well as to get started as soon as possible on the creation of the register of olive producers.

To sum up the situation, the Commission is doing all it can to combine, as is wished by the Greek government, the creation of a register of olive producers with the more extensive work of establishing a national land register.

In summing up, Mr President, I would like to say that the Commission goes along with a number of items in the report, that it will very soon submit to the Council the report which it, and the Community, undertook to produce and that it will include in this report its view of any regulations that will be needed after 1 January 1986 with respect to Community production of table olives.

President. — The debate is closed.

The vote will be taken at the next voting time.

*(The sitting was closed at 11.25 p.m.)*¹

¹ *Agenda for the next sitting: see Minutes.*

Sitting of Friday 25 October 1985

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IN THE CHAIR: MR ALBER

Commission Proposal

Vice-President

After adoption of Amendment No 9.

(The sitting was opened at 9 a.m.)¹

Mr Herman (PPE). — (FR) Before we vote on the motion for a resolution can we, under and pursuant to Rule 36, (1) ask the Commission what action it intends to take on our amendments?

1. *Votes*

Report (Doc. A 2-116/85) by Mrs van Rooy, on behalf of the Committee on External Economic Relations, on the proposal from the Commission to the Council (COM(84) 705 final — Doc. 2-1540/84) for a regulation laying down measures to discourage the release for free circulation of counterfeit goods.

President — That will clearly be a bit difficult since the Commissioner present is not the one responsible for this report. He has been briefed, but he is not competent on all aspects.

And

Commissioner can you say something in reply to this question?

Report (Doc. A 2-119/85) by Mr Turner, on behalf of the Committee on Legal Affairs and Citizens' Rights, on the proposal from the Commission to the Council (COM(84) 705 final — Doc. 2-1540/84) for a regulation laying down measures to discourage the release for free circulation of counterfeit goods.

Mr Andriessen, Vice-President of the Commission. — (NL) Mr President, with regard to Compromise Amendments Nos 10 and 15 the Commission cannot accept what is said in the last sentence of these amendments. I shall read it in English since I have the English text in front of me:

Where the goods are similar to goods to which the proprietor of a registered trade-mark has applied that trade-mark.

¹ *Approval of minutes — Membership of committees — Request for urgent debate — Petitions — Procedure without report: see Minutes.*

Mr Turner (ED). — Mr President, may I say that last night Commissioner Cockfield accepted all the

Turner

amendments of the two committees except the amendment which deleted paragraph 5(2) of the regulation, that is Amendment No 8. He rejected the amendments of the other committees.

President — That would be a request under Rule 36(2).

Mr Herman (PPE). — (*FR*) None the less, it is necessary to clarify this. If a Commissioner informed us yesterday evening that he accepted this amendment and rejected another amendment and this morning another Commissioner tells us that he accepts an amendment which is not the same as the amendment accepted yesterday, we need to know who is speaking on behalf of the Commission.

Mr Andriessen. — (*NL*) Mr President, the Commission always speaks with one voice even when there are different speakers. I can therefore state that, according to my information — I was not here myself — my colleague, Lord Cockfield, stated yesterday evening that he accepted the thrust of the amendment but not the actual wording. I have expressed reservations regarding the sentence which I have just read out and I am not going back on them.

*Motion for a resolution**Explanations of vote*

Mrs Squarzialupi (COM). — (*IT*) Mr President, I adopt this motion for a resolution which takes a stand on real problems which have serious implications for the economy and trade.

I am sorry that the Committee on the Environment, Public Health and Consumer Protection was only given the opportunity at the last minute to table amendments on a problem about which we ourselves had some reservations, relating to very important topics which deserved to be discussed in greater detail.

The fact that trade in counterfeit goods affects the weakest sections of the consumer population and certainly those who are least informed should have been enough to convince us that the problem should have been tackled together with the consumers themselves to ensure that Community decisions would be more successful in their scope and application.

(*Parliament adopted the resolution*).²

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¹ As the working of the motions for resolutions was the same a single vote was taken on both.

² The rapporteur spoke:
— IN FAVOUR OF Amendments Nos 1, 3 to 11 and 15;
— AGAINST Amendments Nos 12 to 14.

Report (Doc. A 2-115/85) by Mrs van Rooy on behalf of the Committee on External Economic Relations on international trade in counterfeit goods: *adopted*¹

Report (Doc. A 2-114/85) by Mr Tzounis on behalf of the Committee on External Economic Relations on economic and trade relations between the EEC and Albania.

Explanations of vote

Mr Ephremidis (COM). — (*GR*) Mr President, we the representatives of the Communist Party of Greece wish to state our position on various matters as dictated by certain principles and by our fundamental view regarding our country's membership of the Community. It is well known that we are opposed to membership and would like our country to withdraw.

Despite this position, however, we have no desire for our country to cease developing its relations with the Community as a whole, or with each of the individual Member States: indeed, quite the contrary is true. On the basis of this same position, then, we support EEC initiatives in favour of developing relations with third countries, in this case Albania.

Consequently, we agree with the resolution insofar as it aims to develop relations with Albania. We do, however, have certain reservations, principally concerning paragraphs 6 and 7 of the resolution.

The minorities problem is raised in paragraph 6 in such a way as to suggest that its solution is a prerequisite for the initiation and development of relations, the outcome being that this report makes the goal of improved relations more difficult to achieve. Again, we are concerned at the reference to the Greek minority in that country, as we believe the introduction of a subject over which this Parliament has no competence to be inappropriate. This is a problem which should be settled by the parties concerned, through constant and intensified contact between them. If our quite genuine interest in this minority is presented as some sort of precondition, we fear that the desired development of relations may become more difficult to realize. We want life to be easier for the Greek minority there, but paragraph 6 stands in the way of this.

Our second reservation concerns the second-last paragraph, paragraph 7, which once again makes an assumption concerning a border incident in which two people were killed. The rapporteur fails to explain these two killings on a certain border in the explanatory statement of the report. Mr President, it is general knowledge that borders exist even between Com-

¹ The rapporteur spoke:
— AGAINST Amendment No 1.

Ephremidis

munity countries and that such incidents sometimes occur on these borders. These incidents have never been used as excuses, pretexts, or conditions governing the existence or development of relations. They do not constitute an insurmountable problem. However, the wording of paragraph 7 appears to attach conditions to, and to obstruct the basic objective of the resolution, which is the development of relations. This is why I say that we have doubts concerning paragraphs 6 and 7.

Consequently, for these two reasons, we shall neither vote for, nor against, the report. We, the representatives of the Communist Party of Greece, share the following specific concern: since our amendments have been rejected, paragraphs 6 and 7 do not further the aims of the resolution, but rather contradict and obstruct the initiative for the establishment and development of relations with Albania, on a basis of equality and mutual benefit.

Mr Rossetti (COM). — *(IT)* Mr President, I should like to have it entered in the minutes that the Communist and allies Group support the Tzounis report. I should like also to point out that Mr Ephremidis is expressing only the position of the Greek members of the Communist and allies Group.

President. — Thank you for your comment, it will be noted in the minutes.

Mr Filinis (COM). — *(GR)*, *(in writing)*. We shall vote in favour of the report by Mr Tzounis on economic and trade relations between the EEC and Albania. However, I must express my regret and our consequent reservations over the fact that certain amendments, which would further the particular and positive aim of the report, were not adopted. In fact, the draft motion contains opinions of a political nature (e.g. recital D of the preamble) which are quite inappropriate, and phrases which appear to set conditions, all of which could be interpreted as showing a lack of real desire to restore EEC/Albanian relations.

(Parliament adopted the resolution)¹

Report (Doc. A 2-92/85) by Mrs Daly, on behalf of the Committee on Development and Cooperation, on the importance of the delegations of the Commission in the ACP countries and the Maghreb and Mashreq countries and the status of the overseas staff of the EAC.: adopted²

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¹ The rapporteur spoke:
— AGAINST Amendments Nos 1, 3/rev, 4/rev, 6/rev and 7/rev.

² The rapporteur spoke:
— AGAINST Amendment No 1.

Report (Doc. A 2-125/85) by Mrs Heinrich on behalf of the Committee on Development and Cooperation on the proposals from the Commission to the Council on

- I. the communication on the review of the European Community's Generalized Tariff Preferences Scheme (COM(85) 203 final — Doc. C 2-41/85)
- II. fixing the Community's Generalized Tariff Preferences Scheme for 1986 (COM(85) 425 final — Doc. C 2-85/85): *adopted¹*

Report (Doc. A 2-91/85) by Mr Mertens on behalf of the Committee on Agriculture, Fisheries and Food, on the promotion of bee-keeping in the European Community.

Explanations of vote

Mr Adamou (COM). — *(GR)*. Mr President, we consider Mr Mertens' report and motion for a resolution on behalf of the Committee on Agriculture, on the promotion of bee-keeping in the Community, to be generally positive. We do, however, wish to make a number of observations and proposals, in the light of the suggestions made by Greek bee-keepers.

We feel it to be essential that the implementation of Regulation 1196/81 should be extended for at least another 5 years. At the same time, aid should be increased to 3 ECU per hive in production, the aim being to set up and activate development programmes by bee-keepers' cooperatives. A further 5 ECU per hive in production should be made available to cover transport costs for nomadic bee-keepers. With respect to this question, we have submitted an amendment to the draft 1986 Community budget, suggesting the allocation of 5 million ECU under Article 184 for bee-keeping. As regards the use of pesticides, we believe that the particular features of each country, soil and climatic conditions, importance of crops, etc. should be taken into account when considering the approval and circulation of suitable pesticides which do not pose any health risks, so that they not only enhance the conditions in which bee-keeping can flourish, but also protect the environment.

Mr Romeos (S). — *(GR)*. Mr President, this report is certainly positive, and indeed we shall vote in favour of it. However, I regret the fact that the rapporteur has omitted two of the basic points contained in the motion which I proposed and on which the report is based, and that two amendments drawn up today by my colleague, Mr Adamou, and by Mrs Lizin were not adopted. I also regret that although the report accurately identifies and describes the problems facing bee-

¹ Mr Verbeek, the deputizing rapporteur, spoke:
— IN FAVOUR OF Amendment No 1.

Romeos

keeping, in the final analysis it fails to put forward any clear measures, such as extending the implementation of the existing regulation or increasing aid, measures which many colleagues have proposed.

Frankly, I am also sorry that this Parliament has shown what I can only describe as very limited sympathy for a small but important group of producers, by today refusing to adopt these proposals — which involve such a small amount — while we have so frequently approved millions of ECU for other products, here in this same Assembly. The other reservation, which has been expressed just now by Mr Adamou, and by other speakers yesterday, concerns paragraph 10 on pesticides. It should be our aim, especially where honey is concerned, to avoid the use of pesticides as far as possible. I cannot therefore understand why a single decision on the use of pesticides should be imposed throughout the Community. I feel some discrimination should exist in this area.

Mr Filinis (COM). — *(GR, (in writing))*. While voting for the report by my colleague, Mr Mertens, I should like to stress the need for bee-keeping in the Community to be protected, particularly in my country where it is faced with a real danger of total collapse. Disease, fire and drought have brought about such losses to producers that to continue this activity is becoming ever more difficult and uneconomic. The disappearance of wooded and pasture land means that constant movement of swarms from one area to another, involving distances of more than 500 km from the producer's place of residence, is essential. The statistics reveal the gravity of the situation: it seems that the production of honey in Greece has fallen in the last five years from 13 000 to 12 000 tonnes, or in percentage terms, by approximately 8%.

However, looking beyond the particular problems of Greek producers, the bee-keeping sector in general has recently been facing illegal competition from subsidies and qualitatively low-grade honeys imported from third countries, and an incomprehensible lapse on the part of the competent authorities.

The relevant Community legislation is not being enforced, and certain support measures are being dropped just at the very moment when they are most needed. We appeal to the Commission to display the commitment that is required to prevent the bee disappearing altogether from the nations of the Community. We seek the reactivation of the system of support for hives, an increase in aid from 1 ECU to 3 ECU per hive, and an annual aid allocation of 5 ECU per hive to cover the costs of relocating swarms.

We also seek stricter enforcement of the relevant Community directive so that consumers may be more aware of the type and quality of the honey they are

buying, and to protect Community production from imports of low-grade and non-standardized honey.

(Parliament adopted the resolution)¹

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Report (Doc. A 2-90/85) by Mr Filinis on behalf of the Committee on Agriculture, Fisheries and Food on the creation of a common organization of the market in table olives and the establishment of a register of olive cultivation in Greece.

Explanation of vote

Mr Adamou (COM). — *(GR, (in writing))*. The table olive is an important agricultural product for Greece. It accounts for 5% of total agricultural production, and 200 thousand families are involved in olive production, putting in 7 million working days a year between cultivation and harvesting.

Greece produces an average of approximately 70 thousand tonnes of table olives a year, representing 12% of world production, which amounts to 600 thousand tonnes. While the quality is excellent — Greek table olives are considered to be the best naturally blackened olives in the world — problems exist concerning protection and the disposal of produce.

To be more specific, at a time when the Community is suffering from a shortage of table olives amounting to 80 thousand tonnes, it has only been importing 10 700 tonnes a year from Greece over the last five years. This is only 13.5%, with the balance being made up from third countries. It is almost certain that the situation regarding Greek table olives will deteriorate markedly as from 1. 1. 1986, when Spain and Portugal join the Community, since Spain produces 160 thousand tonnes of table olives, and Portugal a further 30 thousand tonnes.

In view of this situation, the representatives of the cooperative and trade union organizations, meeting together in joint consultation, at the initiative of YESASE, the Greek farmers' union coordinating body, have expressed their fears and doubts about the future of the table olive in the common market. These fears have been justified by the fate of other Greek agricultural products, 1 700 000 tonnes of which have so far been buried in the ground. We share those fears. And we are looking for measures to be taken (guaranteed prices, protected incomes, export development, protection for cooperative organizations and prod-

¹ The rapporteur spoke:
— IN FAVOUR OF Amendment No 5.
— AGAINST Amendments Nos 1 to 4 and 7 to 10.

Adamou

ucers' groups) which will aid processing and marketing.

However, we agree with the proposal for the establishment of a register of olive production in Greece, much more than the 7.5 million drachmas the Community has put aside for this purpose from the olive oil subsidies.

(Parliament adopted the resolution)¹

2. Borrowings for the purpose of promoting investment

President. — The next item is the report (Doc. A 2-123/85) by Mr Chiusano, on behalf of the Committee on Economic and Monetary Affairs and Industrial Policy, on

the proposal from the Commission to the Council (COM(85) 250 final — Doc. C 2-53/85) for a Council decision empowering the Commission to borrow under the New Community Instrument for the purpose of promoting investment within the Community.

Mr Chiusano (PPE), rapporteur. — *(IT)* Mr President, Parliament has been asked for its opinion on the Commission's request to the Council for authorization to contract loans of 1 500 million ECU to cover the resources required by the NCI which have now run out. The Committee on Economic and Monetary Affairs, supported by the favourable opinion of the Committee on Budgets, is responding positively to this request. It seems appropriate to stress that the Commission's initiative contains three completely new elements on which Parliament should reflect and give a favourable opinion.

First, new allocations in NCI4 are destined for SMUs, which include not only industrial undertakings but also tertiary sector undertakings.

Second, a particularly innovative step is the admission by the Commission that, along with tangible assets, which had hitherto been the only point of reference for the guarantee of loans, other elements for guaranteeing loans may be taken into account, such as intangible assets, intellectual assets, patents, know-how, licences, current research, projects. This seems to me to bring the Commission's operative methods in its support and financing of SMUs into line with practices in the most advanced industrialized countries.

Third, the national financial intermediaries, through whom the Commission operates, may now transform loans provided by NCI4 into shares in the capital of willing and needy SMUs. In the light of these three

positive elements I believe that the European Parliament is in a position to respond favourably to the Commission's request.

In its document, Parliament nevertheless stressed two points: first, as Parliament has always suggested, it will be necessary to ensure finally that the Commission's financial operations are provided for officially in the Community budget. Second, the Commission will have to provide Parliament with better means of checking that the new criteria laid down by these proposals for the granting of loans are in fact being applied by the national intermediaries to which they are entrusted, and that the actual granting of loans to the undertakings is being carried out accordingly.

I do not think I have anything to add to these remarks but simply to recommend that Parliament should vote in favour of the Commission's request.

Mr Bonaccini (COM), draftsman of an opinion of the Committee on Energy, Research and Technology. — *(IT)* Mr President, ladies and gentlemen, in line with the Committee on Budgets, the Committee on Energy, Research and Technology also expressed a favourable opinion, orally however, because lack of time prevented a report from being drawn up.

I should like to make a few remarks on one point only. First, our Committee believes that this type of financing operation should be made permanent. Providing for this operation through instalments, as was done this time, means neglecting a requirement which was made clear recently during the seminar on new technology. Research is not something which can be verified periodically. It is a permanent obligation of which the final aim should be the practical application of research in industry.

There is another consideration which Mr Chiusano stressed just now, that of capital, operations to participate in risk capital.

To state the matter clearly, these are very specialized operations in regard to which the Commission foresees a research need which cannot simply be made available in the form of deferrals of interest payments or in other forms which usually figure in the Community loans policy.

I am delighted by the presence of Commissioner Andriessen because it is time we realized that, in certain areas, our participation in risk capital is an operation without security. This seems to me to be the case in other countries, at least, which are often taken as examples of research incentive. It would be interesting to hear the Commissioner's reply. I should be especially interested to know, in this respect, how subsequent regulations will be conceived and applied. Otherwise, this vote and favourable opinion which I am expressing on behalf of the Committee on Energy

¹ The rapporteur spoke:
— IN FAVOUR OF Amendments Nos 1 to 3, 5 and 7.
— AGAINST Amendments Nos 6, 8 to 10.

Bonaccini

and my political group, I repeat, would be significantly altered by elements which reduce the scope and efficiency and, therefore, the permanent nature of these operations.

Mr Metten (S). — *(NL)* Mr President, my group is in favour of the new Community instrument designed to encourage investment within the Community, for several reasons: not only does it encourage industry but also job opportunities; this instrument had hitherto been of greatest benefit to the SMUs, and NCI4 is catering for them exclusively; the great interest which the SMUs have in this Community instrument clearly illustrates the insufficiency of national instruments destined for SMUs, and consequently, the useful and complementary role played by the Community.

We welcome the support especially for firms investing in new technology — and certainly against the background of the important technology debate which took place this month — and also the present method of financing expenditure on R and D. This is important because up till now the use of research methods by the SMUs weakened the European research infrastructure. This is why the new possibility afforded to banks to use loans provided at national level for participation in risk capital is a positive step. A sort of risk capital was in fact created which did not involve risk.

Life is really not yet a bed of roses for the New Community Instrument. The scope of NCI4 is far too narrow and it will soon be exhausted. The NCI4 loans, although they are guaranteed by the Community budget, still do not figure in the budget itself, and this has negative consequences for the budgetary power of this Parliament. Furthermore, Parliament has insufficient means of checking whether the banks, acting as intermediaries, are really acting in accordance with Community criteria. Although there was a favourable reaction to the NCI, my group is not very happy about its scope nor about the possibility of Parliament's influence and control. However, we have decided to adopt Mr Chiusano's excellent report because it takes these aspects into account.

Mr P. Beazley (ED). — Mr President, my group supports the Commission's proposals for NCI4 subject to the very important additional proposals expressed in the rapporteur's resolution and the opinions of the Committee on Budgets and the Committee on Energy, Research and Technology. We should like an assurance that the Commission will take these additional proposals into account in application of NCI4.

Mr Andriessen, Vice-President of the Commission. — *(NL)* Mr President, the Commission is naturally especially pleased about the general approval given to the report, both in the first-rate analysis by the rapporteur and the speeches we have just heard. I can confine

myself to a single remark on the resolution and the necessary operation.

First, the Commission still believes that the NCI is one of the most important instruments at our disposal in the Community to achieve the development we wish to obtain.

Second, the concentration of NCI4 on SMUs clearly illustrates how much importance the Commission attaches, in running the Community, to this important sector which is crucial to job creation. We are pleased that the Parliament agrees with this.

Third, the Commission, as the rapporteur has so clearly explained, wanted visibly to extend the application of NCI4 so as to further increase its efficiency. The Commission is pleased to note that it is now possible to include research and energy projects in its financial operations.

With reference to the question asked by Mr Bonaccini, I must add here and now that NCI4 always refers to loans and not to specific subsidies. Thus, the loans cannot be considered as unsecured and they must be settled or reimbursed under the conditions laid down.

This debate has clearly shown that the scope of NCI4 is not large enough. I think that with the amount provided for we can reasonably honour the applications which we might expect.

You are aware that this New Community Instrument did not get off to an easy start. Since its implementation we have made available 4 million ECU. We think that even in a Community of Twelve, taking into account the integrated Mediterranean package, this amount should be sufficient to meet the requirements.

I support Parliament's insistence on the provision, in one way or another, of the necessary budgetary amounts. Although Parliament and the Commission agree on this matter, it has not yet been possible to convince the Council that this position is justified. But the Commission supports the opinion expressed on this matter both in the report and in the speeches we have heard.

As far as controls on banks are concerned and the ways in which the instrument was put into effect, I should like to say the following. I should like to declare on behalf of the Commission that more precise and systematic information about the individual loans which were extended by financial agents should be supplied to different undertakings in order to bring about the extension of Parliament's controlling powers which has rightly been requested.

Mr President, I think I have answered the most important items on the agenda. I should like to conclude by thanking the Parliament's rapporteur for his enlightened and positive position on the advancement of

Andriessen

NCI4. It is my earnest hope that the continued operation of this instrument at a time when we are looking to the SMUs to make an important contribution to economic development will help the further extension of the Community and its economic development.

President. — The debate is closed.

(Parliament adopted the resolution)

3. Adjournment of the session

President. — I declare adjourned the session of the European Parliament.

(The sitting was closed at 9.55 a.m.)¹

¹ *Membership of Parliament — Texts of Treaties forwarded by the Council — Written declarations (Rule 49) — Forwarding of resolutions adopted during the sitting — Dates for next part-session: see Minutes.*

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