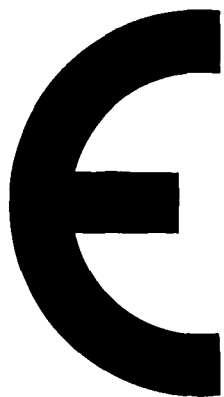


Bulletin

OF THE EUROPEAN
COMMUNITIES

Commission



No 5 1984

Volume 17

The Bulletin of the European Communities reports on the activities of the Commission and the other Community institutions. It is edited by the Secretariat-General of the Commission (rue de la Loi 200, B-1049 Brussels) and published eleven times a year (one issue covers July and August) in the official Community languages Spanish and Portuguese.

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The following reference system is used: the first digit indicates the part number, the second digit the chapter number and the subsequent digit or digits the point number. Citations should therefore read as follows: Bull. EC 1-1979, point 1.1.3 or 2.2.36.

Supplements to the Bulletin are published in a separate series at irregular intervals. They contain official Commission material (e.g. communications to the Council, programmes, reports and proposals). The Supplements do not appear in Spanish and Portuguese.



Bulletin

OF THE EUROPEAN COMMUNITIES

ECSC — EEC — EAEC
Commission of the European Communities
Secretariat-General
Brussels

Sent to press in July 1984

No 5
1984
Volume 17

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1/84 Unfair terms in contracts concluded with consumers

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PART ONE

SPECIAL FEATURES

Standardized abbreviations for the designation of certain monetary units in the different languages of the Community:

ECU = European currency unit

BFR = Belgische frank / Franc belge

DKR = Dansk krone

DM = Deutsche Mark

DR = Greek drachma

FF = Franc français

HFL = Nederlandse gulden (Hollandse florijn)

IRL = Irish pound / punt

LFR = Franc luxembourgeois

LIT = Lira italiana

UKL = Pound sterling

USD = United States dollar

1. Commission presents preliminary draft budget for 1985

1.1.1. On 23 May the Commission adopted, for transmittal to the Council and Parliament, the preliminary draft general budget of the Communities for 1985.

While taking due account of the overall constraints on public expenditure in the Community and the requirements of sound budget discipline, the Commission is seeking to maintain the momentum and broaden the scope of Community policies. It is making provision in the 1985 budget for a total of 30 228.2 million ECU in appropriations for commitments and 28 103.5 million ECU in appropriations for payments, 19 315 million of which will be required for the EAGGF Guarantee Section.

In order to maintain all the existing structural and sectoral measures at the same level in real terms, the Commission is proposing increases in non-compulsory expenditure of 12.75% in commitment and payment appropriations. Total expenditure proposed by the Commission corresponds to a VAT rate of 1.12%.

Mr Christopher Tugendhat, Commission Vice-President with special responsibility for the budget, presented the preliminary draft in Parliament on 23 May. It will be formally laid before the budgetary authority (Council and Parliament) on 15 June and given its first reading by the Council on 19 July.

As is the custom, the Commission defined its approach in a general political introduction which is published below. In addition, at point 2.3.1, a number of tables are given showing all proposed expenditure and revenue for 1985.

General political introduction

1.1.2. In the general political introduction to its preliminary draft budget for 1984, the Commission said that '1984 seems likely to be the last year for which it will be possible for the Commission to propose a valid and credible budget within the

confines of the existing resources ceiling.¹ The Commission therefore stressed the urgency of the early adoption of the proposals on the future financing of the Community which it had presented on 6 May 1983.²

In the event, the decisions which the Council eventually took in response to the Commission's suggestions for the reform of the common agricultural policy and the changes which were made to the Commission's initial proposals for the 1984/85 prices decision have meant that even in 1984 the financing of the Community's agreed policies will require additional resources.³ The Commission, in its communication of 17 April 1984, proposed that these resources be made available in the form of a loan to the Community from the Member States.⁴

As regards 1985, the Commission is presenting its preliminary draft general budget on the assumption that own resources in excess of the current ceiling will be made available to the Community in the course of the year. In drawing up its expenditure proposals, the Commission has not felt constrained by the specific limitation of the 1% VAT ceiling. The Commission has, however, sought to ensure that the budget reflects a proper balance between what is desirable in terms of the development of policies at the Community level and what is attainable in terms of the overall constraints of public expenditure in the Community and the requirements of sound budget discipline.

In establishing its preliminary draft budget for 1985, the Commission has sought to respect, both as regards agricultural and non-agricultural expenditure, the guidelines on budgetary discipline which it set out in its communication of 5 March 1984,⁵ without prejudice to the positions which either Parliament or the Council may adopt in this field.

The Commission has also had in mind the general objectives affirmed in Parliament's resolution of 13 April 1984⁶ on guidelines for the budgetary policy of the Communities for 1985. The Commission broadly shares Parliament's view of the priority needs facing the Community and has sought to reflect these priorities in its own choice of budgetary options.

¹ Bull. EC 5-1983, points 1.2.3 and 2.3.1.

² Bull. EC 5-1983, point 1.1.1 *et seq.*

³ Bull. EC 3-1984, points 1.2.1 and 1.2.8.

⁴ Bull. EC 4-1984, point 1.1.1 *et seq.*

⁵ Bull. EC 2-1984, point 1.2.1 *et seq.*

⁶ OJ C 127, 14.5.1984; Bull. EC 4-1984, point 2.4.9.

There are, however, certain limits on the freedom of action open to the Commission, or indeed to the budget authority itself, in respect of the 1985 budget. As regards obligatory expenditure, and in particular EAGGF guarantee expenditure, the Commission has to propose credits which will enable the Community's commitments, both internal and external, to be honoured. These commitments, which govern the shape of around two thirds of the whole budget, give rise to certain inescapable expenditure demands during the course of the year for which proper budgetary provision has to be made. In the field of non-compulsory expenditure, the recourse which the Community has had for some years past to the technique of dissociated credits in many areas means that a significant volume of payments is required simply in order to finance the commitments which have been contracted in previous years' budgetary exercises. In 1985 the Commission estimates that some 3 200 million ECU of payment appropriations will be required simply in order to meet commitments of this kind already entered into.

Against this background, the Commission presents the following expenditure proposals.

EAGGF guarantee

1.1.3. For EAGGF guarantee, the Commission's proposal is based on the best technical estimate currently available for expenditure requirements in 1985 on the basis of the existing regulations in the agricultural field and without assuming any adjustment of these regulations, e.g. in the context of the 1985 price decisions. This estimate amounts to 18 965 million ECU. In addition, the Commission considers that a special Community programme for destocking is necessary in view of the exceptionally high present and prospective levels of stocks of certain products, notably butter, skimmed-milk powder and beef. 350 million ECU is proposed for this programme. Total EAGGF guarantee expenditure proposed by the Commission thus amounts to 19 315 million ECU, as compared to 16 500 million ECU in the 1984 budget and likely expenditure requirements of 18 631 million ECU for 1984 according to the latest estimates. The increase of 3.7% of 1985 credits against 1984 expenditure requirements is relatively modest. But this must be seen against the background of very substantial increases in agricultural expenditure in 1983 and 1984. The aim, outlined in the Commission's communication on budget discipline, that the rate of growth of EAGGF guarantee expenditure should, expressed as a rolling three years' average, be lower than that of the growth of the own resources base cannot yet be fulfilled in rela-

tion to past years. But the increase proposed for 1985 in relation to 1984 would be consistent with such a guideline in the future.

Non-compulsory expenditure

1.1.4. For non-compulsory expenditure, the Commission has borne in mind that the maximum rate established under Article 203(9) of the Treaty is 8.5%.¹ The application of this maximum rate to the base of non-compulsory expenditure of 1984 (excluding expenditure on special measures in favour of the United Kingdom and Germany) would result in a total amount of 6 103 million ECU, of which about half would be needed for commitments which the Community will already have entered into before 1 January 1985 and which will have to be honoured in that year.

This important weight of commitments already entered into in the past together with a limitation of payment credits to no more than the maximum rate would, on the assumption of a normal relationship between payments and commitments, leave room for only a very limited allocation of new commitment credits in 1985. The Commission does not believe that it would be right in this way to amputate the Community's existing policies or to abort its new ones. In order to maintain a reasonable rhythm of development of its existing policies and to allow scope for the development of certain new actions and initiatives, a rate of increase somewhat in excess of the maximum rate is, in the particular circumstances of 1985, justified.

The Commission is therefore proposing an overall increase of non-compulsory expenditure amounting in both payments and commitments to 12.75%, i.e. one and a half times the maximum rate. This will allow the maintenance in real terms of all the Community's existing actions in the structural and sectoral fields, together with the selective intensification of some of them in line with the Commission's policy proposals and priorities.

1.1.5. For both the Regional and Social Funds, the Commission proposes increases in commitment appropriations designed to ensure the same level of activity in real terms in 1985 as in 1984. In view of an estimated rate of inflation in the Community of 5.1%, the amounts in nominal terms of the 1984 budget have been increased by this rate. The appropriations for payments are increased by 16.3% and 12.8% respectively. These rates of increase fall short of the Commission's, and Parliament's, long-term policy objective in

¹ Bull. EC 4-1984, point 2.3.2.

these fields. But in the Commission's view, they are acceptable, given the Community's overall budgetary situation.

Elsewhere, the Commission has given a particular budgetary priority to research, the Mediterranean programmes and transport. This corresponds largely to the priorities formulated by the Community's other institutions: in particular, they are consistent with the draft conclusions of the European Council and with Parliament's guidelines for budgetary policy.

In the field of research, the implementation of specific actions follows the objectives and criteria set out in the Community framework programme for 1984-87 adopted in July 1983.¹ Within such a framework, the Council has now agreed to the Esprit programme;² the figures put forward in the preliminary draft budget correspond to the financial information contained in this programme. Appropriations for other research activities have also been increased, taking into account the need for budgetary discipline and according to the priorities outlined by the Commission: the Commission has thus directly responded to the injunction in Point 8 of Parliament's 1985 budgetary guideline proposal.

For the Mediterranean programmes, the Commission proposes commitment appropriations which would enable a substantial start to be made in implementing concrete measures in this field in 1985.

In the field of development aid, and especially for the fight against hunger in the world, the Commission's proposals envisage the adoption of programmes involving the same quantities as proposed in the preliminary draft budget for 1984. Similarly, the allocation proposed for aid to non-associated developing countries is of the same order of magnitude as proposed by the Commission last year.

The preliminary draft budget also includes a provision already created by Parliament in the 1984 budget. This will enable the EDF to be introduced into the budget when the current negotiations have been concluded. The Commission reserves the right to propose at a suitable time any adjustments that may be required.

Correction of budgetary imbalances

1.1.6. As regards the correction of budgetary imbalances, the preliminary draft budget contains no provision for special expenditure measures of the kind undertaken in previous years. The Commis-

sion assumes, in the light of the discussions on this subject currently under way in the context of the Community's future financing, that any correction in respect of 1984 to be implemented in 1985 will be made in accordance with procedures to be determined which will not affect the level of Community expenditure. In so far as these procedures involve modulation of Member States' payments of VAT, the Commission will present the appropriate proposals for the rectification of the revenue provisions of the budget once the necessary legal base for such modulation has been established.

The financing of the Community's budget in 1985

1.1.7. On the basis of the above considerations, the Commission has estimated the Community's total expenditure requirements for 1985 at 28 103.5 million ECU. Taking account of the estimates of availability of customs duties and agricultural levies as well as of miscellaneous revenue, this level of expenditure will require a VAT rate of 1.2%.

The Commission presented in May 1983 proposals to the Council and to Parliament on the future financing of the Community which, if adopted, would enable additional VAT in excess of the present 1% ceiling to be called up. Discussion on the future financing of the Community, including the question of the correction of budgetary imbalances, is now at an advanced stage and it is the Commission's expectation and assumption that agreements will be reached on these, as well as on other related, issues very shortly. These agreements will in turn require ratification by the national parliaments of the 10 Member States. The Commission anticipates that these ratification procedures will have been completed in time to allow the new financial regime of the Community to begin operating with effect from 1 October 1985. The Commission will at an appropriate stage before the adoption of the 1985 budget present a revised proposal for the own resources decision which will include a specific provision for the decision to enter into force on 1 October 1985 and to take effect from 1 January 1985, thus enabling a VAT rate of 1.12% to be applicable to the whole of the 1985 budget year.

The Commission recognizes, however, that the national parliamentary procedures required for a new decision on own resources will not have been completed by the time the 1985 budget is adopted. Until these procedures have been completed, the

¹ OJ C 208, 4.8.1983; Bull. EC 7/8-1983, point 2.1.196.

² OJ L 67, 9.3.1984; Bull. EC 2-1984, point 1.3.1 *et seq.*

budget authority of the Community lacks a legal base which would enable it to adopt a budget permitting the Commission to call up as from 1 January 1985 VAT revenue in excess of 1%. The Commission proposes therefore that a transitional VAT rate of 1% shall be applied for the first nine months of the year, on the understanding that a definitive VAT rate of 1.12% shall come into effect from 1 October 1985.

However, to comply with the requirement that revenue and expenditure shown in the budget must be in balance (Article 199 EEC and Article 171 Euratom), it is essential that there should be an absolute assurance when the 1985 budget is adopted that all the revenue entered will become available in the course of the year. The risk of any delay in the adoption by the Member States in accordance with their respective constitutional requirements of the decision on new own resources must therefore be neutralized.

To this end the Commission proposes that, no later than the date on which the 1985 budget is adopted, the Council take a decision under which Member States would provide the Community

with financial resources totalling 1913 million ECU with effect from 1 October 1985.

This decision would be a fall-back one in that it would come into play only if the decision on new own resources did not take effect on 1 October 1985 as planned.

The Commission will, before 1 October 1985, inform the budget authority whether, having been notified by the Member States of the completion of their national constitutional procedures for the ratification of the new own resources decision, the definitive VAT rate of 1.12% will be applied, or whether, in the absence of the completion of these procedures, the Commission will call upon the loan from the Member States.

The Commission will present proposals for decisions implementing these arrangements to the institutions concerned in due course. They will have to examine in the normal way any conclusions reached by the time the 1985 budget is adopted.

¹ OJ C 145, 3.6.1983; Bull. EC 5-1983, points 1.1.1 *et seq.*

2. Measures against air pollution: elimination of lead from petrol and motor vehicle emissions

1.2.1. On 30 May the Commission presented two related proposals to the Council with a view to amending Community directives on air pollution by motor vehicles, one concerning the gradual elimination of lead from petrol and the other a substantial reduction in emissions of exhaust gases (carbon monoxide, unburnt hydrocarbons and nitrogen oxides).¹ The amendments were made necessary by the growing threat to health and the environment caused by air pollution. In June 1983 the Council meeting of Environment Ministers² and the European Council at Stuttgart³ underlined the

need for rapid and more effective measures to tackle air pollution and for immediate action to introduce lead-free petrol and reduce exhaust emissions as far as possible.

These measures are designed to:

(i) make a significant contribution towards protecting public health and the environment;

¹ COM(84) 226.

² Bull. EC 6-1983, point 2.1.120.

³ Bull. EC 6-1983, point 1.5.15.

(ii) consolidate and build on the efforts made by the European motor industry to enhance its competitiveness on world markets in terms not only of costs and prices but also of product performance;

(iii) dovetail with the policy of conserving non-renewable imported energy; and

(iv) maintain the unity of the common market.

While Member States which so wish may implement the new limit values ahead of schedule, they are prevented by existing Community legislation from making them mandatory for the simple reason that the unity of the common market would otherwise be jeopardized.

The deadlines set by the Commission afford the motor and oil-refining industries ample time in which to make the requisite investments to enable them to comply with the new requirements.

Removal of lead from petrol

1.2.2. It is generally recognized that lead poses a threat to public health, and it is therefore desirable that there should be a reduction of lead in the environment. One of the main sources of lead in the environment is the lead emitted by vehicles running on leaded petrol. The Commission proposes to further reduce and ultimately eliminate lead from petrol from 1989 by:

(i) making it obligatory to market lead-free petrol alongside leaded petrol; the deadline chosen will give the oil and motor industries adequate time to make the necessary investments; as the average life of a vehicle varies significantly from one Member State to the next, there has to be a transitional period in which both leaded and unleaded petrol may be sold;

(ii) making it obligatory for all new models to run on lead-free petrol;

(iii) reducing the maximum lead content of petrol used in existing vehicles to 0.15 gram per litre.

From 1991 onwards all new vehicles, including old models, will have to run on lead-free petrol.

Member States will be able to introduce lead-free petrol as early as 1986 if they so wish; but those who decide not to do so will not be able to ban the voluntary introduction of lead-free petrol. This is to facilitate the free movement of vehicles built to run on lead-free petrol before it becomes obligatory to bring in unleaded fuel.

It is intended that two grades of lead-free petrol, regular (92 octane) and premium (96 octane), should be available in line with technical specifications yet to be announced by the Commission. Furthermore, in order to accelerate the use of lead-free petrol and forestall the risk of leaded petrol being used in vehicles designed to run on unleaded fuel, the Commission has called on the Member States to encourage the widest possible use of lead-free petrol by ensuring as best they can that it is cheaper at the pump than leaded petrol.

Limit values for motor vehicle emissions

1.2.3. It is recognized that polluting substances emitted in the exhaust fumes of motor vehicles, particularly nitrogen oxides, are a major contributory factor to the problem of acid deposition.

Against this background, and in view of the commitments it made at the Council and European Council meetings in June 1983, the Commission has proposed a further reduction in the limit values for emissions of polluting substances regulated by Directive 70/220/EEC of 20 March 1970,¹ as last amended by Directive 83/351/EEC of 16 June 1983.² The aim of this new proposal is to achieve, by 1995, limit values for all new vehicles in line with emission standards already set in the United States and Japan.

¹ OJ L 76, 6.4.1970.

² OJ L 197, 20.7.1983; Bull. EC 6-1983, point 2.1.118.

This objective will be achieved in two stages:

(i) in the first stage, the following limit values will apply from 1989 to new models and from 1991 to all new vehicles:

carbon monoxide: 45 grams/test;
unburnt hydrocarbons: 15 grams/test;
nitrogen oxides: 6 grams/test.

(ii) the second stage will begin in 1995; the relevant detailed technical decisions (type-

approval procedure, technical inspection, etc.) will be adopted by the Council in 1988 on a proposal from the Commission.

The Commission will leave the choice of technologies that will ensure compliance with these new limit values to industry. The values will be the same for all vehicles irrespective of weight.

Here, too, Member States will be able to implement the Directive ahead of schedule.

3. Television without frontiers: Green Paper on the establishment of a common market in broadcasting, especially broadcasting by satellite and cable

1.3.1. On 23 May the Commission adopted a Green Paper on the establishment of a common market in broadcasting, especially broadcasting by satellite and cable.¹ The Green Paper sets out to illustrate the significance for broadcasting (radio and television) of the Treaty establishing the European Economic Community and to invite public discussion on the Commission's thinking on the approximation of certain aspects of Member States' broadcasting and copyright law before formal proposals are laid before the Council and Parliament.

The Commission's action is in response to Parliament's resolution on radio and television broadcasting of 12 March 1982, in which the House expressed the view 'that outline rules should be drawn up on European radio and television broadcasting, *inter alia* with a view to protecting young people and establishing a code of practice for advertising at Community level'.

The Commission believes that the cross-frontier broadcasting of radio and television programmes is of major and steadily increasing importance in promoting integration. As one of the key media in the dissemination of information, ideas and opinions, television can play an important role in nurturing Europeans' awareness of their common cultural and historical heritage.

The Commission's suggestions for Community action in the field of cross-frontier broadcasting, particularly of television

1.3.2. In its Green Paper 'Television without frontiers' the Commission seeks to analyse the issues currently arising in the field of broadcasting,

¹ COM(84) 300.

² - OJ C 87, 5.4.1982; Bull. EC 3-1982, point 2.4.9.

particularly of television, across the frontiers of the Community's Member States. On the basis of this analysis it suggests that the Community should ensure that the relevant directly applicable provisions of the Treaty are respected and that a limited number of legislative measures should be adopted as a first step in the establishment of a legal framework for a single Community-wide broadcasting area in conformity with the Treaty's objectives. The Commission intends that the Green Paper, and in particular its suggestions for Community action, should form the basis of a wide debate with all interested parties, before formal proposals are put to the Council.

Alongside the suppression of all discriminatory and other restrictions on broadcasts from other Member States not in accordance with the directly applicable rules of the Treaty (in particular Article 59 and 62), the measures suggested by the Commission are as follows:

- coordination of certain specific aspects of the laws of the Member States regulating advertising on radio and television;
- coordination of certain aspects of the laws of the Member States regulating broadcasting in the interests of protecting children and young persons; and
- limited coordination of the copyright laws of the Member States to ensure that the rights of copyright holders to prohibit the simultaneous transmission of radio and television programmes coming from other Member States are everywhere replaced by rights to receive equitable remuneration.

These different measures, and the reasons for suggesting each of them, are explained more fully in the points that follow.

The importance and sensitivity of broadcasting, and of the laws applying to it, underline the need for a thorough public examination and discussion of the issues and possible responses prior to Community policies being finalized. The publication of the Green Paper is accordingly designed to form the first stage of a consultation procedure in which all interested parties will be able to participate. In addition to consideration by Parliament and the Economic and Social Committee, hearings on key issues will be organized by the Commission in order to provide those concerned with as full an opportunity to express themselves as possible.

Why should the Community take action now?

1.3.3. The Commission considers that action needs to be taken at the present time in the broad-

casting field because of the importance of its effect, already considerable and steadily growing, on the process of European integration. This effect, actual and potential, is not only economic in character but also social, cultural and political.

1.3.4. Certainly broadcasting is a strategic sector of the Community's service economy, particularly as technical change increases the scope and availability of programmes and associated services including new information and communications services which will create many opportunities for innovation and employment. It constitutes one of the main factors accelerating the transition to an economy that will in large part be based on ready access to information and to rapid methods of communication. One of the principal components in the development of the infrastructure necessary for a modern information and communications network will be cable and satellite systems dedicated in substantial part to the broadcasting of a wide variety of programmes. The considerable investment in infrastructure and programme industries will be the more easily and rapidly found if, from the outset, those providing the new services can count on access to a single broadcasting area corresponding to the European Community as a whole.

1.3.5. But, equally clearly, broadcasting cannot be approached in exclusively technical and economic terms, even if its economic dimension is necessarily the starting point for policy making in an economic Community. More fundamentally, broadcasting is a powerful medium for the communication of all kinds of information, ideas and opinions. It thereby influences the attitudes of almost all Community citizens, and provides the means by which they can influence the attitudes of others. Moreover, the range of matters with which it deals is extremely broad: from the essentially practical, such as training in manual skills for use in the home or at work; through the commercial, including advertising and other programmes directed to the citizen as consumer; to broader political, social, educational and cultural affairs which are associated with some of our societies' most fundamental values. Broadcasting's role in these areas makes it an especially important factor in the development of the European Community as an association of democratic States seeking to develop as an increasingly integrated economic, social and political entity.

1.3.6. In stressing this dimension of the issues and so transcending, while not ignoring, more narrowly economic considerations, the Commission is pleased to be able to join Parliament, which has in the recent past repeatedly drawn attention to the need to take into account the full implications of broadcasting for the future evolution of

the Community and its fundamental, democratic values.¹ In this context, emphasis has been placed on the need to respect the European Convention on Human Rights and Fundamental Freedoms and, in particular, its provision on the right to freedom of expression—that is, freedom ‘to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers’.²

1.3.7. The Commission considers that the fact that the publication of this Green Paper coincides with preparations for the second direct elections to the European Parliament underlines the broader significance and immediacy of the issues. In exercising their democratic rights and fulfilling their responsibilities, Community citizens must be able to draw upon a range of information, ideas and opinion that reflects the variety of the Community itself. The formation of institutions capable of producing policies that represent a solid, democratically validated synthesis of opinions in the Member States depends, in the first place, on citizens being able to receive and compare relevant and reliable information concerning those opinions. To this end, cross-frontier broadcasting, particularly of television, offers the most potentially effective means for guaranteeing that the traditional pluralism of our political systems develops a healthy Community dimension.

1.3.8. Technical changes, particularly the advent of satellite transmission and high capacity cable systems, currently provide the Community with both an opportunity and a challenge. They make it technically feasible to ensure that cross-frontier broadcasts can be made widely available, and in any event they will require organizations engaged in the field to modify their approaches and roles. Several recent examples could be given, the latest being the ministerial agreement of 1984 between Luxembourg and France to create, by bilateral treaty, the possibility for CLT/RTL to broadcast a French-speaking and a German speaking television programme from 1986 onwards using the future French direct broadcasting satellites TDF 1 and 2. A Community framework could facilitate the negotiation of certain aspects of such agreements and enable other Member States, not party to them, to express their opinions on those points which interest them.

1.3.9. On the other hand, new techniques in themselves offer no reliable guarantee that their Community potential will in fact be realized. Older patterns based on the coincidence of the broadcasting in large part with national audiences may simply be multiplied. The existing regulation of broadcasting has its origins in a time prior to the foundation of the Community. Not surprisingly, it has thus developed in a way which often takes

little account of the Community’s existence. As a result, legal obstacles, actual and potential, lie in the path of those seeking to develop broadcasting activities across the frontiers of the Member States. But if these obstacles, to which further reference will be made in subsequent points, are allowed to discourage European initiatives, the new technical opportunities may not be fully exploited. The Community must accordingly act rapidly to take advantage of the current climate of adaptation while it lasts.

Why a limited approach?

1.3.10. The reasons for suggesting, as a first step, a limited approach are essentially twofold. First, the Commission considers that the directly applicable rules of the Treaty, properly interpreted and respected, can guarantee a sufficient degree of liberty in an initial period for cross-broadcasting to develop satisfactorily, provided that they are reinforced by a minimum amount of secondary legislation. Second, since broadcasting is an undoubtedly sensitive activity, the organization of which varies considerably from State to State, it also seems sensible to proceed on a step-by-step basis more likely to achieve the necessary degree of consensus in the time available than an overly ambitious, comprehensive approach.

1.3.11. As regards direct application of the Treaty, the Commission considers that all restrictions on freedom to broadcast across the frontiers of the Member States, whether discriminatory or otherwise, are contrary to Articles 59 and 62 of the Treaty. The Treaty (Articles 66 and 56 (1)) and the judgments of the Court of Justice (*Debaue, Coditel*) only allow for narrow exceptions to this principle. These concern measures justified on grounds of public policy, public security or public health, such as measures designed to protect children or young persons; restrictions on advertising in broadcasts from other Member States where these are retransmitted in the receiving State; and restrictions flowing from the essential function of certain intellectual property rights, namely copyright, where these rights have been allocated to different persons on a territorial basis. They give rise to the main legal obstacles that lie in the path of cross-frontier broadcasting between Member States.

¹ Parliament’s Resolution on radio and television in the European Community (OJ C 87, 5.4.1982; Bull. EC 3-1982, point 2.4.9); Resolution on a policy commensurate with new trends in European television and Resolution on broadcast communication in the European Community, adopted on 30 March 1984 (OJ C 117, 30.4.1984; Bull. EC 3-1984, point 2.4.22).

² Article 10 (emphasis added).

1.3.12. However, in the Commission's view, these exceptions do not permit the Member States to apply national rules generally to the form, content and arrangement of programmes coming from other Member States, whether by direct broadcasting or by retransmission by cable of the foreign signal. In this state of affairs, provided the Community takes appropriate action as regards those specific restriction permitted by the Treaty that will in practice cause problems, cross-frontier broadcasting should be able to develop on the basis of the fundamental freedoms guaranteed by the Treaty itself.

1.3.13. Moreover, this first step, the development of cross-frontier broadcasting on a solid legal foundation throughout the Community, will nevertheless constitute in itself a development of major significance for all concerned. It will also ensure that the fundamental goal in this field, namely the free flow of broadcast services, is achieved. In these circumstances, more far-reaching proposals—for example, in the sensitive areas of the right of access to broadcasting activity (establishment) or of programme content—would very likely be counter-productive. The chances of arriving at agreed solutions within a reasonable period of time would be reduced, while the ends pursued, though perhaps desirable in the longer term, are more than the Community at present needs to achieve its fundamental objective. Accordingly, it seems sensible for the time being to concentrate on the minimum necessary to achieve that objective—that is, those measures that will eliminate the main legal obstacles that appear to be, in practice, in the path of the development of cross-frontier broadcasting between the Member States.

Specific measures to eliminate restrictions on and facilitate cross-frontier broadcasting

General

1.3.14. In its present approach to these measures, the Commission has sought to define the problems sufficiently precisely as to avoid unnecessary changes of existing law and practice. The same reasons that led it to limit its initial approach to the development and facilitation of cross-frontier broadcasting require that, as regards the measures to be taken, the temptation to propose perfectionist solutions be firmly resisted. At the same time, the consultative nature of the suggestions should be stressed. In a field that is both technically complex and socially and politically sensitive, opinions may legitimately differ as to the best way forward. Only

a full public discussion of the issues will permit final judgments to be made on the solutions which best balance their probable effectiveness and the feasibility of achieving them in a reasonable period of time.

Advertising

1.3.15. National rules regulating broadcasting advertising constitute a major obstacle to cross-frontier broadcasting between Member States since they differ in content but may nevertheless be effectively applied to retransmitted broadcasts originating in other Member States in accordance with the case law of the Court of Justice. As a consequence, broadcasting organizations may well find it practically impossible to produce programmes containing advertising for simultaneous transmission in different Member States since these will have to meet the inconsistent requirements of all the States in question.

1.3.16. Accordingly, the Commission considers it desirable that the Community should adopt a directive pursuant to Article 57(2) and 66 of the Treaty to establish certain minimum standards which, once complied with, will permit programmes respecting them to be freely broadcast and rebroadcast throughout the Community.

1.3.17. As regards the content of such a directive, an important question of principle should be addressed at the outset: should broadcast advertising be permitted throughout the Community? While the issue is certainly not easy to resolve, the Commission inclines to the view that the directive should authorize broadcast advertising in every Member State, at least by some broadcasters in the private sector. At the same time, broadcasting organizations financed wholly from public funds could continue to be prohibited from engaging in advertising and, of course, where advertising takes place, it should always respect the Community minimum standards specified in the directive.

1.3.18. The Commission considers that, whatever the disadvantages of broadcast advertising, experience in the great majority of Member States has shown that, properly regulated, it serves a broad range of interests, including the general interest. First, it provides the revenue on which broadcasting organizations, public and private, increasingly depend to provide programmes attractive to the public. Second, for industry and commerce, it provides an important means of stimulating interest in their goods and services, particularly new products. It can be an important means of informing consumers, enabling them to meet their needs for goods and services, as consumer organizations have confirmed.

1.3.19. At the same time, for many, it is certainly not without disadvantages, at least potentially. The medium of television, in particular, causes concern by reason essentially of its persuasive power and hence the considerable intrusion of commerce that it can effect into the life of the household. Accordingly, considerable value is placed in some Member States on the existence of broadcasting organizations that do not rely on advertising at all, being publicly financed, and, in all Member States where advertising is permitted, it is subject to regulation. While these regulations differ in character, they share the common purpose of ensuring that broadcast advertising does not dominate the programmes, which are and must remain the audience's primary interest.

1.3.20. For the Community, the objective should be to utilize the positive contributions that broadcast advertising is able and indeed entitled to make in accordance with the fundamental provisions of the Treaty on the free movement of persons, freedom to provide services, and undistorted competition. At the same time, it should ensure that the non-commercial traditions of public broadcasting valued in some Member States are respected and that all broadcast advertising respects a set of minimum standards that will ensure that its advantages will substantially outweigh its disadvantages.

1.3.21. In the Commission's opinion, this objective can be realized if the directive were to distinguish three categories of broadcasting organization: those that are purely commercial in the sense that they receive income from advertising and no public financing; those that have a 'mixed' character, being financed by advertising revenues together with public finance; and, finally, those that are exclusively public in the sense that all their finances are public in character, no income being generated by advertising all these forms of broadcasting organization, in the Commission's opinion, should continue to exist, but advertising by organizations having either a purely commercial or a mixed character would have to be authorized. In this way, while not at this stage seeking to regulate the right of access to broadcast activity (establishment), the Community would ensure that broadcast advertising would be able to make its positive contribution in all Member States, subject of course to further conditions designed to ensure that its advantages will outweigh its disadvantages.

1.3.22. The first and perhaps most important of these conditions concerns the permissible amount of advertising time. The exclusively public organizations would, of course, broadcast no advertising at all. The purely commercial organizations would need to be allocated sufficient possibilities for advertising to enable them to compete fairly with

other broadcasting organizations and advertising media. Mixed organizations operate with less time than purely commercial stations depending on the importance of their public financing, but they too would need to be allocated sufficient time to enable them to compete fairly and develop their activities.

1.3.23. In addition, the effect of restrictions on advertising time on the advertising market should not be overlooked. If, on the one hand, a large supply of broadcast advertising time could have negative effects on other media such as the press, on the other, overly restrictive aggregate allocations to commercial and mixed broadcasting organizations will produce distortions with their usual negative effects. In some national markets at the present time, for example, demand for advertising time is as much as double the available supply. This naturally is reflected in high prices, which tend to exclude the smaller enterprise from this advertising medium altogether.

In addition, the introduction of new brands and products tends to be discouraged since there are constraints even on large enterprises' possibilities to promote a broad range of products. These problems are likely to become more acute if the expansion in broadcast services dilutes the audience for any given broadcast without there being an increase in aggregate advertising time for a given market taken as a whole.

1.3.24. Taken together, these and other considerations contained in the Green Paper have led the Commission to suggest, as a starting-point for discussion of this issue, that a maximum advertising time amounting to 20% of the total daily broadcasting time might be justified. This ceiling would if necessary be adjusted depending on the results of the public debate. Of course, no broadcasting organization would be bound to use the authorized time to the full: each would be free to advertise less in accordance with its own commercial and professional judgment. Experience suggests that this might frequently happen in practice.

1.3.25. The Commission recognizes that mixed broadcasting organizations and purely commercial ones are not necessarily in the same situation as regards the time devoted to advertising. It will probably be necessary to bear in mind the need to avoid serious distortions of competition. The Commission is therefore particularly anxious that the interested parties should let it know their views.

1.3.26. Other provisions to be included in the directive would constitute the basic regulatory framework with which all broadcasts carrying advertising would have to comply. The main provisions would be as described below.

1.3.27. Advertising and other programme material should be clearly separated, and advertising should be presented in a way which makes it clearly recognizable as such. Advertising through sponsorship gives rise to special concern in this respect.

1.3.28. Sponsoring in different forms is practised in the Community though restricted to various degrees. Its character is extremely varied. Some forms of sponsorship are clearly objectionable—for example, those in which the sponsor directly influences the content of the programme, which should remain the exclusive responsibility of the broadcaster. Others seem unobjectionable and even desirable since they may permit the financing of high-quality specialist programmes for which the audience may not be the largest. The Green Paper suggests some principles to ensure that the responsibility for programmes rests with the broadcaster and that his editorial judgment remains free from the influence of sponsors.

1.3.29. Advertising for certain products would be prohibited and for certain others subject to a code of practice designed primarily to prohibit certain kinds of appeal that are widely recognized as undesirable. The absolute prohibition should probably apply to advertising for cigarettes and other tobacco products, special restrictions applying to alcoholic drinks.

1.3.30. As regards tobacco advertising, the overwhelming majority of the Member States have completely banned the advertising of cigarettes on radio and television, the ban normally extending to all tobacco products. The Commission considers that it would be consistent with the health policies of the Community to make this prohibition general in all Member States.

1.3.31. As to alcoholic drinks, a total prohibition on advertising exists only in a limited number of Member States, though most have special rules governing their advertising. Such an approach seems to be best one for the Community at the present time. It would seem to be sufficient to develop at Community level a code of practice concerning unacceptable forms of advertising for alcoholic drinks. Member States would be free to impose stricter standards or even to prohibit the advertising of alcohol altogether as regards broadcasts originating on their own territories.

1.3.32. Finally, the directive would ensure that in each Member State broadcast advertising was subject to some form of authority that would be in a position to examine advertisements prior to their transmission in order to ensure that relevant standards as to their form and content are observed. The authority might be self-regulatory in

character and constituted within individual broadcasting organizations. The standards would be embodied in a code of practice based on standards presently in force in many Member States. Certain fundamental standards might be incorporated in the directive itself. The standards would be both general in nature—such as, for example, a prohibition on advertising offensive to religious beliefs—and more specific in character including, in addition to those on advertising alcoholic drinks, standards concerning advertisements directed at or involving the participation of children and young persons. Member States would remain free to lay down more demanding rules for broadcasts originating on their own territories, but cross-frontier advertising meeting the Community standards would have to be admitted.

1.3.33. Parliament has recently come out in favour of permitting advertising on radio and television throughout the Community as a matter of principle but has taken the view that certain outline rules are necessary¹. The Commission shares this view and considers that the kind of framework outlined above and explained in detail in the Green Paper would satisfy the needs that Parliament has identified.

Public order and safety, the protection of personal rights and, in particular, the protection of children and young persons

General

1.3.34. Radio and television broadcasts are subject not only to regulation as regards advertising but also to a wide variety of laws designed to protect public order and safety as well as certain personal rights—for example, the right to preserve one's reputation. The impact of many of these provisions on the development of cross-frontier broadcasting has so far not been great in the sense that few practical problems have arisen. Moreover, many of these provisions apply not only to broadcasting, but to a broad range of activities involving different media, including printed and other literary material. *Prima facie* then approximation of these laws either generally or in so far as they apply to broadcasting does not appear desirable. On the other hand, in two areas, media specific provisions exist which merit more detailed exam-

¹ Resolution on broadcast communication in the European Community, adopted on 30 March 1984 (OJ C 117, 30.4.1984; Bull. EC 3-1984, point 2.4.22).

ination: first, provisions aimed at protecting children and young persons from broadcasts that may damage their moral welfare, in particular, from those that are violent or pornographic; and, second, provisions creating a right of reply to factual statements in broadcasts which adversely affect the honour and reputation of individuals.

Children and young persons

1.3.35. National laws protect children and young persons not only as regards broadcast advertisements but also more generally as regards the content and timing of certain kinds of programme. Some Member States have taken general provisions to protect minors and extended them to cover broadcasting. Others have introduced specific provisions to protect young people which apply only to broadcasting.

1.3.36. Parliament has already expressed the view that Community rules should be drawn up for the protection of youth.¹ The legal conditions necessary for the approximation of laws in this field are certainly met. In particular, since national rules of this kind can be justified under Community law as being 'in the general interest' and differ in content from one State to another, they are likely to constitute obstacles to the development of cross-frontier broadcasting. At the same time, a strong case exists for concluding that a necessary corollary of the opening up of national frontiers to broadcasting is the adoption of Community rules designed to protect the most vulnerable. This applies particularly in the case of television, again by reason of the persuasive power of the medium together with its permanent presence within the household.

1.3.37. For all these reasons, a directive to establish Community-wide minimum standards for the protection of the young, to be adopted pursuant to Articles 57(2) and 66 of the Treaty, seems to be desirable. Its object would be to guarantee that programmes meeting a minimum standard of protection applicable throughout the Community may be freely broadcast in all Member States. A degree of flexibility could be maintained by providing that national legislatures would remain free to impose stricter rules for broadcasts originating within the national territory.

1.3.38. As to the content of the minimum standard to be contained in the directive, it should prohibit broadcasts likely seriously to impair the physical, mental and moral development of children or young persons, particularly by means of pornography or the portrayal of violence or racism. Programmes deemed unsuitable for children or for young persons on the grounds of poten-

tial harm to their physical, mental or moral development would have to be identified as such by broadcasters in programme announcements.

1.3.39. As suggested for advertising, the Member States would have to provide for some form of authority that would be in a position to examine broadcasts prior to their transmission, thereby ensuring that the standards are observed. The authority might be self-regulatory in character and constituted within individual broadcasting organizations.

Right of reply

1.3.40. Another area in which national laws differ is that of the protection of aspects of the individual's personality, such as reputation. Generally speaking, these laws will not constitute an obstacle to cross-frontier broadcasting since the legal remedies involved apply to individual acts or omissions and are unlikely to put in issue either in law or in practice, the right of an organization to broadcast on a given national territory.

1.3.41. The same probably applies to the provisions made in most but not all Member States for a remedy specific to the broadcast media — namely, a right of reply or correction to factual statements to be exercised in a subsequent programme of the same broadcaster. Even where it exists, there is at present some doubt as to whether persons resident in States other than that where the broadcast originates can demand a reply or correction. Accordingly, it may be argued that a necessary corollary to the development of cross-frontier broadcasting is a common approach in all Member States to the right of reply or correction protecting Community citizens in the same way in whatever Member State a programme originates.

1.3.42. The Commission considers that, at the present time, the case for proposing a directive for this purpose has not been completely made out. As cross-frontier broadcasting develops, it may well be that the rights of citizens in other Member States to avail themselves of these procedures will be recognized. On the other hand, it has not so far been shown that the present legal situation is likely either to inhibit cross-frontier developments or to pose a substantial threat to any interest demanding protection. The Commission therefore would welcome views on this subject prior to taking its final decision.

¹ Resolution on a policy commensurate with new trends in European television (OJ C 117, 30.4.1984; Bull. EC 3-1984, point 2.4.22).

Copyright

1.3.43. The Commission's final suggestion for legislation is designed to remove restrictions on cross-frontier broadcasting flowing from the territorial limits on copyright and related rights accepted by the European Court in the *Coditel* case. These appear to affect in particular the retransmission of foreign programmes by cable.

1.3.44. Copyright forms the legal and economic basis for intellectual and cultural activity upon which the 'economy of culture' depends. In some contexts, the traditional expression of copyright is the granting to authors and other creators of an exclusive right which makes it possible for them to determine the conditions under which their works are marketed and thereby to obtain a financial reward for their endeavours. However, the scope of copyright has never been unlimited.

1.3.45. Accordingly, where the general interest has been thought to require it, the exclusive right of the author or his assigns has on various occasions been qualified in favour of other interests. Where, for example, it has been thought desirable that different persons should be able to compete in the marketing of a work, provision has been made for generally available compulsory licences for a fixed royalty as, for example, in the record industry. In other circumstances, works may be made available to the public through a system of statutory licences, the right holder being compensated by a right to claim fair remuneration. This solution has been adopted in several countries in the broadcasting field. And, of course, the exclusive right has always had its limits; otherwise it would not serve its fundamental purpose: at some point the rights of the creator come to an end and use of the work without payment, especially in private, begins.

1.3.46. As regards broadcasting, copyright and any relevant related rights normally share a feature of considerable significance to the development of cross-frontier broadcasting: they are conditioned by the principle of territoriality. Not only do the rights have a territorial scope limited to that of the State under whose legal system they arise, but their attributes are determined by the national law of that State, taking account of any international agreements to which it is a party. In addition, in practice, rights of use are normally granted at the present time on a territorial basis.

1.3.47. However, the territorial scope of copyright and related rights in broadcast works clearly poses a problem for those seeking to engage in cross-frontier broadcasting, particularly if broadcasts are to be retransmitted by cable or otherwise in the receiving State.

1.3.48. The problem arises particularly as regards broadcasts retransmitted in the receiving State. In these cases, conflicts are likely to arise between right holders. The owner of the copyright or any relevant related right in a work for the territory of a State in which a broadcast is being retransmitted without his consent will be able to take action against such broadcasting by the means provided under local copyright laws. These may not be limited to awards of damages but may well include the grant of injunctions and even criminal penalties.

1.3.49. The directly applicable provisions of the Treaty cannot be relied upon to resolve these conflicts. A solution should therefore be found which respects both the Community objectives of realizing freedom to provide broadcasting services and, at the same time, the legitimate interests of holders of copyright and related rights.

1.3.50. Given the need to respect this balance of interests, a solution which simply provided for unrestricted retransmission once a work has been legally broadcast would seem unacceptable. This would be simply to expropriate rights without compensation.

1.3.51. Another solution might be to leave the parties to regulate the situation by contract. However, where programmes are simultaneously retransmitted across frontiers by cable or otherwise, a purely contractual solution seems liable to create difficulties. The cable operator may well not be in a position to conclude arrangements with a large number of holders of rights over the programmes he wishes to distribute. Some of these may be represented by the primary broadcaster or a collecting society but often many will not. If negotiations with just one are not successfully concluded, the retransmission of whole programmes could be disrupted. Given the availability of injunctive relief and the existence of criminal penalties, quite limited omissions could prove serious. Moreover, given the dependence of retransmitters on primary broadcasters, it will often be practically impossible for them to be sure in advance of having acquired the necessary rights—for example, in the case of a change in the programme. Cable companies would be excessively dependent on the readiness of all rights holders to cooperate and frequently in an impossible bargaining position.

1.3.52. Collective arrangements of the kind recently concluded in Belgium on the basis of a model contract drawn up by the main copyright associations interested in the field can certainly make a significant contribution. However, they

will not resolve all the problems, particularly that of ensuring the representation of all relevant rights holders.

1.3.53. The mechanism of the statutory licence, if adopted throughout the Community, would probably make it possible to reconcile the liberalizing principles of the Treaty with the need to protect the interests of those whose work is protected by copyright or related rights. This would substitute, for the holders' power to prohibit cross-frontier broadcasting of a programme in a territory covered by the right, an entitlement to equitable remuneration. This approach would avoid the unfairness implicit in fixed royalty payments since the level of remuneration would normally be settled by agreement.

Next steps

1.3.54. The Commission hopes that its Green Paper will form the basis for a wide public debate in which all interested will express their point of view. It will follow and indeed participate actively in the discussion. In making its suggestions the Commission has sought to give a clear indication of the main features of the policy that the Community should, in its view, now adopt. At the same time, it is conscious of the sensitive and innovative character of its suggestions. The nature and, in particular the detailed content of the formal proposals that it will ultimately make will accordingly depend in large part on the response that the Green Paper evokes.

Television without frontiers

Green Paper on the establishment of a common market in broadcasting, especially broadcasting by satellite and cable.

Any subscriber to the Bulletin may obtain a copy of the text of the Green Paper free of charge on application — expressly mentioning the applicant's status as a subscriber — to the Commission of the European Communities, Division IX-C-1, Rue de la Loi 200, 1049 Brussels, Belgium.

4. Telecommunications, Europe's nervous system

1.4.1. In 1983 the Commission sent a report and a communication on telecommunications to the European Council¹ and the Council² respectively in which it proposed the adoption of six lines of action. A group of senior officials from the Ministries of Industry of the Ten, which had the task of determining the requirements for the presentation of an action programme to promote the balanced development of the telecommunications sector, met on several occasions between November 1983 and March 1984. As a result of the extremely successful cooperation achieved within the group, the Commission was able to assess the degree of consensus obtaining in respect of the arrangements for implementing these six proposed lines of action and to submit the

first proposals for a programme of action in this sector to the Council on 23 May.³

1.4.2. The growth of the European economy in the next 10 years will be determined by the development of telecommunications in the Community.

This is because, at the end of the twentieth century, cable and radio occupy the same position as canals and railways at the beginning of the nineteenth: they carry the bulk

¹ Bull. EC 6-1983, point 2.1.41; Supplement 5/83 — Bull. EC.

² Bull. EC 9-1983, point 2.1.23.

³ COM(84) 277 final.

of the traffic in an economy which is based more on the exchange of information than on the marketing of goods. The exchange of information already accounts for 55% of total added value and 62% of jobs within the Community.

In the business world, communication is still mostly by telephone and mail. Even in computerized PTT administrations, correspondence is still delivered by the postman on foot. Nevertheless, a vast range of electronic information services is waiting to be introduced in the factory and the office, in shops and in the home. The networks which will carry this flow of information must be interconnected, just like the air routes and motorways which replaced the canals of the first industrial revolution. The existence of then national networks means that the Community remains fragmented and, consequently, handicapped in the telecommunications field.

The variety of languages, cultural traditions and legal and commercial practices are all obstacles to the introduction of a harmonized telecommunications and information technology system. The world-wide increase in electronic communications raises complex questions concerning national control of the international exchange of information. A social consensus needs to be worked out gradually on the changes in living and working conditions and in central and regional development which are being brought about by the advent of the information society.

In view of these considerations, a rapid choice must be made from among the available technologies in order to give the European economy the competitiveness which it urgently needs. Community investment in the new communications systems will reach 150 000 million ECU over the next 10 years; when telecommunications (services and equipment) will become the most important commercial sector in the Community. The decisions to be taken shortly will have a decisive influence on the introduction of a coherent and modern telecommunications infrastructure on which the Community

will depend for its competitiveness and independence in a world increasingly dominated by the economic superpowers.

The Member States have been pioneers in the field of telecommunications. As the leading world exporter, the Community still enjoys a favourable trade balance of approximately 2 000 million ECU in telecommunications equipment. The 600 million telephone sets installed throughout the world—largely of European manufacture—represent the most successful product ever manufactured. The telephone and the telex machine, however, are being replaced by the products of second- and third-generation technology, i.e. by computerized data-processing systems and broadband networks which can disseminate a far greater and more varied amount of information. If the Community fails to react as one so as to make its potential domestic market an everyday reality, national initiatives will no longer suffice to enable Europe's electronic 'nervous system' and its telecommunications industry to face international competition.

The first problem confronting Europe is the price of the new technology. Manufacturers must acquire a significant share of the world market (e.g. 5-10% in the case of switching equipment) in order to offset the costs of research, development and project studies. European manufacturers, however, have frequently been content to shelter behind protected national markets. These national markets are now becoming too small in relation to the volume of investment required, whereas the need for such investments is constantly increasing.

The Community already needs to increase its first-generation equipment (since it has up to 40% fewer telephone lines per capita than Sweden, Japan or the USA). It also requires more advanced services (data transmission accounts for 3% of telecommunications in the Community compared with 5% in the USA). Expenditure on equipment within the Community (USD 32 per capita) is lower than in Japan (USD 46) and the USA (USD 80). The Community must

also be able to provide its own microelectronics components, 83% of which are at present imported. These components, which form the basis of the new technologies, already account for 7% of the average cost of any information technology system.

The Community has the necessary scientific resources to maintain its position on the world market. A Community-scale market can provide the European telecommunications industry with the foundation it needs in order to remain competitive. Nevertheless, before the Community enters into the massive commitments necessary for maintaining its position, the users, network operators and equipment manufacturers must agree at both national and international level on the technologies to be adopted.

Telecommunications have a significant multiplier effect on the economy: the business generated will be worth twice the value of investment required for the new terminals networks, and the total net gain to the enterprises employing the new services could be five times as great as the costs entailed by their introduction. The contribution made by telecommunications (equipment and services) to Community GDP should increase from 2% to nearly 7% before the end of the century.

At the same time, the lack of concerted action by the operators and manufacturers of telecommunications systems is accentuating Europe's indecisiveness as regards the development of future telecommunications technologies. Uncertainty at national level is aggravated by international uncertainty. For example, annual growth in the Community equipment market (which accounts for more than 20% of the world market) is currently 6-7% compared with nearly 8% in the rest of the world.

In the mean time, American and Japanese competition is making itself felt. Deregulation in the USA has prompted the electronics giant AT&T to look for foreign markets, and Japan has already begun to develop its 'Information Network System', which is designed to provide an integrated network of information services to the entire nation.

The Community action programme

1.4.3. The preceding analysis brings out the grounds for concern as regards the future of the industry:

- market narrowness;
- the scale of the investments required, particularly in the most backward parts of the Community;
- technological weakness; and
- strategic uncertainties.

The action programme presented, which is intended to form part of the response to these difficulties, is designed to achieve three objectives:

- to make available to users, at minimum cost and as early as possible, the equipment and services they need if they are to be competitive;
- to stimulate European production of telecommunications equipment and services in order to create the conditions that will enable the Community industry to maintain its strong position in the European market and continue to be the world's leading exporter; and
- to enable operators, under optimum conditions and with minimum risk, to face up to the technological and industrial challenges that will confront them.

The measures proposed to the Council by the Commission, which are in line with the latter's communication of 29 September 1983,¹ can be classed under the four main headings set out below.

Creation and stimulation of a Community telecommunications market

1.4.4. If the Community is to become more competitive, it must have a common terminals market, extending over its entire territory. The existence of such a market will promote the development of new services by making it easier for users to choose the equipment best suited to their requirements on the most favourable terms.

¹ Bull. EC 9-1983, point 2.1.23.

The manufacturers, for their part, will benefit from a larger internal market leading to economies of scale which will allow them to distribute their products on both the domestic market of the Community and on the world market.

The enlargement of the terminals market will necessitate two types of complementary action.

- As regards standards, suitable procedures should be adopted with a view to ensuring the uniform application throughout the Community of international standards or of those most widely recognized throughout the world. A first programme in this field should be drawn up before the end of 1984.
- As regards approvals, the ultimate aim should be mutual recognition by the network operators of the approval certificates issued in respect of this terminal equipment, without excluding the possibility of the eventual introduction of a Community approval certificate for certain types of new equipment.
- The Commission intends to bring about a gradual enlargement of the network operators' markets:
 - (i) as regards the terminals which they purchase, the operators will extend the scope of their calls for bids to cover all the Member States;
 - (ii) as regards other equipment used by the same operators, the Commission is proposing the gradual opening-up of their invitations to tender, initially by a certain percentage (e.g. 10%) of their total annual equipment purchases; this percentage could be increased as the Community programme as a whole is put into effect.

Reducing the uncertainties of operators and manufacturers concerning the development strategies to be implemented

1.4.5. The Commission proposes that the uncertainty surrounding development strat-

egies be reduced by setting up a common framework for study and consultation in connection with the development of services and networks and by carrying out joint infrastructure projects. This framework will be provided by a multidisciplinary analysis and forecasting group which will initially be concerned with the following three topics:

- the development of new services based on the rapid introduction of integrated-service digital networks (narrowband ISDN);
- the setting-up of cellular radio-telephone services;
- the development of video communications and the creation of broadband transnational networks.


Progress reports are due to be submitted by 31 December 1984 in the case of the first of these topics and by 30 June 1985 in the other two cases.

Improving basic technology skills

1.4.6. The Commission considers it necessary to initiate Community R&D activities to complement those being conducted under the Esprit programme. During the second half of 1984 it will submit a proposal for an R&D programme in the field of telecommunications.

Aid for the modernization and strengthening of networks in the least-favoured regions of the Community

1.4.7. The Commission is proposing an increase in the aid provided under the Community's financial instruments (ERDF, EIB, NCI) for the development of the telecommunications infrastructure in these regions above the 720 million ECU at which it has stood for the last three years.



PART TWO

ACTIVITIES
IN MAY 1984

1. Building the Community

Economic and monetary policy

Economic situation

2.1.1. On 23 May Parliament endorsed¹ the Commission communication transmitted to the Council on 1 March² in accordance with Article 2 of the Convergence Decision of 18 February 1974, making a number of recommendations.

Economic Policy Committee

2.1.2. The Economic Policy Committee held its 143rd and 144th meetings respectively:

- on 10 May, in its full composition, with Mr Byatt in the chair, to examine the future direction of medium-term economic policy and the short-term aspects and problems of economic policy;
- on 11 May, with Mr Prévot in the chair, to discuss labour-market rigidities.

Community borrowings

2.1.3. On 29 May the Commission sent the Council—as it had said it intended at the Council meeting on 12 December 1983³—a proposal for a Regulation concerning the Community loan mechanism designed to support Member States' payments balances.⁴

The proposal is to raise the ceiling on the mechanism to 8 000 million ECU (it now stands at 6 000 million ECU, and 4 000 million ECU was lent to France in 1983⁵); to restrict any Member State's entitlement under the instrument to 50% of the amount available; and to drop the link between balance-of-payments problems serious enough to warrant a loan and increases in oil prices.

Monetary Committee

2.1.4. The Monetary Committee held its 302nd meeting in Brussels on 24 May, with Mr Camdessus in the chair. It discussed in detail the work under way to improve the international monetary system.

*

OECD Council

2.1.5. The Council of the Organization for Economic Cooperation and Development, which met at ministerial level on 17 and 18 May, reached agreement on the policies needed to strengthen the international trading and financial system and to extend economic recovery into durable employment-generating growth.⁶

Internal market and industrial affairs

Strengthening of the internal market

Council resolution on the computerization of administrative procedures in intra-Community trade

2.1.6. On 15 May the Council adopted a resolution on the computerization of administrative procedures in intra-Community trade.⁷ The object of the resolution, in the context of the strengthening of the internal market, is to work for the coordinated development of computerized administrative procedures in the Member States, no-

¹ OJ C 172, 2.7.1984.

² Bull. EC 3-1984, point 2.1.1.

³ OJ C 167, 27.6.1984; COM(84) 309 final.

⁴ Bull. EC 12-1983, point 2.1.4.

⁵ Bull. EC 5-1983, point 2.1.3; Bull. EC 6-1983, point 2.1.8;

Bull. EC 7/8-1983, point 2.1.4.

⁶ Point 2.2.65.

⁷ OJ C 137, 24.5.1984; Bull. EC 3-1984, point 2.1.6.

tably with a view to linking national computer systems and administrative systems with firms' private systems. This resolution establishes a framework for the technical work which should be embarked upon without delay, so as to enable substantial progress to be made in a sufficiently near future and to reduce the formalities imposed on business circles, pending the total abolition of such formalities in intra-Community trade.

Lastly, the Council asked the Commission to bring forward, before 15 October, the proposals necessary for the creation of a Community data-processing framework together with a work programme and precise timetable.

Commission communication on consolidating the internal market

2.1.7. Now more than ever, the European economy needs a real common market. Confidence in the irreversibility of the common market is essential to the investment decisions that have to be made. It is the only way to increase Europe's competitiveness, sustain recovery and combat unemployment. The decisions needed to consolidate the internal market must be taken before 1986 for these three reasons:

- we must build upon the political unanimity as to the priority of this aim that emerged following the Copenhagen European Council;¹
- we must provide business and government with the lasting basis of economic recovery they need to bring about the requisite changes and adjustments;
- we must put our house in order for the applicant countries.

On 30 May the Commission therefore sent the Council a communication on consolidating the internal market in which it reviews progress to date and the problems still to be resolved, examines the main elements of a consolidation programme and lists the decisions that the Council ought to

adopt within a relatively short period (18 months).² These relate not only to the removal of tariff barriers and the legal environment for business but also to free movement of capital, services and persons and to certain aspects of agricultural, tax and transport policies.

Behind this general programme there are two major themes which underline the urgency of the specific measures involved—the outstanding problem of eliminating frontiers and the creation of a framework that will enable firms to cooperate within a common industrial market.

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2.1.8. On 21 May Parliament gave its opinion³ on the Commission proposal sent to the Council on 20 March to remove, with effect from 1 July, restrictions on the duty-free admission of fuel contained in the normal fuel tanks of commercial motor vehicles.⁴

Free movement of persons and freedom to provide services

Free movement in broadcasting

2.1.9. On 23 May the Commission adopted a Green Paper on the establishment of a common market in broadcasting, especially by satellite and cable. The Commission intends that the Green Paper, notably its suggestions for Community action (summarized in Part One of this Bulletin⁵), should be discussed with all interested parties before formal proposals are put to the Council.

2.1.10. In a resolution on European media policy passed on 25 May Parliament emphasized the need to establish a legal basis

¹ Bull. EC 12-1982, point 1.2.1 *et seq.*

² COM(84) 305 final.

³ Point 2.1.67.

⁴ OJ C 95, 6.4.1984; Bull. EC 3-1984, point 2.1.10.

⁵ Point 1.3.1 *et seq.*

for a European framework regulation on radio and television broadcasting by satellite.¹

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2.1.11. On 24 May Parliament adopted a resolution on the situation of gypsies in the Community.¹

Free movement of goods

Removal of technical and administrative barriers to trade

Industrial products

2.1.12. On 30 May the Commission adopted for transmission to the Council new air-pollution standards for motor vehicles.² The two related proposals concern lead-free petrol and the reduction of other toxic emissions from motor vehicles.

2.1.13. On 24 May Parliament endorsed³ the Commission proposal on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust systems of motor vehicles.⁴

Foodstuffs

2.1.14. On 7 May⁵ the Council again amended⁶ its 1964 Directive on the preservatives authorized for use in foodstuffs intended for human consumption⁷ by extending from 16 May to 15 September 1984 the authorization relating to thiabendazole.

2.1.15. At its May session the Economic and Social Committee delivered opinions on three proposals for Council Directives concerning foodstuffs—cocoa and chocolate products intended for human consumption,⁸ extraction solvents used in the production of foodstuffs,⁹ and the ranges of nominal quantities and nominal capacities permitted for certain prepackaged products.¹⁰

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2.1.16. On 24 May Parliament adopted two resolutions in the general area of free movement of goods—one on preventive legal supervision to avoid future barriers to trade, the other on the market in violent and horrific video cassettes.¹¹

Business law

Product liability and intellectual property

2.1.17. Parliament passed a resolution on 24 May on United Kingdom copyright design law.¹¹

Small business— Business Cooperation Centre— Distributive trades

Small business

2.1.18. On 29 May the Commission sent a communication to the Council on Community policy with regard to small and medium-sized enterprises and craft industry (SMEs).¹² In this paper, which is a follow-up to '1983: European Year of Small and Medium-Sized Enterprises and Craft Industry',¹³ the Commission stresses that the measures carried out in the context of the European Year of SMEs have heightened awareness of the problems facing small businesses and the crucial role they play in the Community.

After pinpointing the areas in which small businesses have a primary role to play—and

¹ Point 2.4.15; OJ C 172, 2.7.1984.

² Point 1.2.1 *et seq.*

³ OJ C 172, 2.7.1984.

⁴ OJ C 200, 27.7.1983; Bull. EC 7/8-1983, point 2.1.8.

⁵ OJ L 129, 15.5.1984.

⁶ OJ L 104, 17.4.1984.

⁷ OJ 12, 27.1.1964.

⁸ OJ C 32, 7.2.1984; Bull. EC 1-1984, point 2.1.10.

⁹ OJ C 312, 17.11.1983; Bull. EC 10-1983, point 2.1.16.

¹⁰ OJ C 18, 25.1.1984; Bull. EC 1-1984, point 2.1.12.

¹¹ Point 2.4.15; OJ C 172, 2.7.1984.

¹² COM(84) 263 final.

¹³ Seventeenth General Report, point 188.

in the light of the action programme approved at the conference winding up the European Year of SMEs—the Commission assesses the progress made as a result of Community action in these fields and outlines measures to be taken in the years ahead.

Small firms are a key feature of the Community's economic fabric. Although the definition of SMEs varies from one Member State to the next, it is estimated that they account for around 90% of all firms in the Community and nearly 60% of the working population. They also play a vital role in innovation and job creation.

In view of their size, SMEs are particularly sensitive to their economic environment. Action should therefore be taken to influence this environment in such a way that the specific constraints on SMEs do not stifle their potential. Small businesses take particular exception to the costs arising from administrative and bureaucratic formalities. In this connection, in 1983 the Council adopted several directives, relating to: the simplification of inspections and formalities in respect of the carriage of goods between Member States,¹ simplified arrangements for the movement within the Community of goods dispatched from one Member State with a view to temporary use in one or more other Member States,² and a procedure for the provision of information in the field of technical standards and regulations.³

The Community's competition policy, which seeks to maintain or restore a genuine competitive structure, enables small firms to compete as effectively as possible with large firms. The Commission does not think that SMEs can be exempted from the rules in force but feels that adjustments are possible within the existing legal framework to take the special features of small businesses into account. With this in mind, the Commission adopted two new Regulations in 1983 relating to exclusive distribution and exclusive purchasing agreements.⁴

Specific structural measures to improve tax systems would make it possible to make

more resources available for investment in firms, particularly SMEs. The Council adopted two Directives in this area in 1983, one on exemption from value added tax on the final importation of certain goods, and the other on tax exemptions within the Community for temporary imports of certain means of transport.⁵

Lastly, where innovation is concerned, the Commission focused its attention on three areas: a proposal on Community financing of innovation in SMEs,⁶ Commission sponsorship of the European Venture Capital Association,⁷ and a proposal for the transnational development of the supporting infrastructure for innovation and technology transfer (1983-85) adopted by the Council in November 1983.⁸

On 25 May Parliament passed a resolution on Community policy on SMEs.⁹

Industry

Steel¹⁰

Forward programme for steel

2.1.19. The forward programme for steel for the second quarter¹¹ of 1984 recommending that Community production of crude steel be fixed at 30 million tonnes as against 28.37 million tonnes for the corresponding period of last year was published

¹ OJ L 359, 22.12.1983; Bull. EC 10-1983, point 2.1.168.

² OJ L 2, 4.1.1984; Bull. EC 11-1983, point 2.1.37.

³ OJ C 109, 26.4.1983; Bull. EC 3-1983, point 2.1.8.

⁴ OJ L 173, 30.6.1983; Bull. EC 6-1983, point 2.1.57.

⁵ OJ L 105, 23.4.1983; Bull. EC 3-1983, point 2.1.43.

⁶ OJ C 178, 5.7.1983; Bull. EC 6-1983, point 2.1.44.

⁷ Bull. EC 6-1983, point 2.1.46; Bull. EC 11-1983, point 2.1.31.

⁸ OJ L 353, 15.12.1983; Bull. EC 10-1983, point 2.1.32.

⁹ Point 2.4.15; OJ C 172, 2.7.1984.

¹⁰ International relations in the steel sector are dealt with in 'Enlargement and external relations' under 'Commercial policy' and 'Relations with industrialized countries'.

¹¹ Bull. EC 3-1984, point 2.1.22.

on 9 May¹. Given the fact that the second quarter is traditionally quite a good period for steel production, the Commission would stress that, in real terms, the improvement is relatively modest. The increased production results in part from the need to increase stocks of rolled products for seasonal reasons.

2.1.20. The Commission is continuing its consultations with the parties concerned—producers, dealers, trade unions and government representatives—with a view to drawing up a forward programme for the third quarter.

The upturn in activity is slow and is characterized by market differences from one Member State to another. A cutback in activities is planned during the holiday period. Although stocks are normal for most products, beam stocks nevertheless seem high with orders remaining at a low level.

Market in galvanized sheet

2.1.21. A recent study requested by the Commission, covering the period 1981-90, shows that trends in the galvanized steel sector are typical for all coated steels, at the expense of other cold-rolled sheet.

The table below gives an indication of expected consumption in thousands of tonnes.

Table 1 — *Expected consumption of galvanized sheet*

	('000 tonnes)		
	1981	1985	1990
Building	2 745	2 865	3 296
Motor vehicles	105	190	294
Mechanical engineering, etc.	210	215	238
Other	456	488	572
	3 566	3 758	4 400

The Community's overall balance in respect of hot galvanized sheet can be broken down as follows:

Table 2 — *Community's overall balance in respect of hot galvanized sheet*

	('000 tonnes)		
	1981	1985	1990
Consumption	3 516	3 758	4 400
Galvanized exports	958	1 082	1 140
Lacquered exports	166	200	349
Production	4 414	4 918	5 726
Capacity	6 021	6 762	6 762
Utilization rate	73%	73%	85%

The Community's overall balance in respect of electrolytically galvanized sheet is shown in the following table:

Table 3 — *Community's overall balance in respect of electrolytically galvanized sheet*

	('000 tonnes)		
	1981	1985	1990
Consumption	541	688	855
Exports	118	129	149
Imports	3	—	—
Production	656	817	1 004
Capacity	1 134	1 494	1 494
Utilization rate	58%	55%	67%

Crisis measures

Production quotas

2.1.22. On 2 May the Commission adopted² the definitive rates of abatement for the second quarter of 1984.³

The Commission raised by two points the category Ic quotas—galvanized sheet—for the second quarter in respect of both production and the part of the quota which may be delivered in the common market.

¹ OJ C 124, 9.5.1984.

² OJ L 122, 8.5.1984.

³ Bull. EC 2-1984, point 2.1.18.

This should enable an additional amount of products in this category, totalling some 21 000 tonnes, to be placed on the market this quarter. This decision reflects trends in the galvanized-sheet market,¹ which has reacted favourably to the effects of a certain upturn in the motor and engineering industries.

2.1.23. On 30 May the Commission fixed the provisional rates of abatement for the third quarter of 1984.² The report by the various sectors concerned indicates a very limited positive trend as far as steel consumption is concerned. This trend has to be seen in the context of the seasonal decline in demand attributable to the closure of steelworks and to the reduced activity of steel users during the holiday period. For this reason, and in view of the need to consolidate the improvement in prices, the rates of abatement have been fixed at a very conservative level and will be reviewed between now and the end of June, in order to determine whether any changes are justified in respect of certain products.

Table 4 — *Rates of abatement for the establishment of production quotas for the third quarter of 1984*

Products	Production	Part of the quotas which may be delivered in the common market
Category Ia	47	51
Category Ib	40	42
Category Ic	20	30
Category Id	+ 20	+ 20
Category II	50	55
Category III	50	58
Category IV	35	37
Category V	48	51
Category VI	43	45

Production certificate and accompanying document

2.1.24. On 10 May³ the Commission introduced new amendments⁴ of a technical

nature to its Decision of 23 December 1983 (3717/83/ECSC)⁵ introducing for steel undertakings and steel dealers a production certificate and an accompanying document for deliveries of certain products.

Restructuring

National plans

2.1.25. By and large, the restructuring operation and its outcome were viewed in a favourable light by the ECSC Consultative Committee, which met on 17 May.⁶ The Commission is not planning to request new reductions in capacity beyond the target 30-35 million tonnes fixed at Elsinore,⁷ which represented the effort required as part of the Community solidarity measures. In addition, every effort will be made to ensure that the financing of the second section, which comes under the EEC budget, is transferred to the ECSC budget.

2.1.26. Mr Frans Andriessen, the Member of the Commission with special responsibility for competition, made a statement to the press on the position regarding the restructuring of the Community steel industry. The situation can be summed up as follows:

- *Belgium.* The planned cutbacks in capacity (3.1 million tonnes) will be carried out under the specialization agreement between Cockerill-Sambre⁸ and the Arbed group. The only thing for the moment that is holding matters up is the examination being conducted into the viability of Cockerill-Sambre.
- *France.* Discussion between the Government and the two sides of industry are still in progress. The new French plan,

¹ Point 2.1.21.

² OJ L 148, 5.6.1984.

³ OJ L 124, 11.5.1984.

⁴ OJ L 95, 5.4.1984; Bull. EC 4-1984, point 2.1.20.

⁵ OJ L 373, 31.12.1983.

⁶ Point 2.4.34.

⁷ Bull. EC 11-1982, point 2.1.15.

⁸ Bull. EC 4-1984, point 2.1.21.

which should result in a reduction of 5.3 million tonnes, will take account of the concern expressed by the Commission as to the effects on the viability of firms, of their structures *vis-à-vis* long-product capacity and of the steelworks supplying their needs.

- *Italy.* The Italian Government is committed to an overall reduction of 5.8 million tonnes—3.8 million tonnes in the public steel sector and 2 million tonnes in the private steel sector. While the cutback in public-sector steel can scarcely be in doubt, the reduction to be agreed to by the private sector and the exact capacity of the Bagnoli wide strip mill have still to be determined. The forecasts on which Finsider's becoming viable again in 1986 is based are currently under examination.

- *Luxembourg.* The plan for restructuring Arbed was the first plan accepted in its entirety by the Commission.¹ This plan offers greater reductions than those allowed for in the Commission Decision of 29 June 1983² (960 000 tonnes) and lends weight to Arbed-MMRA's viability prospects.

- *Netherlands.* The reductions proposed by Hoogovens (1.5 million tonnes) go beyond what the Commission had requested and also mean that the viability criteria have been met. Consequently, the Hoogovens restructuring plan was approved in the main.

- *Federal Republic of Germany.* Two restructuring plans have been approved definitively by the Commission—those for Hoesch³ and Thyssen. In the case of virtually all the other groups, the Commission has released substantial tranches of aids.⁴ Notwithstanding the sympathetic view it takes of the guarantees as to viability generally provided by the restructuring plans submitted by Germany, the Commission cannot give final approval until certain financial analyses have been completed. Germany, moreover, will have fulfilled its obligations as far as the reduction of capacity is concerned (some 6.5 million tonnes).

- *United Kingdom.* The current discussions between the Government and the un-

dertakings on the conditions necessary to ensure viability have not yet reached the stage where the British Steel Corporation can submit its final restructuring plan. However, the reductions in capacity to which the Government is already committed are very close to the level anticipated (4.5 million tonnes).

Electronics and information technology

2.1.27. On 24 May parliament endorsed⁵ the proposal on a long-term programme for the use of telematics for Community information systems concerned with imports/exports and the management and financial control of agricultural market organizations (CADDIA).⁶

On 25 May it passed a resolution on the procurement procedure of the Commission for information technology equipment, services and software.⁷

Esprit programme

2.1.28. Following the adoption of the first phase of the Esprit programme (1984-88) by the Council on 28 February,⁸ the first round of calls for proposals⁹ was closed on 7 May. Some 450 proposals have been received, a very successful result in view of the high quality of the projects put forward. Evaluation of these proposals began in May, together with a review of the one-year Esprit pilot phase launched in 1983.¹⁰ The selection process should be completed this summer and, of the projects selected, the main-phase projects should begin in the autumn.

¹ Bull. EC 2-1984, point 2.1.21.

² OJ L 227, 19.8.1983; Bull. EC 6-1983, point 1.1.1 *et seq.*

³ Bull. EC 4-1984, point 2.1.22.

⁴ Bull. EC 3-1984, point 2.1.24.

⁵ OJ C 172, 2.7.1984.

⁶ OJ C 112, 26.4.1984; Bull. EC 3-1984, point 2.1.28.

⁷ Point 2.4.15; OJ C 172, 2.7.1984.

⁸ OJ L 67, 9.3.1984; Bull. EC 2-1984, point 1.3.1 *et seq.*

⁹ Bull. EC 3-1984, point 2.1.25.

¹⁰ OJ L 369, 29.12.1982; Bull. EC 4-1983, point 2.1.25; Bull. EC 7/8-1983, point 2.1.24 *et seq.*

Preparations continued in May for the first Esprit Technical Week, to be held in Brussels in September.

Telecommunications

2.1.29. On 23 May the Commission transmitted to the Council a communication on telecommunications.¹ This document will be placed on the agenda of the European Council at its meeting in June. It puts forward a package of measures aimed at creating a genuine Community telecommunications market, strengthening European capacity in the necessary technology and improving the Community's telecommunications infrastructure, notably in the least-advantaged regions. Two new advisory groups are to assist the Commission in implementing the proposals contained in this document, and the mandate of the present group of senior national experts is to be renewed.²

Industrial innovation and the information market

Transnational technological cooperation

Consultative Committee on Innovation and Technology Transfer

2.1.30. The second meeting of the Consultative Committee on innovation and Technology Transfer took place in Luxembourg on 3 and 4 May. The main topic was the discussion of a number of measures proposed by the Commission.

The Committee delivered a favourable opinion on the following items:

- first steps to create a Community-wide technology awareness scheme using the results of research based on the British Tech. Alert experiment;
- start-up support for the European Venture Capital Association, which was founded in 1983;³

- analyses of ways and means of making the transfer of technologies relevant to local authorities more efficient; two pre-feasibility studies were proposed, one concerning an attempt to establish a Community-wide technical periodical entitled *New Local Government Technology*, to be issued by the Standing Technological Conference of European Local Authorities (STCELA), the other dealing with an idea for creating a transnational information service on pilot schemes and demonstration projects in the field of new local government technologies, which could also be run by STCELA.

Agreement was reached in principle on the content of a number of other projects, designed in particular to promote transnational cooperation between technology and management advisory services in Europe and to establish a network of human contacts between these services by means of exploratory visits and exchanges of staff.

European Association for the Transfer of Technology, Innovation and Industrial Information

2.1.31. The European Association for the Transfer of Technology, Innovation and Industrial Information was founded in Luxembourg on 4 May, with Commission backing. The inaugural meeting was attended by some 80 participants representing the bodies responsible for industrial information in all the Member States.

The main aims of the Association are to stimulate innovation, promote transnational technology transfer and help businesses take advantage of the opportunities offered by the common market. It intends to encourage information exchanges and cooperation between all the bodies responsible for industrial information and to support transnational cooperation between firms, especially in R&D and the marketing of new products and services.

¹ Point 1.4.1; COM(84) 277 final.

² Bull. EC 3-1984, point 2.1.30.

³ Bull. EC 6-1983; point 2.1.46; Bull. EC 11-9183, point 2.1.31.

The launching of the Association's activities will be supported by the Community under the plan for the transnational development of the supporting infrastructure for innovation and technology transfer.¹

European Telefax Network for Technology Transfer

2.1.32. In cooperation with the European Association for the Transfer of Technology, Innovation and Industrial Information and the Danish Invention Centre, the Commission held a seminar on a European Telefax Network for Technology Transfer in Luxembourg on 22 May; the seminar was attended by 35 delegates representing 26 technology transfer organizations in all 10 Community countries.

The aim of this seminar was to demonstrate how an efficient system of communication between technology transfer centres could be based on the use of an existing data base service, supplemented by telefax installations, and to prepare for the setting-up of a network based on such technology. To this end, the Commission has made available funds to cofinance the network for one year, and seminar participants had the opportunity to apply for grants. In addition, decisions were taken regarding cooperation between the organizations joining the network.

Symposium on export strategies for new products and services

2.1.33. On 15 and 16 May the Commission held a symposium in Luxembourg aimed at examining how small and medium-sized businesses in the Community in particular could increase their world sales of the new products and services they have developed. The discussion focused on the idea of several firms pooling their distribution activities, which would enable them to exploit, through cooperation at European level, specialized commercial know-how and certain complementary technological skills.

Development of a European information market

Full-text transmission via satellite (Apollo)

2.1.34. The Commission is planning, with the collaboration of the European Space Agency, to use the European Communications Satellite — Satellite Multiservice System (ECS-SMS) for the transmission of full-text documents and images. The Eutelsat Council has agreed in principle to the plan. A first set of trials is being prepared, which will investigate in particular the economic and organizational aspects of such a satellite communications service.

Financing innovation

European Venture Capital Association

2.1.35. The European Venture Capital Association (EVCA), which was founded in 1983² and both set up and launched with support from the Commission under the plan for the transnational development of the supporting infrastructure for innovation and technology transfer,¹ held its first ordinary general meeting in Dublin on 14 May, at which it adopted a code of conduct. The Association, whose main object is to support the establishment of a European venture capital industry, took the opportunity to put on its first further training course for members. EVCA currently comprises 55 organizations specializing in financing innovative projects which involve a high degree of financial risk.

Specialized information

2.1.36. On 14 May the Commission amended,³ at Parliament's request,⁴ its pro-

¹ OJ L 353, 15.12.1983; Bull. EC 10-1983, point 2.1.32.

² Bull. EC 6-1983, point 2.1.46; Bull. EC 11-1983, point 2.1.31.

³ OJ C 142, 2.9.1984; COM(84) 264 final.

⁴ OJ C 117, 30.4.1984.

posal for a Council Decision adopting a Community programme for the development of the specialized information market in Europe.¹ The amended proposal emphasizes the fact that the Commission, which is advised by the Scientific and Technical Information and Documentation Committee as regards the implementation of the programme, remains fully responsible for all decisions, as well as programme management.

Customs union

General legislation

2.1.37. On 17 May the Commission transmitted to the Council a recommendation for a decision accepting on behalf of the Community the Recommendation of the Customs Cooperation Council concerning action against customs fraud relating to containers.²

While accepting the simplification of customs procedures in order to facilitate international trade, the intention of the CCC Recommendation is that customs administrations shall exercise certain controls on goods being moved by international traffic, in particular those transported by containers, in view of the many possibilities for fraud associated with this type of transport.

2.1.38. At its May part-session Parliament endorsed³ the proposal for a Regulation concerning the tariff treatment of goods returned to the customs territory of the Community, which the Commission had sent to the Council in March.⁴

Common Customs Tariff

Nomenclature

2.1.39. The Commission adopted on 30 April three Regulations for the purpose of ensuring uniform application of the CCT nomenclature:

- classifying wash basins composed of 30% of artificial plastics materials and 70% of filler (mainly silicate) in subheading 39.07 B V d);⁵
- classifying footwear known as 'espadrilles' having uppers of fabric and the outer sole of hemp rope in subheading 64.02 B;⁵
- classifying glass rosettes, glass pendants and glass balls in subheading 70.14 A I and glass beads in subheading 70.19 A I a).⁵

Economic tariff matters

Suspensions

2.1.40. In May the Council adopted three Regulations temporarily suspending the autonomous CCT duties on

- a number of agricultural products;⁶
- a number of industrial products;⁷
- certain products intended for use in the construction, maintenance and repair of aircraft.⁸

Tariff quotas

2.1.41. The Council adopted Regulations this month opening, allocating and providing for the administration of Community tariff quotas for the following products:

- fresh table grapes, falling within CCT subheading ex 08.04 A I, originating in Cyprus (1984);⁹
- certain wines having a registered designation of origin, falling within subheading ex 22.05 C, originating in Morocco (1984/85);¹⁰

¹ OJ C 328, 2.12.1983; Bull. EC 11-1983, point 2.1.35.

² COM(84) 261 final.

³ OJ C 172, 2.7.1984.

⁴ OJ C 87, 29.3.1983; Bull. EC 3-1984, point 2.1.37.

⁵ OJ L 117, 3.5.1984.

⁶ OJ L 132, 18.5.1984.

⁷ OJ L 141, 28.5.1984.

⁸ OJ L 134, 19.5.1984.

⁹ OJ L 129, 15.5.1984.

¹⁰ OJ L 133, 19.5.1984.

- Verde wines, falling within heading No ex 22.05, originating in Portugal (1984/85);¹
- Dão wines, falling within heading No ex 22.05, originating in Portugal (1984/85);¹
- sherry, falling within heading No ex 22.05, originating in Spain (1984/85);¹
- Malaga wines, falling within heading No ex 22.05, originating in Spain (1984/85);¹
- Jumilla, Priorato, Rioja and Valdepeñas wines, falling within heading No ex 22.05, originating in Spain (1984/85);¹
- apricot pulp, falling within subheading ex 20.06 B II c) 1 aa), originating in Turkey;²
- port wines, falling within heading No ex 22.05, originating in Portugal (1984/85);¹
- Madeira wines, falling within heading No ex 22.05, originating in Portugal (1984/85);¹
- Setubal muscatel wines, falling within heading No ex 22.05, originating in Portugal (1984/85);¹
- cherries, marinated in alcohol and intended for the manufacture of chocolate products, falling within subheading ex 20.06 B I e) 2 bb);²
- yarn of poly(p-phenyleneterephthalamide), for use in the manufacture of tyres or of products used in the manufacture of tyres, falling within subheading ex 51.01 A;³
- certain eels falling within subheading ex 03.01 A II (1 July 1984 to 30 June 1985).³

The Council also adopted a Regulation increasing the volumes of the Community tariff quotas, opened for 1984, for certain grades of ferro-chromium falling within subheading ex 73.02 E I.⁴

Competition

General rules applying to undertakings

Exemption of motor vehicle distribution agreements

2.1.42. On 24 May Parliament delivered a favourable opinion⁵ on the draft block

exemption Regulation for motor vehicle distribution and servicing agreements.⁶ Parliament supported the objectives pursued by the Commission, and called upon it to bring forward proposals for tax harmonization in order to allow the automobile market to work effectively.

2.1.43. On 24 May Parliament welcomed⁵ the proposal for a Regulation laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport.⁷ Recognizing the difficulty of finding a generally accepted definition of bulk transport, it recommended that that be excluded from the Regulation and that application of the Regulation be confined to scheduled carriers.

2.1.44. At its May session the Economic and Social Committee delivered an opinion on the Commission's draft block exemption Regulation for R&D cooperation agreements.⁸

Restrictive practices, mergers and dominant positions: specific cases

Prohibited horizontal agreements

End of restrictive practices operated by Italian producers of bakers' yeast

2.1.45. The Italian company Eridania Zuccherifici Nazionali told the Commission that it had terminated an agreement it had concluded with the three firms Trentina Lieviti, Vinal, and Sermide, which had been in force since 18 December 1979. The agree-

¹ OJ L 149, 5.6.1984.

² OJ L 129, 15.5.1984.

³ OJ L 130, 16.5.1984.

⁴ OJ L 125, 12.5.1984.

⁵ OJ C 172, 2.7.1984.

⁶ OJ C 165, 24.6.1983; Bull. EC 6-1983, point 2.1.59.

⁷ OJ C 282, 5.11.1981; Bull. EC 9-1981, point 2.1.17.

⁸ Bull. EC 10-1983, point 2.1.44; OJ C 16, 21.1.1984; Bull. EC 1-1984, point 2.1.32.

ment provided for the allocation of quotas for the production and sale of bakers' yeast, and the fixing of selling prices and resale prices on the Italian market; it established a detailed system of reciprocal information and guarantees between the yeast producers participating, in order to ensure that they complied with their obligations towards one another and met the targets set.

The agreement appeared to be confined to the Italian market alone, but Commission inquiries showed that it was liable to damage trade between Member States of the Community by acting as a barrier to imports into Italy, and even more so to Italian exports. The terms of the agreement were such that the participating firms' production quotas were determined essentially on the basis of the requirements of the Italian market, and took no account of demand in other Member States. In practice, the contracting producers had no stocks of yeast in hand which might be exported to the rest of the common market, which was not the case for an independent producer who had penetrated the market more recently.

The Commission takes the view that a restrictive practice of this kind, by which almost all the producers of a particular article in a member country agree on production and sales quotas and fixed prices throughout that country's territory, even though it appears to be of purely domestic relevance, nevertheless entails restraints on competition which can hedge round a substantial proportion of the relevant domestic market and thus damage trade between Member States. If a purely national restrictive practice has the direct effect of sealing off the home market, it risks being incompatible with Article 85(1) of the EEC Treaty.

Permissible forms of cooperation

Commission authorizes specialization agreements for steel products between Arbed and Cockerill-Sambre

2.1.46. On 28 May, acting under Article 65 of the ECSC Treaty, the Commission

authorized agreements between Arbed SA, Luxembourg, and Cockerill-Sambre SA, Seraing, Belgium, for rationalizing and specializing their production of a range of both flat and long steel products.¹ The authorization runs for 10 years in the first instance.

The agreements identify product sectors in which one or other of the parties is particularly efficient and has a leading role. Within this framework the parties agree to rationalize their production facilities and to exchange certain production tonnages in order to improve plant utilization. They will coordinate their medium- and long-term investment policy in order to avoid duplication and overcapacity. The agreements also envisage cooperation on marketing, in a form still to be decided; the Commission will take a separate decision on these aspects when precise proposals are submitted.

Examination of these specialization agreements had indicated that they should make a useful contribution towards restructuring the steel industry. They provide for reductions in capacity and improvements in plant utilization and operating efficiency, and will obviate investment duplication. The agreements should therefore yield considerable benefits to production, and they are not more restrictive than is necessary for that purpose; nor will they prevent continued effective competition in the relevant products.

Restructuring in petrochemical industry

2.1.47. The Commission has authorized a restructuring operation in the petrochemical industry, in which a joint venture would be set up by Akzo Zout Chemie Nederland BV and Shell Nederland Chemie BV.

The joint venture concerns the parties' polyvinyl chloride (PVC) and vinyl chloride monomer (VCM) business; its purpose is to produce a structural improvement in capacity utilization and thus establish sounder structures for the market. One party will

¹ OJ L 163, 21.6.1984.

put its PVC plant at the disposal of the joint venture, and the other its VCM plant. Study of markets for the two products has shown that this arrangement will not deprive users of choice.

The Commission's favourable reaction to the agreements notified exemplifies its general thinking on joint measures aimed at countering structural overcapacity while remaining within the Community competition rules. Arrangements by which a number of firms in a particular industry take agreed measures to ensure fuller use of capacity may be authorized under certain conditions, provided there are no unacceptable restrictions on competition, such as price-fixing or the allocation of quotas.

The case is important, too, in that it is the first in which the Commission has followed one of the new administrative practices introduced in its general effort to simplify and accelerate the handling of competition cases, which were announced in its latest Report on Competition Policy.¹

Distribution

Commission fines Polistil and Arbois 30 000 ECU for infringing competition rules

2.1.48. On 16 May the Commission adopted a decision finding that the EEC Treaty rules, in particular Article 85, were infringed by certain clauses in an agreement by which Polistil, one of the main Italian toy manufacturers, granted the exclusive right to sell its products in France to the Arbois company, which belongs to the CEJI-Compagnie du Jouet group, the main French toy manufacturer.²

The Commission had been informed of the matter when a French toy distributor encountered difficulties importing toys of Italian origin into France. There were clauses in the contract aimed at giving Arbois absolute territorial protection: Polistil undertook to prohibit, in the area allocated to Arbois, sales by other parties with whom it had agreements, and to sell to Arbois at

prices which would enable it to overcome any competition from parallel imports.

Following Commission representations, the clause relating to a ban on sales in France was deleted, and the agreement was formally notified to the Commission.

The Commission nevertheless took the view that a fine of 30 000 ECU should be imposed on each of the firms in respect of the period prior to notification. Absolute territorial protection is a serious infringement of the EEC Treaty competition rules which has repeatedly been penalized by the Commission itself and by the Court of Justice. However, the fairly small turnover in the relevant products was taken into account, as was the fact that the firms withdrew the offending clauses and notified their agreement shortly after learning of the Commission's position.

Commission acts to promote a unified automobile market in the interests of consumers

2.1.49. Acting under the Community competition rules, the Commission approached Fiat Auto SpA on two specific questions: the operation of its guarantee, and the sale of right-hand-drive vehicles in Belgium and Luxembourg.

Like all the major automobile manufacturers, Fiat offers a guarantee on its new vehicles which is valid throughout the Community. If the guarantee is invoked in the Member State where the vehicle was sold, the work covered is done without charge by any Fiat subsidiary or dealer. If repairs covered by the guarantee are carried out abroad, the customer may have to pay for them himself and obtain a refund from Fiat later. Until now, for the guarantee to operate abroad, a motorist claiming a refund had to have the work examined by the dealer who originally sold him the car, and had to produce both the supporting documents and the parts replaced. Obviously,

¹ Thirteenth Report on Competition Policy, point 71.

² OJ L 136, 23.5.1984.

this method of applying the guarantee created difficulties for customers who had bought their cars in another Member State.

Fiat Auto SpA has now changed the guarantee clauses dealing with work done abroad:

- it is no longer necessary to present the parts replaced to the Fiat dealer who originally sold the car, but merely to have a check made on the documents showing that the work was done;
- the customer can now claim a refund not only from the seller but also direct from the Fiat distribution company which issued the guarantee certificate;
- the refund claim may be submitted up to two months after payment is made for the work, instead of one month, and may be made out in the language of the customer.

As regards the sale of right-hand-drive Fiat vehicles, the Commission had been examining certain difficulties experienced mainly by British nationals in Belgium and Luxembourg. Since 1 January 1984 these vehicles can be bought by members of the public for use in the United Kingdom. They can be ordered from any Fiat dealer and will be delivered in Brussels within three to four months.

The Commission will continue its efforts to unify the European car market. An important aspect of this policy is that, no matter where they live in the Community, private individuals must be able to buy a car wherever they find the best terms.

Mergers

Acquisition by Société française des pétroles BP of a holding in Unico

2.1.50. On 24 April, acting under Article 66 of the ECSC Treaty, the Commission authorized Société française des pétroles BP SA, Courbevoie, Hauts-de-Seine, France, to acquire a 50% stake in Union des Combustibles Unico SA, Paris. Before the sale of this holding Unico was a wholly owned

subsidiary of Raab Karcher, which in turn is affiliated to Veba AG, Düsseldorf; Société française des pétroles BP belongs to the London-based British Petroleum Company plc group.

British Petroleum and Veba will thus be joint owners of Unico, so that the transaction represents control by a group and constitutes a concentration within the meaning of Article 66(1) of the ECSC Treaty. The main purpose of the operation is to enable the two groups jointly to serve their solid-fuel customers and to exploit BP's cheap sources of coal in non-member countries.

Both groups have only small shares of the solid-fuel market in France. Even if Unico enabled them to increase their sales of cheap coal from outside the Community, therefore, it is hardly likely that this would create any lasting change in their position on the market as compared with those of their competitors.

Joint participation by the companies in Unico will not give them the power to determine the prices of solid fuel, to control or restrict production or distribution, or to hinder effective competition in a substantial part of the common market.

Merger of Klöckner-Werke and Krupp Stahl forging works

2.1.51. On 17 May, acting under Article 66 of the ECSC Treaty, the Commission authorized Klöckner-Werke AG, Duisburg, and Krupp Stahl AG, Bochum, to set up a joint venture, Schmiedewerke Krupp-Klöckner GmbH, to take over Klöckner's forging plant at its Osnabrück works, along with two electric furnaces, and Krupp's forging works in Bochum/Essen/Hagen.

Against a background of structural overcapacity in forging in Germany, Europe, and worldwide, this merger is aimed at rationalizing the plant in question so as to help to ensure that it continues in operation. The products affected by the merger are forged bars, hammer-forged products, railway

equipment (tyres, axles, bands and wheel centres), switchgear, and semi-finished titanium steel products. All of these fall within the scope of the EEC Treaty.

Examination of the project in the light of Article 66 of the ECSC Treaty showed that the merger did not entail any increase in capacity and would not improve the internal sales outlets for upstream ECSC products open to the two parent companies, both of them steel undertakings within the scope of Article 80 of the ECSC Treaty, as both already themselves supply 99% of their forging works' requirements. And deliveries of ECSC products to the joint undertaking would in both cases represent only a marginal proposition of the parent companies' total output of crude steel.

The project was also considered in the light of Article 86 of the ECSC Treaty, as the forgings affected by the merger are within the scope of the EEC Treaty. This examination showed that neither of the firms concerned held a dominant position in respect of one or more of the relevant products, in the common market or a substantial part of it, which might have been strengthened by the merger in a way which would constitute an abuse within the meaning of Article 86. Thus the Commission had no objection to raise from this point of view either.

Stade aids

General aids

Germany

2.1.52. On 16 May the Commission approved a section of the economic development programme introduced by the Land of Baden-Württemberg; the plan had been notified to the Commission by the Government of the Federal Republic of Germany as required by Article 93(3) of the EEC Treaty.

The programme comprises both regional measures and general measures, on which

the Commission has now given a ruling; these consist of:

- low-interest loans towards the creation and consolidation of small businesses (up to 50 employees);
- grants for the development of new products or processes;
- low-interest loans for the launching of new products, for measures to protect the environment, and for tourism;
- grants for the introduction of new technologies in small and medium-sized firms;
- land guarantees to help industrial and commercial firms to obtain credit.

However, the Commission asked the German Government to comply with stated obligations regarding advance notification and regular reporting, and said that if necessary it might reconsider its attitude to the various aid schemes on the basis of the information assembled in this way.

Italy

2.1.53. On 30 May the Commission decided to terminate the procedure it had initiated under Article 93(2) of the EEC Treaty in respect of aid which the Italian Government planned to give to a pharmaceuticals firm under Act No 46 of 17 February 1982 setting up the Special Fund for Innovation.¹ The Italian Government had since told the Commission it was dropping the plan.

The Commission had taken the view that the aid would not assist an innovation project likely to further a Community objective. It had therefore asked the Italian Government and the Government of the other Member States to submit their comments, and had published a notice in the Official Journal asking any other interested parties to do likewise.²

¹ Gazzetta Ufficiale No 57, 27.1.1982; Bull. EC 7/8-1983, point 2.1.39.

² OJ C 124, 9.5.1984.

Regional aids

Belgium

2.1.54. The Belgian Economic Expansion Act of 30 December 1970 makes provision among other things for the granting of interest subsidies two percentage points above the basic interest subsidy, in order to counter cyclical difficulties in development areas. This is referred to as supplementary regional aid.

The Commission wrote to the Belgian Government on 19 November 1981 to say that it had decided to initiate the Article 93(2) procedure in respect of a number of provisions in the Act; it said at that time that, having regard to Article 92 *et seq.* of the EEC Treaty, the grant of supplementary regional aid might be warranted only if the cyclical difficulties of a Member State were more serious in the assisted areas than in the rest of the country.

In view of the Belgian Government's assurances that the Act was shortly to be amended, the Commission told the Government on 8 September 1982 that it had decided to agree to a temporary and conditional extension of supplementary regional aid in all the development areas for a final period expiring on 31 December 1982.

On 23 November 1982, however, the Government notified the Commission, as required by Article 93(3) of the Treaty, that it planned to extend the supplementary regional aid scheme in all the development areas until 30 June 1983.

On 26 January 1983 the Commission told the Government it had decided to initiate the Article 93(2) procedure in respect of the plan to extend the scheme;¹ this meant the plan could not be put into effect. The Commission has studied the data submitted by the Government and does not consider that structural disparities between the regions of Belgium have been widened by recent cyclical developments.

Accordingly, on 16 May of this year the Commission decided that the Kingdom of

Belgium could not put into effect its plan to extend until 30 June 1983 the supplementary regional aid scheme provided for in the Economic Expansion Act of 30 December 1970, and informed the Belgian Government of its decision.

Industry aids

Steel

2.1.55. Mr Frans Andriessen, the Member of the Commission with special responsibility for competition, gave a press conference on the situation regarding the restructuring of the Community's steel industry.²

Aluminium

Germany

2.1.56. On 2 May the Commission initiated the Article 93(2) procedure in respect of aid amounting to DM 7.5 million to be granted to a firm making semi-finished aluminium products in the Federal Republic of Germany.

The aid was to go to a modernization project which would increase the firm's capacity by 33%. The Commission took the view that such modernization investments should be paid for out of the firm's own resources, and that the use of State aid was liable to affect trading conditions to an extent contrary to the common interest.

Shipbuilding

2.1.57. On 4 May the Commission sent the Council a report on State aids for shipbuilding in the first half of 1983;³ these reports are required by the fifth Council Directive of 28 April 1981.⁴ The report speaks of an acute deterioration in the

¹ Bull. EC 1-1983, point 2.1.24.

² Point 2.1.26.

³ COM(84) 236 final.

⁴ OJ L 137, 21.5.1981; Bull. EC 4-1981, point 2.1.20.

situation of the industry in the Community during the period under review, and for the first time includes data on the output and order-books of the yards, comparing them with figures for the same period in 1982. The comparison shows that new orders in the Member States overall fell by 30%.

2.1.58. On 24 May Parliament endorsed¹ the proposal to extend until 31 December 1986 the fifth Council Directive of 28 April 1981 on aid to shipbuilding;² the Commission had sent the proposal to the Council in March.³

Agricultural tractors

Italy

2.1.59. On 23 May 1983 the Commission decided to initiate the Article 93(2) procedure in respect of an Italian Government measure to assist a manufacturer of agricultural tractors and engines for agricultural use.

It took the view that the measure constituted a State aid within the meaning of Article 92(1) because of the advantage it conferred on that firm over other firms in the industry.

After considering the comments put forward by the Italian Government, the Governments of the other Member States and other interested parties, the Commission saw no reason to use its discretionary power to grant one of the exemptions which the Treaty allows from the ban on State aids in Article 92(1), and on 16 May of this year it took a decision finding against the proposed measure.

Diesel engines

United Kingdom

2.1.60. On 11 May the Commission decided to terminate the Article 93(2) procedure it had initiated on 26 October 1982 in respect of assistance which the British authorities planned to grant to a diesel

engine manufacturer under Section 8 of the Industry Act 1972. The British authorities had dropped the proposal following initiation of the procedure.

Spirits

France

2.1.61. On 30 May the Commission decided to initiate the Article 93(2) procedure in respect of certain measures planned by the French Government to assist producers of natural spirits.

The measures would comprise cash aid to cognac producers, financing for the promotion and advertising of armagnac, calvados, pineau and fruit spirits and storage aids for armagnac and calvados.

The Commission took the view that some of these measures constituted operation aid, with no *quid pro quo* from the recipient firms, and would produce no lasting development in the industries concerned. It generally holds such aid to be incompatible with the common market.

On the other hand, the Commission raised no objection to aid towards research relating to armagnac and calvados, nor to certain measures to assist investment in the calvados industry.

Paper

Italy

2.1.62. On 30 May the Commission decided to terminate the Article 93(2) procedure it had initiated in respect of an Italian plan to assist a paper firm. The proposal was to grant an interest subsidy and a low-interest loan towards an investment pro-

¹ OJ C 172, 2.7.1984.

² OJ L137, 23.5.1981.

³ OJ C 86, 28.3.1984; Bull. EC 2-1984, point 2.1.48.

gramme totalling some LIT 19 000 million, under Act No 675 of 1977. The combined intensity of the assistance was estimated at about 17% of the cost of the investment in net grant equivalent.

In its final assessment the Commission found that the aid was linked to a restructuring programme involving the closure of two machines and a reduction in the firm's capacity, and conversion from kraft paper, a bulk product which is in substantial overcapacity in the Community, to coated printing and writing paper. The restructuring programme thus conformed to the Commission's guidelines for aid to this industry.

Textiles and clothing

Italy

2.1.63. On 7 December 1983 the Commission initiated the Article 93(2) procedure in respect of aid planned under Italian Act No 675 of 1977 to assist a firm manufacturing pyjamas and underwear. According to the conditions for the application of the Act which were agreed by the Italian Government and the Commission, these product lines, which are already very competitive in Italy, should not as a rule be assisted under the Act, unless there are exceptional reasons for doing so.

The comments submitted by the Italian authorities in the course of the procedure did not reveal any fresh information, especially as regards a *quid pro quo* in the Community interest, from the recipient firm, which might have allowed the case to be considered for one of the exemptions permitted by the Treaty.

The Commission found that the aid was liable to affect competition within the Community to an extent contrary to the common interest, and on 17 April decided to ask the Italian Government to refrain from granting it.

Financial institutions and taxation

Financial institutions

Banks

Coordination of banking legislation

2.1.64. On 18 May the Commission transmitted to the Council a proposal¹ to amend the Directive of 12 December 1977 on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of credit institutions.² As it had stated in its report to the Council of 14 March,³ the aim of this amendment is to enable Greece to continue to apply the economic need criterion to the establishment of new banks and the opening of branches by domestic banks or banks from other Member States.

Stock exchanges and other institutions concerned with stock exchange securities

Setting up of a European securities market

2.1.65. On 25 May the Committee of Stock Exchanges in the Community issued a press release calling attention to its decision to implement the IDIS project (Inter-bourse Data Information System). The Committee is composed of the chairmen of stock exchanges in the Member States and of the Madrid stock exchange.

The IDIS project involves the creation of a network to connect the stock exchange floors in the Community. This network will in the first instance be used for the transmission of equity prices for securities which are

¹ OJ C 153, 13.6.1984; COM(84) 260.

² OJ L 322, 17.12.1977; Bull. EC 12-1977, point 2.1.64.

³ Bull. EC 3-1984, point 2.1.55.

officially listed on more than one Community stock exchange. Work on this first phase is being put in hand immediately, and it is expected that it will be completed by the end of 1985.

The Committee has agreed to examine the possibility of extending IDIS at a later stage to carry more information, including bid and offer prices and confirmation of trades and to enable instructions for clearing and settlement of trades to be conveyed over the system using some standardized formats yet to be devised. These decisions were taken in the light of a study carried out jointly with the Commission.

The Commission issued its own press release simultaneously with that of the Committee. In this the Commission welcomed the stock exchanges' initiative, commenting that it considered it to be a constructive follow-up to its call for closer links to be created between EEC stock exchanges, made at a symposium held in November 1980.¹ The Commission said that it considered the measures now being taken by the Committee to be the first important step towards the creation of a Community-wide market system for equity capital.

Taxation

Indirect taxes

Turnover taxes

2.1.66. At its May session the Economic and Social Committee endorsed the proposal for a twelfth Council Directive on the harmonization of the laws of the Member States relating to turnover taxes—common system of VAT: expenditure not eligible for deduction of VAT.²

Tax-free allowances

Fuel allowance

2.1.67. On 21 May Parliament gave its opinion³ on two Commission proposals for

Council Directives for the removal, from 1 July, of all restrictions on the amount of fuel contained in the normal fuel tanks of commercial road vehicles which may be admitted tax- and duty-free.⁴ It welcomed the fact that these two proposals had been presented at the same time and approved them without reservation.

Employment, education and social policy

Reflection on Community social policy

2.1.68. Mr Ivor Richard, the Member of the Commission with special responsibility for social affairs, has had a document entitled 'Reflection on Community social policy' prepared for the Council meeting to be held on 7 June; this paper takes stock of social action at Community level and reviews its prospects. Against a background of budgetary restrictions due to economic stagnation Mr Richard restates the priorities underlying the four broad objectives of social policy: to promote the greater and wider availability of employment; to reinforce social solidarity within and between Member States; to improve living and working conditions; to facilitate change by the achievement of consensus through negotiation.

Employment

Standing Committee on Employment

2.1.69. On 10 May the Standing Committee on Employment held its 27th meeting under the chairmanship of Mr Pierre Berégovoy, French Minister of Social Security and National Solidarity.⁵ The meeting was

¹ Fourteenth General Report, point 211.

² OJ C 37, 10.2.1983; Bull. EC 12-1982, point 2.1.50; OJ C 56, 29.2.1984; Bull. EC 2-1984, point 2.1.60.

³ OJ C 172, 2.7.1984.

⁴ OJ C 95, 6.4.1984; Bull. EC 3-1984, point 2.1.58.

⁵ Bull. EC 11-1983, point 2.1.62.

devoted to a discussion of the Commission communication on technological change and social adjustment.¹ At the end of the meeting the Chairman drew the following conclusions:

- The Committee recognizes the inevitability of the introduction of new technologies to boost the competitiveness of European undertakings and restore economic growth. It affirms the need for an overall Community response to the new industrial revolution. A macroeconomic policy aimed at a stronger resumption of growth will facilitate the process of adjustment between sectors, as well as the occupational and geographic mobility of the labour force.

- To this end the potential afforded by technological innovation and the expansion of investment must be exploited in order to create the conditions for better employment and an improvement in working conditions. This implies acceptance of the necessary changes which could in due course make for the creation of new jobs. It is necessary, however, to keep a grip on these changes to prevent the social equilibrium from being seriously undermined.

- If these changes are to be carried through successfully, the workers involved must be trained and kept informed.

- The Committee considers that training and education have a vital role to play in a Community strategy designed to reinforce the capacity for innovation and the competitive position of European undertakings. Investment, employment, labour and training policies form an indivisible whole. Although investment constitutes the primary condition for the success of this strategy, training and education have a decisive role to play here. An initial major step in this direction was taken with the adoption by the Council of a number of resolutions affording the basis for Community action in this area, designed to supplement and second action undertaken by the Member States themselves.

- A special effort must be made for the training and retraining of those categories of workers most affected by the employ-

ment crisis and by technological change. Initial and ongoing training together with retraining measures will make it possible to adapt the skills of workers to the requirements of new technologies. This should go hand in hand with forward labour management.

- The Committee recognizes that technological transformation is greatly facilitated if the workers are fully involved; they and their representatives ought therefore to be informed and consulted beforehand with a view to arriving at agreements. This information and consultation must be as exact and full as possible and must regularly accompany the implementation of technological options. To this end, the parties concerned should be able to benefit from expert advice.

- Since technological change has consequences for employment, the organization of work and production, these must form the subject of dialogue between labour and management. This dialogue must, while seeking to preserve the competitive position of undertakings, pay particular attention to the improved utilization of plant and equipment, employment problems, working conditions, safety at work, and working time. In this context the Council has been invited to act speedily on the proposed recommendation from the Commission on the reduction and reorganization of working time.

- The magnitude and the urgency of the effort to be undertaken make it more necessary than ever to mobilize all European economic and social forces.

On these basés, the Commission was requested to develop—and, where necessary, initiate—work in the following areas:

- to define the principles of and detailed arrangements for forward labour management, in particular by strengthening the means of observing and analysing new demands for skilled personnel;

¹ Bull. EC 1-1984, points 1.3.1 to 1.3.5.

- to identify and analyse, in conjunction with the Member States and both sides of industry, short- and medium-term sectoral trends in particular with a view to pinpointing the prospects for the development of employment which may result from the implementation of new technologies;
- to extend action to familiarize people with new technologies, particularly within the education system;
- to initiate or strengthen cooperation between industry and the training—in particular, advanced training—institutions, with a view to improving initial training and imparting new skills to those whose employment is affected by technological innovations;
- to encourage, starting at the conception and planning stage of technological innovation, the systematic study of the related ergonomic implications with a view to improving working conditions; thought must also be given to the occupational and social integration of vulnerable categories of workers, in particular the handicapped;
- to examine the full implications of the impact of technological advance on the decentralization of production, including work performed at home and telecommuting;
- to work out at Community level the principles common to the particular legislative and contractual instruments of the Member States concerning information, consultation and negotiation on the introduction of new technologies; to promote to this end the training of experts in technological innovation from workers' and employers' organizations;
- to implement measures to encourage and disseminate experience and improve the utilization of the Community financial instruments—ESF, ERDF, EIB—in such a way as to assist the implementation of an innovatory Community strategy likely to respond to the social consequences of technological change.

Employment and the labour market

2.1.70. At its 217th plenary meeting on 23 and 24 May the Economic and Social Committee adopted two opinions,¹ one on the draft Council resolution concerning action to combat unemployment among women,² and the other on the Commission communication 'Community action to combat unemployment: the contribution of local employment initiatives'.³

Free movement of workers

2.1.71. At a meeting on 11 May the Advisory Committee on the Free Movement of Workers adopted two opinions: one on pre-school education for immigrant children and the other on guidance, preparatory training and vocational training for second-generation immigrants.

Financial instruments

Measures for ECSC workers

Social measures in the coal industry

2.1.72. At a meeting of Energy Ministers on 22 May the Council agreed in principle to the transfer of 60 million ECU from the Community budget for 1984 to the ECSC budget as a contribution to the financing of measures to deal with the social and economic consequences of the restructuring and modernization of the Community coal industry.⁴

Education and vocational training

Cooperation in education

2.1.73. The Commission participated in a public hearing to discuss a draft European Charter for Regional and Minority Lang-

¹ Points 2.4.27 and 2.4.28.

² OJ C 77, 19.3.1984; Bull. EC 2-1984, point 2.1.73.

³ Bull. EC 11-1983, point 1.2.1 *et seq.*

⁴ Point 2.1.178.

uages, held on 15 and 16 May in Strasbourg by the Council of Europe's Standing Conference of Local and Regional Authorities of Europe.

2.1.74. On 9-12 May the Commission and the French Government organized a seminar at Pont-à-Mousson, France, on 'Cultural action, the opening up of schools to the outside world and educational reform', the purpose of which was to exchange information on policies and experience in the respective Member States in this area with a view to identifying the common principles on which consideration of educational reform could be based. The seminar drew its inspiration from the resolution of 9 February 1976 comprising an action programme in the field of education,¹ one of whose aims was to promote closer relations between educational systems in Europe.

2.1.75. On the occasion of the Council of Europe Conference of European Ministers responsible for Cultural Affairs, held in Berlin on 23-25 May, Mr Richard Burke, Member of the Commission, attended the prize-giving for the winners of the European Schools' Day competition. Every year 2 million pupils take part in this competition, jointly financed by the Commission and the Council of Europe, the aim of which is to promote understanding of the European idea among young people.

2.1.76. The European Trade Union Confederation (ETUC), in cooperation with the European Trade Union Committee for Education and the Commission, organized a colloquium in Brussels on 21-24 May on education, training and employment in western Europe, the chief aim being to prepare the ETUC memorandum on education and training policy. Three main topics were discussed: the transition from school to adult life, adult training and continuing education, and new technologies and training.

European University Institute, Florence

2.1.77. Meeting on 24 and 25 May, the High Council of the European University

Institute in Florence reappointed Prof. Werner Maihofer Principal of the Institute for the period 1 October 1984 to 30 September 1987.

Youth exchanges

2.1.78. On 18 May the Commission transmitted to the Council a proposal for a third exchange programme for young workers in the Community.² The scope of the programme, which will cover five years (1984-88) with an allocation of 13.7 million ECU, has been expanded compared with the first two (adopted by the Council in May 1964³ and July 1979⁴): the exchanges and visits will not be restricted to young workers in employment but will also be extended to young job-seekers.

2.1.79. On 28 May the Commission sent to the Council⁵ its second report⁶ on the progress of the second joint programme for exchanges of young workers.⁴ Covering the period January 1982 to December 1983, it contains a comprehensive review of measures undertaken as part of the programme and concludes that exchanges should be facilitated and carried out on a larger scale. During the reporting period 2252 young workers participated in courses in another country financed by the Commission. During the five years 1979-83 nearly 4000 young people took part in exchanges.

Living and working conditions and social protection

Harmonization of social legislation

2.1.80. On 22 May Parliament adopted a resolution on the harmonization of social legislation in the Member States.⁷

¹ OJ C 38, 19.2.1976.

² OJ C 153, 13.6.1984; COM(84) 265 final.

³ OJ 78, 22.5.1964.

⁴ OJ L 185, 21.7.1979; Thirteenth General Report, point 209.

⁵ COM(84) 255 final.

⁶ Bull. EC 6-1982, point 2.1.67.

⁷ Point 2.4.15; OJ C 172, 2.7.1984.

Equality between men and women

2.1.81. On 23 May Parliament issued a generally favourable opinion¹ on the proposal for a Directive on the application of the principle of equal treatment as between men and women in self-employed occupations, including agriculture, and on the protection of self-employed women during pregnancy and motherhood,² subject to a number of amendments.

2.1.82. On 22 May Parliament also endorsed¹ the draft Council resolution on Community action to combat unemployment among women,³ calling for the proposed measures to be reinforced and extended in scope.

2.1.83. The Economic and Social Committee delivered two favourable opinions on 23 and 24 May:⁴ one on the draft resolution concerning measures to combat unemployment among women³ and one on the proposal for a Directive on parental leave and leave for family reasons.⁵

Social integration of handicapped persons

2.1.84. For the first time the Commission attended, as an observer, a meeting of the Council of Europe's Partial Agreement Committee on the Rehabilitation and Resettlement of the Disabled. The Commission had previously invited the Council of Europe to send an observer to its Liaison Group for Handicapped Persons. This exchange has further reinforced cooperation between the two institutions.

Social protection

2.1.85. On 22 May Parliament adopted a resolution⁶ on the Commission communication on social security problems (points for consideration),⁷ thus responding to the Commission's wish that these issues be discussed. Parliament invited the Commission to make a detailed study of certain problems such as financing, curbing costs and the effectiveness of social security systems.

Health and safety

Public health

2.1.86. On 29 May the Commission sent the Council a draft resolution⁸ concerning a Community action programme on toxicology for health protection. This programme, which is concerned with general toxicological problems and seeks to provide support for the development of sectoral activities (toxicological practice, clinical toxicology, training and information), is intended to improve existing practice and thus promote the efficient and economic use of the limited resources available. The programme will involve (i) the integration of experimental, clinical and analytical toxicological data in an attempt to establish the normal functioning of organs, against which experimental and chemical toxicological information can be assessed, and (ii) the rapid development of the discipline through an improvement in the standard and availability of toxicologists in the Community.

2.1.87. On 23 May Parliament endorsed¹ the proposal for a Directive relating to the protection of dialysis patients by minimizing exposure to aluminium.⁹ It recommended that the date for the compulsory reduction of the aluminium level in dialysis liquids to 10 µg/l should be fixed as soon as possible.

The House also passed a resolution on drug-taking by children.⁶

2.1.88. At its plenary session on 23 and 24 May the Economic and Social Committee delivered its opinion⁴ on the draft

¹ OJ C 172, 2.7.1984.

² OJ C 113, 27.4.1984; Bull. EC 3-1984, point 2.1.76.

³ OJ C 77, 19.3.1984; Bull. EC 2-1984, point 2.1.73.

⁴ Points 2.4.26 and 2.4.28.

⁵ OJ C 333, 9.12.1983; Bull. EC 11-1983, point 2.1.80.

⁶ Point 2.4.15; OJ C 172, 2.7.1984.

⁷ Bull. EC 11-1982, point 2.1.50.

⁸ OJ C 156, 16.6.1984; COM(84) 284 final.

⁹ OJ C 202, 29.7.1983; Bull. EC 6-1983, point 2.1.93.

¹⁰ Point 2.4.31.

Council recommendation concerning the adoption of a European emergency health card.¹

Health and safety at work

2.1.89. A seminar was held at Lorient in France from 15 to 18 May on the subject of integrated safety and the prevention of industrial accidents in the sea-fishing sector; this was the first seminar of its type to deal with crew safety in addition to that of vessels. On the basis of the results of a study of Community accident certificates, the participants examined possible ways of improving working and living conditions on board sea-fishing vessels and submitted suggestions to the Commission with a view to the improvement of vocational training for fishermen.

2.1.90. The Commission attended the Third International Meeting on Occupational Health, held in Lisbon and Coimbra, Portugal, from 15 to 19 May, which was patronized by the relevant national organizations and ministries and by several international organizations. The main topics discussed were: occupational health services in small industries; organizational patterns of occupational health in different parts of the world; the contribution of prevention and occupational health measures to productivity, to welfare and to the adequacy of labour organization and structure; occupational diseases and their causes and prevention (fishing and harbours, agriculture and industry); exposure limits.

Health and safety (Euratom)

2.1.91. On 18 May, acting under Article 33 of the Euratom Treaty, the Commission delivered a favourable opinion in respect of draft radiation protection regulations made by the Netherlands authorities pursuant to the Council Directive of 15 July 1980 amending the Directives laying down the basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation.²

2.1.92. In accordance with Article 37 of the Euratom Treaty, the Commission delivered an opinion in respect of a plan for the disposal of radioactive effluent from the Gundremmingen II nuclear power station in the Federal Republic of Germany.

Culture

Preparations for meeting of Council and Culture Ministers

2.1.93. In preparation for the meeting to be held on 22 June of the Council and the Ministers of Cultural Affairs meeting in the Council, the Commission sent the Council a proposal for a recommendation on action against audio-visual piracy and working papers on the following matters:

- aid for vocational training under the Social Fund: the Commission hopes that the Fund can help to finance specific training operations in cultural occupations under the new Fund Regulation adopted in October 1983;³
- better social security protection for cultural workers (harmonization of Member States' individual arrangements);
- problems of copyright and related rights: the Commission will shortly be publishing a Green Paper;
- the cultural, economic and social consequences of the boom in audio-visual media: the Commission calls for increased support for fundamental cultural activities (literature, plastic arts, live performance, the cinema) and cinema and television coproductions (possibly through a European aid fund financed from the Community budget);
- the movement of works of art within the Community: the Commission wishes to extend to certain cultural goods the provi-

¹ OJ C 21, 28.1.1984; Bull. EC 12-1983, point 2.1.88.

² OJ L 246, 17.7.1980; Bull. EC 7/8-1980, point 2.1.54.

³ OJ L 289, 22.10.1983; Bull. EC 10-1983, point 1.3.1 *et seq.*

sions of the Regulation of 19 December 1983¹ (temporary movement without guarantee);

- taxation: the Commission intends to lay two proposals for directives before the Council in the near future — one concerning exemption to be granted in the event of temporary importation and the other exemption from VAT for a range of cultural services in certain circumstances; it also intends to put forward a proposal for a recommendation on taxation of the incomes of cultural workers, cultural foundations and patronage, private architectural heritage, and goods and services consumption of which is discouraged by high rates of VAT and other charges.

Action against audio-visual piracy

2.1.94. On 28 May the Commission transmitted to the Council a draft recommendation on action against audio-visual piracy.² Audio-visual piracy is the unauthorized copying for commercial purposes of recordings of all kinds — sound records, video tapes, films for cinema showing, radio and TV broadcasts, and some software. Broadly, it covers the making, importation, distribution and sale or rental of illicit recordings.

In the early 1980s receipts from sound-record pirating were calculated at USD 1 500 million, 15% of the legitimate trade's world turnover. Piracy is harmful economically, harmful socially and harmful to the arts.

Far from operating separately, its undesirable effects are closely interconnected. First, as it is confined to recordings which have already gained popularity, it sidesteps the risk involved in launching any new recording. Second, it pays nothing in respect of copyright, of performing rights, of artistic and technical processing, or of taxation.

Consequently, it offers stiff competition to the production, distribution and showing of cinema films, to the radio and TV networks and to the record and videotape industries.

So it has had much to do with the latter's declining sales since 1979 both on the internal Community market (where wholesale sales fell from USD 2 201 million in 1979 to USD 1 784 million in 1981) and for export to other countries.

As well as depriving authors and performers of part of their earnings for work they have already done, piracy poses a threat to their future employment and what they could earn from it, since the extent of that employment and earnings depends on how much lawful producers can themselves earn: if they earn less, they have to cut back on their operations, and on the capital spending needed to produce really good recordings.

2.1.95. The Commission therefore proposes to the Council that the Member States should:

- if they have not already done so, ratify international conventions calculated, by the provision they make for reciprocity, to facilitate the taking of proceedings against acts of audio-visual piracy, in particular the Rome Convention of 26 October 1981, the Geneva Convention of 29 October 1971 and the Brussels Convention of 21 May 1974;
- pursuant to international conventions subscribed to or to be subscribed to by them, so strengthen their domestic and in particular their criminal law as to afford the competent authorities all necessary facilities for tracing and establishing acts of piracy, and the courts the necessary legal armoury for dealing with these in a manner calculated effectively to deter;
- issue to the government departments concerned and the fraud investigation authorities all appropriate instructions with a view to promoting close cooperation between them in combating audio-visual piracy;
- institute a systematic policy of cooperation between the authorities and the persons

¹ OJ L 2, 4.1.1984; Bull. EC 12-1983, point 2.1.25.

² COM(84) 290 final.

in the occupations concerned for the purpose of keeping abreast of developments in connection with piracy and regularly adjusting fraud prevention, detection and retribution methods accordingly;

- make it their policy, in consultation with the international intellectual property organizations, to pass to States and holders of rights all particulars of statute and case law relating to audio-visual piracy;
- consider in the context of the current national and Community discussions on copyright any proposal for a convention, enactment or other instrument that could help to deal properly with the problems, and in particular any way to make the procedures and penalties in respect of pirates and peddlers of pirated products more effective.

2.1.96. On 25 May Parliament passed resolutions on the situation of cultural workers and on the market in violent and horrific video cassettes.¹

Regional policy

Integrated Mediterranean programmes

2.1.97. At its May session the Economic and Social Committee adopted an opinion,² further to the interim opinion given in November 1983,³ on the Commission proposals on integrated Mediterranean programmes.⁴

Coordination and programmes

Regional development studies

2.1.98. On 29 and 30 May the Commission decided under Article 12 of the ERDF Regulation to grant 0.20 million ECU to finance five studies closely connected with the Fund's operations. The studies are all on projects in the United Kingdom: the berth development at Falmouth docks, the

South Glamorgan road programme, strategic storage of natural gas in Northern Ireland, the extension to Ullapool harbour jetty and the conversion of an old steel plate mill at Consett into small workshops.

A study financed by the Commission has been completed (20 000 ECU) which analyses regional development in the tertiary sector in recent years and indicates possible contributions of the sector to regional employment in the near future.

Financial instruments

European Regional Development Fund

Eighth annual report

2.1.99. At its May session the Economic and Social Committee gave a favourable opinion on the eighth annual report on the activities of the ERDF.⁵

Recasting the ERDF Regulation

2.1.100. On 14 May the Council reached general agreement on the Commission's new proposal⁶ for the revision of the ERDF Regulation.⁷

The text of the revised Regulation as it is now taking shape retains the most important innovations proposed by the Commission:

- new provisions on the coordination of regional policies;
- the use of ERDF resources under a system of ranges applying for three-year periods with a lower and an upper limit

¹ Point 2.4.15; OJ C 172, 2.7.1984.

² Point 2.4.25.

³ OJ C 23, 30.1.1984; Bull. EC 11-1983, point 2.4.24.

⁴ OJ C 251, 19.9.1983; Bull. EC 3-1983, points 1.3.1 to 1.3.13 and 3.4.1 to 3.4.3; Bull. EC 10-1983, point 2.1.163.

⁵ Bull. EC 10-1983, point 2.1.79.

⁶ OJ C 360, 31.12.1983; Bull. EC 11-1983, points 1.1.1 to 1.1.8.

⁷ OJ L 73, 21.3.1975.

for each Member State; the allocation of resources among the Member States within the ranges will depend on operations obeying the priorities and criteria laid down by the Regulation;

- the use on an experimental basis of a growing share of resources to finance programmes, carried out on the initiative of a Member State (national programmes of Community interest) or upon the Commission's initiative (Community programmes);
- financial contribution by the ERDF to measures to assist small businesses: establishing services for them and facilitating their access to the capital market;
- higher rates of assistance; and
- the possibility of advance payments under certain conditions.

On 14 May the Council settled the main points still outstanding:

- the lower limits were fixed at higher levels than in the Commission's proposal for all countries except Denmark, whose lower limit was reduced to take account of Greenland's new status from 1 January 1985; the lower limits for Greece and Ireland were raised the most;

- the rates of assistance were set at 50% as the general rule, increased in certain cases to 55%;
- the Council to decide by a qualified majority on the framework for Community programmes; and
- the list of types of infrastructure project not eligible for aid from the Fund.

ERDF grants

Quota section

2.1.101. On 15 May the Commission approved the first allocation of ERDF grants for 1984: 391.72 million ECU for 725 investment projects in all Member States costing a total of 2 007.23 million ECU.

The Fund Committee had delivered a favourable opinion on these projects on 4 April,¹ the Regional Policy Committee having been consulted on 3 April on infrastructure projects costing more than 10 million ECU.²

The assistance granted under this allocation is distributed among the Member States as shown in Table 5.

¹ Bull. EC 4-1984, point 2.1.77.

² Bull. EC 4-1984, point 2.1.75.

Table 5 — ERDF grants: first 1984 allocation

	Number of grant decisions	Number of projects	Investment assisted (m ECU)	Assistance granted (m ECU)
Belgium	12	28	18.60	4.67
Denmark	3	38	26.00	4.47
Germany (FR)	36	82	485.83	28.79
Greece	18	88	302.87	99.64
France	16	46	128.39	15.33
Ireland	6	6	99.26	14.98
Italy	28	147	237.50	95.37
Luxembourg	—	—	—	—
Netherlands	2	2	42.97	10.25
United Kingdom	56	288	665.81	118.22
Total	177	725	2 007.23	391.72

Converted at January 1984 rates.

The total 391.72 million ECU breaks down as follows:

- 344.12 million ECU for 568 infrastructure projects, comprising 143.71 million ECU for 17 projects costing more than 10 million ECU each and 200.41 million ECU for 551 projects costing less than 10 million ECU each; the total cost of infrastructure investment projects assisted by the Fund amounts to 1 188.80 million ECU;
- 47.60 million ECU for 157 industrial (including small business) and service sector projects, comprising 29.23 million ECU for 19 projects costing more than 10 million ECU each and 18.37 million ECU for 138 projects costing less than 10 million ECU each.

The total cost of industrial and service sector projects assisted by the Fund amounts to 818.43 million ECU. These projects will create or preserve 10 852 jobs.

This first ERDF allocation for 1984 brings the number of projects financed since the Fund was set up to 22 204 and the total assistance granted to 9 702 million ECU.

Non-quota section

2.1.102. On 30 May the Commission decided which steelmaking areas in the Federal Republic of Germany would receive grants from the non-quota section of the ERDF in the second stage of the specific Community measure to assist certain areas adversely affected by the restructuring of the steel industry:¹ the regional employment areas (*Arbeitsmarktregionen*) of Saarland, Bochum, Braunschweig-Salzgitter, Dortmund, Duisburg-Oberhausen, Mittlere Oberpfalz and Osnabrück. The Community's financial contribution to assist these areas has been set at 28 million ECU.

Disaster relief

2.1.103. The Commission decided in May to grant emergency relief to Italian regions hit by earthquake — 90 000 ECU to Umbria and 2 350 000 ECU to Abruzzi, Lazio, Campania and Molise.

2.1.104. On 24 May Parliament adopted four resolutions on the damage caused by earthquake and landslides in various parts of Italy.²

Environment and consumers

Environment

Information system on the state of the environment and natural resources

2.1.105. On 24 May Parliament endorsed³ the Commission's proposal for a Council Decision adopting a work programme for the first phase of the implementation of an information system on the state of the environment and the natural resources in the Community (1984-87).⁴

Prevention and reduction of pollution and nuisances

Freshwater and marine pollution

2.1.106. On 23 May Parliament endorsed,² subject to a number of observations, the Commission's proposal to the Council concerning contingency plans to combat accidental oil spills at sea.⁵

On 24 May the House passed a resolution on bathing water.²

Air pollution

2.1.107. On 30 May the Commission adopted, for transmission to the Council, proposals for new rules on the Community-wide introduction of lead-free petrol and the substantial reduction of noxious emissions from motor vehicles.⁶

¹ OJ L 27, 31.1.1984; Bull. EC 1-1984, point 2.1.54.

² Point 2.4.15; OJ C 172, 2.7.1984.

³ OJ C 172, 2.7.1984.

⁴ OJ C 291, 27.10.1983; Bull. EC 10-1983, point 2.1.82.

⁵ OJ C 273, 12.10.1983; Bull. EC 9-1983, point 2.1.64.

⁶ Point 1.2.1 *et seq.*; COM(84) 226.

In a resolution passed on 24 May Parliament called on the Commission to revise its time-scale in this matter.¹

2.1.108. On 24 May the Council formally authorized the Commission to take part in the negotiations on a protocol to the Geneva Convention of 1979 on Long-range Transboundary Air Pollution, with regard to the long-term financing of a cooperative programme for the monitoring and evaluation of the long-range transmission of air pollutants in Europe (EMEP).²

2.1.109. The Economic and Social Committee endorsed the Commission's proposal for a Council Directive on air quality standards for nitrogen dioxide,³ and Parliament adopted resolutions on limiting the emission of pollutants into the air from large combustion plants and on quality standards for nitrogen dioxide.¹

Parliament endorsed⁴ the Commission's proposal for a Council Regulation establishing a Community scheme to provide forests with increased protection against fire and acid rain.⁵

Parliament also adopted a resolution on indoor pollution.¹

Noise

2.1.110. The Economic and Social Committee gave an opinion in May⁶ on the proposal the Commission sent to the Council in December 1983 for a Directive on noise emission by rail-mounted vehicles.⁷

The protection and rational use of land, the environment and natural resources

Land

2.1.111. On 24 May Parliament passed a resolution on the protection of the habitat of the lakes of Ganzirri and Faro (Messina) and the ponds of Vendicari (Syracuse) and another on the international Waddensee area.¹

Fauna and flora

Washington Convention

2.1.112. On 25 May the Commission adopted two Regulations⁸ making further amendments⁹ to the Council Regulation of 3 December 1982 on implementation in the Community of the Washington Convention on International Trade in Endangered Species of Wild Fauna and Flora.¹⁰ The first of the new amendments—at the request of India—inserts seven species of snakes in Appendix III to Annex A, for a renewable period of two years. The second amendment follows from the decision of the Conference of the Parties to use Morony, Bock and Farrand's *A Reference List of the Birds of the World* for the classification of the species of birds listed in the annexes to the Convention. The Convention Committee unanimously approved both these changes last April.

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2.1.113. On 24 May Parliament adopted a resolution on the limiting of animal experiments and the protection of laboratory animals.¹

Natural resources

2.1.114. The action taken by the Commission and the Community principles and legislation on the use of municipal sludge and wastes were presented by the Commission representatives at the sixth European symposium on waste water and urban waste (EXPCA/ISWA), which was held in Munich from 21 to 24 May.

¹ Point 2.4.15; OJ C 172, 2.7.1984.

² Bull. EC 1-1984, point 2.1.62.

³ OJ C 258, 27.9.1983; Bull. EC 9-1983, point 2.1.68.

⁴ OJ C 172, 2.7.1984.

⁵ OJ C 187, 13.7.1983; Bull. EC 6-1983, point 2.1.123.

⁶ Point 2.4.31.

⁷ OJ C 354, 29.12.1983; Bull. EC 11-1983, point 2.1.105.

⁸ OJ L 140, 26.5.1984.

⁹ OJ L 64, 6.3.1984; Bull. EC 3-1984, point 2.1.106.

¹⁰ OJ L 384, 31.12.1982; Bull. EC 12-1982, point 2.1.105.

2.1.115. Again in the context of its waste management activities the Commission took part in a conference of the International Reclamation Bureau, held in Venice on the same dates. The Commission representative outlined Community action in this area, more particularly in the recycling of waste paper.

2.1.116. At its May session the Economic and Social Committee adopted an own-initiative opinion on waste management, treatment and recycling, advocating the introduction of an effective European Waste Management Programme.¹

International cooperation

2.1.117. From 16 to 29 May, in Nairobi, the Commission took part in the twelfth session of the Governing Council of the United Nations Environment Programme.

Items on the agenda included the environment in the dialogue between developed and developing countries, and the struggle against drought and desertification. The funds provided by the international community for measures to deal with this scourge are still much too small in relation to the scale of the problem: the need to increase them was strongly emphasized.

2.1.118. The Commission also attended a meeting of OECD's Environment Committee in Paris from 9 to 11 May, at which the programme of action for 1985 was drawn up. Among the areas of activity selected were chemicals, the relationship between the environment and the economy, the management of hazardous waste, and the conservation of natural resources.

Consumers

Physical protection

2.1.119. The month under review saw a notable first in this field with the holding in Brussels on 17 and 18 May of a conference on consumer information on product

safety organized jointly by the Commission and the European Consumer Product Safety Association. This conference brought together representatives of the European institutions, consumer associations, industry, national authorities, the OECD and the World Health Organization. Discussion centred on four topics:

- action to counter the immediate, serious dangers posed by certain products;
- action in relation to accidents involving products;
- Community activities in relation to product safety and health protection;
- the prospects for outline Community legislation on consumer safety.

This conference gave the Commission the opportunity to launch debate on an issue which it regards as particularly important.

Consumer information, education and representation

2.2.120. The Consumers Consultative Committee met on 16 May for the first time following the appointment of members for its new term.²

A steering committee was elected and Mrs Federspiel was confirmed in the office of Chairman for a period of one year. The Committee also adopted opinions on proposals regarding the tax on certain oils and fats,³ the elimination of double taxation in the event of the export of used goods from one Member State to another and the information content of advertising.

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2.1.121. At its May session the Economic and Social Committee adopted an own-initiative opinion on an improved dialogue between consumer, producer and retail representatives.⁴

¹ Point 2.4.29.

² OJ C 88, 30.3.1984.

³ OJ C 289, 25.10.1983; Bull. EC 9-1983, point 2.1.95.

⁴ Point 2.4.30.

Agriculture

Council

2.1.122. The Ministers of Agriculture failed to reach agreement on the three major issues under discussion at the Council meeting on 7 and 8 May: revision of the agricultural structures policy, operation of the wine legislation and the date of entry into force of the new arrangements for fruit and vegetables.¹ This last point was, however, settled by the Foreign Ministers on 14 and 15 May.²

On 8 May the Council approved the exchanges of letters extending the voluntary restraint agreements on trade in sheepmeat and goatmeat³ and also extended the import arrangements currently in force for New Zealand butter until 31 July.⁴

Economic aspects of the common agricultural policy

Situation as regards agricultural holdings and incomes

2.1.123. Acting on a proposal from the Commission,⁵ the Council decided on 24 May to continue in 1985 and 1987 the series of surveys regularly undertaken in the past on the structure of agricultural holdings.⁶

Market organizations

Adjustment of basic regulations

2.1.124. At its meeting on 14 and 15 May the Council set 1 June 1984⁷ as the date of entry into force of the Regulations adopted in November last adjusting—with a view to enlargement—the *acquis communautaire* in the fruit and vegetable sector.⁸

This entails immediate application of the new method for calculating reference prices valid from 1 June onwards for products such as lemons, plums, peaches, pears, apples, table grapes, mandarins, clementines and oranges.

The list of products for which reference prices are calculated will also be extended to include apricots (from 1 June to 31 July), lettuces, endives and artichokes.

Prices and specific measures

Milk

2.1.125. The Council adopted measures in April to support the incomes of small dairy farmers in 1984/85 and 1985/86.⁹ An amount of 120 million ECU a year was set aside for easing the burden on small dairy farmers of the additional levy introduced by the Council with effect from 2 April 1984 with the aim of curbing milk production.¹⁰

Following the Council decision, the Commission on 4 May fixed the amounts for the additional levy applicable from 2 April, which is payable by every producer or purchaser of milk or milk products on quantities exceeding an annual reference quantity.¹¹ The rules for the collection of the levy were laid down by the Commission on 16 May.¹²

2.1.126. On 8 May the Council granted a further temporary authorization for imports of New Zealand butter into the United Kingdom on special terms. The quantity which may be imported up to 31 July 1984 was set at 48 416 t.¹³

2.1.127. On 8 May the Commission sent the Council a proposal that aid be granted on semi-skimmed-milk powder used as animal feed so as to reduce the quantities of butterfat being processed into butter.¹⁴

¹ Point 2.4.17.

² Points 2.4.17 and 2.1.124.

³ Point 2.1.134.

⁴ Point 2.1.126.

⁵ OJ C 60, 2.3.1984; Bull. EC 2-1984, point 2.1.98.

⁶ OJ L 142, 29.5.1984.

⁷ OJ L 143, 30.5.1984.

⁸ OJ L 325, 22.11.1983; Bull. EC 11-1983, point 2.1.118;

Bull. EC 10-1983, points 1.1.6 to 1.1.16.

⁹ OJ L 115, 1.5.1984.

¹⁰ Bull. EC 3-1984, point 1.2.4.

¹¹ OJ L 120, 5.5.1984.

¹² OJ L 132, 18.5.1984.

¹³ OJ L 133, 19.5.1984.

¹⁴ COM(84) 258 final.

As in previous years, the Commission also decided to grant private storage aid for long-keeping cheeses¹ and certain Greek cheeses² for 1984/85 in order to reduce the dangers of a market imbalance by means of seasonal storage. For the same reason, the aids fixed last year for private storage of Grana padano, Parmigiano-Reggiano and Provolone cheeses remain valid for the current year.

Sugar

2.1.128. The Commission sent a proposal to the Council on 4 May³ concerning general rules for the use of sugar in the manufacture of certain chemical products within the meaning of Article 31 of the Regulation of 30 June 1981 on the common organization of the market in sugar.⁴

Article 31 states that the Council may decide that sugar used for the manufacture of certain products—in this case certain chemicals—should not be counted as production under the quota system. The use of C sugar for this purpose would therefore have the advantage of not requiring financial intervention by the Community and would provide an alternative to exporting the sugar. The Commission, in presenting its proposal, argues that this constitutes a valuable initiative in that it should have beneficial effects both on the world sugar market and in the Community.

2.1.129. The Commission also sent the Council a proposal for a Regulation⁵ concerning the use of isoglucose in the manufacture of certain products within the meaning of Article 31 of the sugar Regulation.⁴

The purpose of this proposal is to permit the use of C isoglucose in the Community for the manufacture of chemically pure levulose and mannitol and specific dietetic or pharmaceutical products.

2.1.130. In order to ensure equal treatment for isoglucose and sugar, the Commission proposed to the Council that the arrangements made by the Regulation of 20 June 1978 laying down general rules for

the production refund on sugar used in the chemical industry⁶ be extended to isoglucose.

During the discussions which led in 1981 to the adoption of the new basic Regulation on the common organization of the markets in the sugar sector, the Commission had indicated that it would in due course present a proposal to that end.

2.1.131. On 2 May the Commission sent a report to the Council on the situation in the sugar sector.⁷ The Regulation of 30 June 1981 on the common organization of the markets in this sector⁴ provided for a system of production quotas for the marketing years 1981/82 to 1985/86 and laid down that before 1 January 1984 the Council was to review — on the basis of a report by the Commission—the world supply situation and, if appropriate, revise the A and B quotas.

After surveying the world market situation and looking at the production, storage and disposal of Community sugar, the Commission concludes, as already set out in its communication to the Council on the common agricultural policy,⁸ that there is no need for the quotas to be revised during the lifetime of the current sugar system, which expires on 30 June 1986. The report also examines the memorandum on the sugar sector presented by Italy in October 1982.

2.1.132. Lastly, the Commission fixed the levy in connection with the offsetting of storage costs for sugar for the 1984/85 marketing year.⁹ The levy remains at the same level as in 1983/84: 4.25 ECU/100 kg of white sugar.

¹ OJ L 129, 15.5.1984.

² OJ L 164, 22.6.1984.

³ COM(84) 241 final.

⁴ OJ L 177, 1.7.1981.

⁵ COM(84) 223 final.

⁶ OJ L 170, 27.6.1978.

⁷ COM(84) 238 final.

⁸ Supplement 4/83 — Bull. EC; Bull. EC 7/8-1983, point 1.2.1 *et seq.*

⁹ OJ L 143, 30.5.1984.

Beef/veal

2.1.133. Following the decisions taken by the Council concerning premiums during the 1984/85 farm price review,¹ on 16 May the Commission laid down detailed implementing rules for the granting of the calf-birth premium and of the premium for the slaughter of certain adult bovine animals in the United Kingdom.² The second of these two Regulations provides for clawback of the premium where meat for which it has been granted is exported.

Sheepmeat and goatmeat

2.1.134. On 8 May the Council approved the exchanges of letters renewing the voluntary restraint agreements on sheepmeat and goatmeat between the Community and certain non-member countries.³

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2.1.135. At its May part-session Parliament adopted several resolutions on agricultural matters: the consequences of the Council decision on agricultural prices and certain related measures for 1984/85, the disposal of dairy surpluses, the organization of the market in sheepmeat and the establishment of a Community viticultural land register.⁴

Structures

Integrated Mediterranean programmes

2.1.136. This month the Economic and Social Committee adopted an opinion⁵—further to the one given last November⁶—on the Commission's 1983 proposals on integrated Mediterranean programmes.⁷

New measures and adjustment of Directives

2.1.137. On 10 May the Commission sent the Council further proposals⁸ for Regulations relating to increasing the staff of the departments responsible for the quality con-

trol of agricultural products in Greece and to aids for transhumance of sheep, goats and cattle in Greece and for transport of inputs to the smaller Greek islands.

These proposals are a follow-up to the Commission's response of March 1983 to the Greek memorandum⁹ and supplement those adopted by the Council in March.¹⁰

Parliament delivered its opinion on the proposals at its May part-session.¹¹

As regards staffing, the Commission proposes that the Community contribute for five years towards the cost of training and remunerating personnel who will add to the numbers of persons employed in checking compliance with the quality standards laid down in Community rules for produce marketed in Greece, exported from Greece or withdrawn from the market. In addition, to promote an improvement in the quality of milk products, the Commission proposes that the relevant inspection staff be strengthened, even though no Community quality standards have yet been adopted in the sector.

As regards the problem of transport costs, the Commission proposes the following:

- that Community aid be introduced, granted on a diminishing scale over a five-year period, to reduce the cost of transhumance;
- that the Greek authorities be authorized to grant aid during a five-year period for the transport of agricultural inputs to certain islands, with the Community bearing 5% of the expenditure incurred by Greece under the Regulation.

¹ Bull. EC 3-1984, points 1.2.1 *et seq.*

² OJ L 131, 17.5.1984.

³ OJ L 154, 9.6.1984.

⁴ Point 2.4.15; OJ C 172, 2.7.1984.

⁵ Point 2.4.25.

⁶ OJ C 23, 30.1.1984; Bull. EC 11-1983, point 2.4.24.

⁷ OJ C 251, 19.9.1983; Bull. EC 3-1983, point 1.3.1 to 1.3.13 and 3.4.1 to 3.4.3; Bull. EC 10-1983, point 2.1.163.

⁸ COM(84) 192 final.

⁹ Bull. EC 3-1983, points 1.4.1 to 1.4.13.

¹⁰ Bull. EC 3-1984, point 2.1.133.

¹¹ OJ C 172, 2.7.1984.

Forestry

2.1.138. On 23 May Parliament adopted its opinion¹ on the Commission's proposal of June 1983 concerning a Community scheme to provide forests with increased protection against fire and acid rain.²

Agricultural legislation

2.1.139. In a resolution adopted on 10 May the Council established a programme of work in the field of the harmonization of veterinary, plant health and animal feedingstuffs legislation.³ This was done in response to the Commission's urging in a communication transmitted in November 1983.⁴

Veterinary and animal husbandry legislation

2.1.140. The Economic and Social Committee gave its opinion this month on the Commission's proposal⁵ to amend the Directive of 22 January 1980 introducing Community measures for the control of classical swine fever.

Competition

2.1.141. Under Articles 92 to 94 of the EEC Treaty the Commission decided to make no comment on the introduction of the draft measures notified by:

United Kingdom

Two amendments to the agricultural and horticultural cooperation plan concerning aids for the creation or extension of cooperatives and for research and management training.

Variation of the Agricultural Training Board grants scheme (aid for the training of young people and refresher courses in agriculture).

Denmark

Renewal of the budget for the pigmeat industry fund for the period 1 October 1982 to 30 September 1983.

Belgium

Additional interest-rate subsidy for new entrants to farming and horticulture.

Germany

North Rhine Westphalia: measures to safeguard woodland, in favour of forest management associations, associations of municipalities and other landowners.

Special aid for a breeding cattle control centre, aimed at encouraging the marketing of breeding cattle.

Greece

Aid to producers of silkworm cocoons supplied to cooperatives, for the control of diseases and insects affecting the cocoons and mulberry trees, as part of a health programme.

The 1984 programme of aids for the improvement of productivity in the crop and livestock sectors (annual renewals).

Italy

Application of Act No 700 of 19 December 1983 for the reorganization of the sugarbeet sector, involving a five-year plan for the restructuring and reorganization of processing and marketing.

Aids to a consortium responsible for quality control of Pecorino romano cheese and for seeking new outlets; the consortium does not produce or market any cheese itself.

¹ OJ C 172, 2.7.1984.

² OJ C 187, 13.7.1983; Bull. EC 6-1983, point 2.1.123.

³ OJ C 134, 22.5.1984.

⁴ Bull. EC 11-1983, point 2.1.142.

⁵ OJ C 19, 26.1.1984; Bull. EC 1-1984, point 2.1.79.

2.1.142. The Commission took a final decision under Article 93(2) of the Treaty finding against the following provisions of Sicilian Regional Act No 97/81:

(a) subsidies: for durum wheat delivered to *ammasso volontario* (voluntary storage); to consortia of cooperatives storing and marketing durum wheat; to associated producers of durum wheat preparing fields for the production of selected seed of certified durum wheat; to producers of durum wheat damaged by parasites;

to tomato growers who are members of cooperatives, consortia and producers' organizations for the processing of tomatoes supplied; for the storage and transport of tomatoes;

to growers of citrus fruit who are members of cooperatives, consortia and/or producers' organizations for the treatment, processing and marketing of citrus fruit;

for the operations of the Istituto regionale della vite e del vino; for grapes grown in 1981 by wine-growers on Pantelleria and the Lipari Islands;

to dairy farmer' cooperatives, consortia and associations to cut the costs of collecting, transporting and refrigerating milk and cheese;

for diesel fuel for cultivation operations and for the processing and marketing of agricultural produce;

for the purchase building, extension and modernization of cooperative facilities for packaging, treating and processing agricultural produce;

(b) interest-rate subsidies of about 4% for one year for private and semi-public undertakings in Sicily engaged in the management of facilities for the processing of citrus fruit into juice, concentrates and freeze-dried products;

(c) interest-rate subsidies of about 12% for 15 years for agricultural cooperatives and consortia, designed to absorb fully the liabilities outstanding at 31 March 1981;

(d) reduced-rate loans for 12 months for cooperatives and consortia which are engaged in producing and treating milk and which stipulate trade agreements for the

purchase at specified prices of milk produced in Sicily.

The Commission also took a final decision under Article 93(2) finding against the following provisions of Sicilian Regional Act No 87/82:

(a) additional interest-rate subsidy in respect of investment in the marketing of agricultural products;

(b) subsidies of up to 70% for the purchase, setting up or extension of facilities for the preservation, processing and sale of agricultural products;

(c) subsidies for producers' groups to reduce the costs of collecting, transporting and refrigerating milk and cheese;

(d) loans at 7.5 % for investment in improving processing and marketing structures.

2.1.143. The Commission decided to terminate the Article 93(2) procedure in respect of other measures provided for in the two abovementioned Sicilian statutes in the light of the explanations provided by the Italian authorities, now considering the measures to be compatible with the common market.

Fisheries

Council

2.1.144. The Council, meeting on 24 and 25 May,¹ reached agreement on changes in the quotas for herring in the North Sea² and on the fisheries arrangements for the waters of French Guiana.³ Guidelines were also set for conservation measures in Community waters.

Internal aspects

1984 TACs and quotas

North Sea herring

2.1.145. On 31 January the Council adopted temporary measures while awaiting scientific opinion on North Sea herring and

¹ Point 2.4.17.

² Point 2.1.145.

³ Point 2.1.152.

the outcome of consultations with Norway¹ Following the failure of the consultations it has now fixed provisionally, on the basis of Commission proposals,² the Community share of the 1984 quotas for the North Sea and the Eastern English Channel and the allocation of quotas among the Member States.

The definitive quantities available to the Community will be fixed, in line with the outcome of discussions with Norway and with scientific opinion, in good time to prevent interruption of fishing.

The allocation of the Member States' quotas between Divisions IV a) and IV b) (North Sea) on the one hand and Divisions IV c) (North Sea) and VII d) (Eastern English Channel) on the other, under the Regulation approved by the Council on 24 May,³ is provisional and without prejudice to the definitive allocation of catch quotas between these divisions for 1984.

Other stocks

2.1.146. Regulation (EEC) No 320/84 of 31 January 1984⁴ has been amended as regards anglerfish (monkfish) in Divisions Vb (EEC zone), VI, VII and VIII (EEC zone), to give a TAC of 41 500 tonnes, a Community share of 39 550 tonnes and an allocation to the United Kingdom of 7 000 tonnes.

The Council noted that the Commission would shortly submit proposals, taking account of scientific opinion, on three stocks, namely plaice in Divisions VII f and g, herring in Division VIIa (Man stock) and herring in Divisions VII g to k (Celtic Sea).

2.1.147. The Council stated that it would take a decision before 15 September on the Commission proposal for changes in the TACs and quotas for North Sea sprat.⁵

Technical conservation measures

2.1.148. On 24 June the Council agreed,⁶ on the basis of a proposal from the Commission,⁷ to amend once more⁸ Regulation

(EEC) No 171/83 of 25 January 1983 on technical conservation measures.⁹ The amendments relate to the mesh sizes to be used in the North Sea and to fishing with beam trawls. The Council will examine the other parts of the Commission's proposal at a later date, including those relating to by-catches of Norway pont.

Annex I to the Regulation is amended as follows:

Region	Part of region	Type of net	Minimum mesh size (mm)
2	North Sea — until 31 December 1986	All	80 ⁸
	— from 1 January 1987	All	90 ⁸

Community measures

2.1.149. On the basis of information from national authorities on the exhaustion of their respective quotas in certain ICES divisions, the Commission on 18 May prohibited fishing for northern deepwater prawn by vessels flying the flag of France¹⁰ and on 24 May fishing for mackerel by vessels flying the flag of the Netherlands.¹¹

National measures to protect local stocks

2.1.150. Under Article 19 of Regulation (EEC) No 171/83 of 25 January 1983,⁹ the Commission approved the following national measures adopted by Member States:

¹ Bull. EC 1-1984, point 2.1.86.

² COM(84) 298 final

³ The Regulation was formally adopted on 7 June: OJ L 156, 13.6.1984.

⁴ OJ L 37, 8.2.1984; Bull. EC 1-1984, point 2.1.85.

⁵ COM(84) 268 final.

⁶ The amending Regulation was formally adopted on 7 June: OJ L 156, 13.7.1984.

⁷ COM(84) 269 final.

⁸ OJ L 288, 21.10.1983; Bull. EC 10-1983, point 2.1.145.

⁹ OJ L 24, 27.1.1983.

¹⁰ OJ L 133, 19.5.1984.

¹¹ OJ L 139, 25.5.1984.

United Kingdom

- Eight by-laws adopted by the Cumbria Sea Fisheries District Committee and three by the Southern Sea Fisheries Committee before the entry into force of Regulation (EEC) No 171/83,¹ applying to all or part of the waters under the Committees' jurisdiction up to three miles from the base lines.

Germany

- The provisions of Section 2 of the Act of 25 August 1983 and the implementing order of 26 August 1983 on the protection of mussel fishing, applicable to the coastal waters of Schleswig-Holstein within the three-mile limit.

- The provisions of Sections 6 and 7 of the Order of 27 April 1978 on fishing in the waters off Lower Saxony up to the three-mile limit, as amended by the Order of 12 July 1982.

The Commission found that the other provisions of these instruments did not fall within the scope of Regulation (EEC) No 171/83.

National measures that are stricter than Community rules

2.1.151. The Commission took note of the following national measures, stating that it might at any time review their compatibility with Community law and the common fisheries policy:

Belgium

A draft Royal Decree introducing protective measures applying to fish, crustaceans and molluscs in the Belgian fishery zone, together with two draft ministerial implementing orders.

The Commission found that these measures were compatible with Article 5(2) of Regulation (EEC) No 170/83¹ and Article 20(1) of Regulation (EEC) No 171/83.¹

Denmark

An order amending a previous order on fishing in the Baltic Sea and in the Belts.

The Commission found that certain quantitative provisions applying to cod fishing were in conformity with Article 5(2) of Regulation (EEC) No 171/83.¹ It also found that a control measure applying to cod fishing was in conformity with Article 14(1) of Regulation (EEC) No 2057/82² and that two technical measures applying to cod fishing were in conformity with Article 20(1) of Regulation (EEC) No 171/83.¹

External aspects

Bilateral relations

French Guiana

2.1.152. On 24 May the Council adopted, on a proposal from the Commission³ a Regulation on arrangements applicable from 1 June to 31 December 1984 to non-Community vessels in the waters of French Guiana.⁴

Seychelles

2.1.153. On 24 May Parliament gave a favourable opinion⁵ on the Commission proposal⁶ on the conclusion of a fisheries agreement between the Community and the Government of the Republic of Seychelles, initialled last January.⁷

Madagascar

2.1.154. At the suggestion of Madagascar a first meeting between officials from that

¹ OJ L 24, 27.1.1983.

² OJ L 220, 29.7.1982.

³ COM(84) final (replacing COM(84) 139 final; Bull. EC 3-1984, point 2.1.50).

⁴ OJ L 145, 31.5.1984.

⁵ OJ C 172, 2.7.1984.

⁶ OJ C 81, 22.3.1984; Bull. EC 3-1984, point 2.1.151.

⁷ Bull. EC 1-1984, point 2.1.94.

country and the Commission was held in Brussels to explore the possibility of a fisheries agreement.

Norway

2.1.155. The Community and Norway held consultations on North Sea herring in Oslo on 7 May and in Brussels on 16 May.¹

United States

2.1.156. A second round of negotiations for a renewal of the fisheries agreement between the Community and the United States of America was held in Washington from 29 May to 1 June.²

Multilateral relations

2.1.157. The Community, Iceland and Norway held consultations at Bergen on 8 and 9 May on the management of the capelin fishery in the Jan Mayen, Greenland and Iceland zones. No agreement was reached.

2.1.158. The annual meeting of the North Atlantic Salmon Conservation Organization was held in Edinburgh from 22 to 25 May. Commission representatives participated on behalf of the Community.

Markets and structures

Markets

Herring market

2.1.159. On 18 May the Commission sent to the Council a report on the situation on the herring market.³ The purpose of the report is, in view of the expected increase in Community herring production over the next few years, to examine the trends (from 1975 to 1983) in production, prices, withdrawals and trade, together with the present Community import arrangements and outlet prospects.

Structures

Implementation of structural directives

2.1.160. On 4 May the Commission approved⁴ proposed Belgian measures to secure a permanent reduction in production capacity under the Council Directive of 4 October 1983 on certain measures to adjust capacity in the fisheries sector.⁵

Transport

Council

2.1.161. On 10 May the Council made further substantial progress towards liberalizing and harmonizing conditions on the transport market in the Community.

The Council approved a significant increase in the Community quota of authorizations to carry goods by road within the Community,⁶ financial support for transport infrastructure projects⁷ and a recommendation calling on the railways to cooperate more closely in matters concerning their international goods and passenger services.⁸

A broad measure of agreement was reached on the harmonization of the weights and dimensions of commercial road vehicles⁹ (though Ireland and the United Kingdom were granted certain exemptions); guidelines were laid down for the planned review of legislation on the social aspects of road transport;¹⁰ and the Council expressed itself in favour of the draft resolution on road safety.¹¹

¹ Point 2.1.145.

² Bull. EC 3-1984, point 2.1.49.

³ COM(84) 280 final.

⁴ OJ L 131, 17.5.1984.

⁵ OJ L 290, 22.10.1983.

⁶ Point 2.1.168.

⁷ Point 2.1.162.

⁸ Point 2.1.164.

⁹ Point 2.1.167.

¹⁰ OJ C 100, 12.4.1984; Bull. EC 3-1984, point 2.1.168.

¹¹ Point 2.1.166.

The Council also set up two working parties to report before the end of the year on the Community's air transport system¹ and on the content and timing of the harmonization and liberalization of road transport.

Inland transport

Infrastructure

2.1.162. On 10 May the Council agreed on a Regulation to provide financial support for a multiannual transport infrastructure programme.² This includes specific projects to be funded from the 1983 and 1984 budgets. These will help to improve rail infrastructure in France, Germany, Greece, Italy and the United Kingdom, to modernize the road network in France, Greece, Ireland, Luxembourg and the United Kingdom and to improve inland waterways in Belgium, France and the Netherlands at a total cost of 95 million ECU. As well as this, the Regulation includes arrangements to fund the infrastructure needed to ease the flow of traffic across frontiers.³

2.1.163. With a view to formulating a medium-term policy for all its future measures, the Council gave due consideration to the memorandum presented on 8 May⁴ and invited the Commission to submit a report by 31 December 1984 so that in 1985 the Council will be able to start to establish a programme of major transport infrastructure projects for its guidance plus a set of objective criteria to be applied and a method of combining Community funding with national aid.

Approximation of structures

Cooperation between railways

2.1.164. On 10 May the Council agreed to a proposal for recommendations calling on the Member States' railways to expand their present cooperation agreements into a dynamic, effective commercial policy for inter-

national goods and passenger services between the Member States.⁵

It asked the railways to submit an action programme before the end of the year, including a broad package of measures embracing marketing, management, exchanges of information, training and staff exchanges, and ways of improving the railways' technical facilities and of simplifying frontier-crossing procedures.

*

2.1.165. Parliament adopted a resolution on Community measures to improve the situation in the inland waterways sector on 21 May,⁶ as a follow-up to its 1979 resolution.⁷

Technical aspects

Road safety

2.1.166. On 24 May Parliament⁸ and the Economic and Social Committee⁹ gave their opinions on the draft Council resolution on the implementation of a Community programme on road safety.¹⁰ The Council had expressed a favourable view at its 10 May meeting and had given thought to the possibility of designating 1986 'Road Safety Year'.

Weights and dimensions

2.1.167. The Council adopted a number of conclusions on the weights and dimensions of commercial road vehicles on 10

¹ Point 2.1.170.

² OJ C 36, 10.2.1984; Bull. EC 7/8-1983, point 2.1.175.

³ Bull. EC 3-1984, point 2.1.157.

⁴ Memorandum from the Commission to the Council on the continuation of transport infrastructure measures of Community interest (COM(84) 253 final).

⁵ OJ C 187, 13.7.1983; Bull. EC 6-1983, point 2.1.220; OJ C 191, 16.7.1983; Bull. EC 6-1983, point 2.1.217; OJ C 254, 22.9.1983; Bull. EC 9-1983, point 2.1.131.

⁶ Point 2.4.15; OJ C 172, 2.7.1984.

⁷ OJ C 140, 5.6.1979.

⁸ OJ C 172, 2.7.1984.

⁹ OJ C 16, 18.1.1979; Bull. EC 12-1978, point 2.1.138; Bull. EC 9-1981, point 2.1.110.

¹⁰ OJ C 95, 6.4.1984; Bull. EC 3-1984, point 2.1.165.

May. The Directive for adoption by the end of the year at the latest will include a series of points agreed in the past, including vehicle dimensions, maximum weights of 5- or 6-axle vehicle trains and of each element in the train, the weights on each axle (apart from the drive axle) and other such items.

Operation of the market

Access to the market

Community quota

2.1.168. On 10 May the Council signified its agreement to a substantial increase in the Community quota for authorizations to carry goods by road.¹ The new arrangements will apply for five years starting on 1 January 1985 and will allow a 30% increase in the number of authorizations issued in 1985 followed by 15% increases in each subsequent year. However, the Council has yet to comment on the Commission's proposal to liberalize road freight services between the Member States completely once the five-year period is over.

Carriers of goods by waterway

2.1.169. On 21 May Parliament endorsed² the proposal for a Directive on access to the occupation of carrier of goods by waterway and on the mutual recognition of formal qualifications for the occupation.³

Air transport

2.1.170. The Council had an initial exchange of views on the Commission's memorandum on air transport;⁴ it recognized the need to adjust the present system and decided to set up a working party to report by the end of the year.

2.1.171. On 21 May Parliament adopted a resolution on airport planning in the Community.⁵

Sea transport

2.1.172. On 24 May Parliament endorsed² the Commission proposal for a Regulation laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport.⁶

International cooperation

Combined road/rail carriage agreement

2.1.173. The Economic and Social Committee endorsed the proposal for a Council Decision concluding an agreement between the EEC and Spain on the international combined road/rail carriage of goods.⁷

Energy

Council

2.1.174. At a meeting devoted to energy issues on 22 May the Council agreed⁸ on the allocation of the 265 million ECU provided for demonstration projects in the field of energy for the period 1983-85⁹ and on a contribution from the general budget of the Communities to the ECSC budget.¹⁰ It also adopted conclusions on the review of Member States' energy policies and energy-saving programmes, and on natural gas.¹¹

¹ OJ C 179, 6.7.1983; Bull. EC 6-1983, point 2.1.221.

² OJ C 172, 2.7.1984.

³ OJ C 351, 24.12.1983; Bull. EC 12-1983, point 2.1.196.

⁴ Bull. EC 2-1984, point 2.1.149.

⁵ Point 2.4.15; OJ C 172, 2.7.1984.

⁶ OJ C 282, 5.11.1981; Bull. EC 9-1981, points 2.1.27 and 2.1.119.

⁷ OJ C 49, 21.2.1984; Bull. EC 1-1984, point 2.1.103.

⁸ Point 2.4.17.

⁹ Point 2.1.185.

¹⁰ Point 2.1.178.

¹¹ Points 2.1.175, 2.1.176 and 2.1.181.

Formulating and implementing a Community energy policy

Structural change in the Member States' energy policies

2.1.175. The Council held detailed discussions on the Commission communications reviewing the Member States' energy policies¹ and analysing progress in structural changes in these policies,¹ at the close of which it adopted conclusions in favour of thinking out new common guidelines in the energy sector for 1995.

2.1.176. The communication from the Commission on the Member States' energy-saving programmes² was likewise discussed in detail by the Council, which welcomed the progress made and called on the Commission to study the results and see that they were widely circulated.

Specific problems

Solid fuels

Solid fuels policies

2.1.177. The Council held a further discussion of the Commission proposals on Community financial support for the solid fuels industries³ and concluded, after reiterating that solid fuels were a key factor in Community energy strategy,⁴ that it was necessary to go further into certain points. In view of this, the Commission stated that it would reconsider its proposal and withdraw the section on aid for destocking, in order to make it easier for the Council to find a compromise solution.

Restructuring, modernization, retraining and supporting measures

2.1.178. The Council, which had confirmed the need for social measures relating to the coal industry⁵ at its meeting of 12 and 13 March, gave basic approval to the transfer of 60 million ECU from the general

budget of the Communities to the ECSC budget⁶ in 1984 to finance expenditure on social measures under Article 56(2)(b) of the ECSC Treaty. The Council laid down the following conditions and procedure for the distribution of these funds:

'It was agreed that this amount would be allocated in accordance with the relevant articles of the ECSC Treaty with regard to the social measures, taking into account the cutbacks in staff in the coal industry and the amount spent by Member States on each person affected, and that the resources would be utilized when the necessary work on this allocation had been completed.'

Oil and natural gas

2.1.179. On 22 May the Commission sent to the Council a communication on the programme of support for Community projects in the hydrocarbons sector.⁷ In it the Commission sets out the conclusions drawn from 10 years of application of the Regulation of 9 November 1973⁸—in the course of which over 300 million ECU of financial assistance was granted to 320 projects—and describes desirable amendments and improvements to the Regulation. The communication supplements the annual report sent by the Commission to the Council and Parliament in October 1983.⁹

2.1.180. On 24 May Parliament passed a resolution on the future of Middle East oil supplies for the world outside the Communist area and oil prices.¹⁰

¹ Bull. EC 2-1984, point 2.1.152.

² Bull. EC 2-1984, point 2.1.153.

³ OJ C 232, 30.8.1983; Bull. EC 7/8-1983, point 2.1.188.

⁴ Bull. EC 11-1983, point 2.1.172.

⁵ Bull. EC 3-1984, point 2.1.175.

⁶ OJ C 290, 26.10.1983; Bull. EC 10-1983, point 2.1.185.

⁷ COM(84) 272 final.

⁸ OJ L 312, 13.11.1973.

⁹ Bull. EC 9-1983, point 2.1.138.

¹⁰ Point 2.4.15; OJ C 172, 2.7.1984.

Natural gas

2.1.181. On 22 May the Council discussed the recent communication from the Commission on natural gas.¹ Aspects covered included the importance of gas compared with other sources of energy, cooperation between Member States in this area, the role of gas supply undertakings, prices, storage, connections between gas grids, and diversification and security of supply in this sector.

Nuclear energy*Safeguards*

2.1.182. The Commission sent to the Council on 2 May a communication on the transport of radioactive materials in the Community.²

Revision of Euratom Treaty

2.1.183. On 24 May Parliament passed a resolution³ on the Commission's proposal to amend Chapter VI of the Euratom Treaty.⁴ Given the limited time available during the remaining life of the present Parliament, the House felt it politically more advisable to refrain from taking a final position on the proposal. It stressed the need for priority to be given, during the next Parliament, to the possibility of revising Chapter VI on the basis of preparatory work done so far.

Energy saving and rational use of energy

2.1.184. The Council meeting of 22 May found that it was unable to reach a favourable decision on the Commission proposal relating to the granting of financial incentives, in the form of interest-rate subsidies, to certain categories of investments in the rational use of energy⁵ for which 29 million ECU is entered in the 1984 budget. Consequently, the Commission will bring forward alternative proposals in the form of transfers to ensure that this appropriation is used.

Alternative energy sources and energy saving

2.1.185. The Council agreed on 22 May to allocate the estimated appropriation required (265 million ECU), which it had approved in March⁶ for Community support for demonstration projects, in the following manner:

- 50 million ECU for the gasification and liquefaction of coal;
- 215 million ECU for energy saving, alternative energy sources and hydrocarbons substitution.

The Commission will also have the option—in the light of the importance of projects submitted—of increasing, by 2 million ECU per annum in 1984 and 1985, the amounts which may be allocated to projects relating to liquefaction and gasification.

Nuclear safety**Transport of radioactive materials**

2.1.186. On 2 May the Commission sent to the Council and Parliament a communication on the transport of radioactive materials within the Community.⁷

This document presents, with comments, the report drawn up at Parliament's request⁸ by a special working party composed of experts from the Member States and the Commission.

All aspects (regulatory, technical, administrative and radiological) of the safe transport of radioactive materials are reviewed.

¹ Bull. EC 4-1984, point 2.1.121.

² Point 2.1.186; COM(84) 233 final.

³ OJ C 172, 2.7.1984.

⁴ OJ C 330, 16.12.1982; Bull. EC 12-1982, point 1.5.1 *et seq.*

⁵ OJ C 285, 30.10.1982; Bull. EC 9-1982, point 2.1.191; OJ C 188, 14.7.1983; Bull. EC 6-1983, point 2.1.133; OJ C 209, 5.8.1983; Bull. EC 7/8-1983, point 2.1.185.

⁶ Bull. EC 3-1984, point 2.1.182.

⁷ COM(84) 233 final.

⁸ OJ C 40, 15.2.1982; Bull. EC 1-1982, point 2.4.9.

The Commission shares the view of the working party that the situation as regards the transport of radioactive materials in the Community is generally satisfactory in respect of the content of national regulations on nuclear safety and the strictness with which they are applied.

Research and development

Development of the common policy

Research priorities

2.1.187. The Council meeting of Research Ministers on 28 February,¹ at which the Esprit programme was adopted, undertook to start discussions, on the basis of Commission proposals, on the priorities of Community research.

On 29 May the Commission therefore sent the Council a communication on research priorities,² proposing that the adoption and gradual implementation of RD&D programmes be geared to the current financial situation and the availability of budgetary funds.

Taking the framework programme for Community RD&D activities 1984-87³ as the guide for the planning of common policy in this field, it is asking the Council to incorporate in the 1985 R&D budget the priorities proposed by the Commission in its preliminary draft budget;⁴ to take a joint approach to the plan to stimulate European cooperation and scientific and technical interchange (1985-88)⁵ and to the programme of action on biotechnology research (1985-89);⁶ to decide on programmes in the fields of basic technological research and applications of new technologies (BRITE),⁷ non-nuclear energy (for which appropriations have been entered in the 1984 budget)⁸ and radiation protection;⁹ and to undertake to decide, before the end of 1984, on the other programmes in the preliminary draft budget for 1985, in the order of priority adopted.

Joint Research Centre

2.1.188. On 25 May the Commission altered,¹⁰ following discussions in the Council¹¹ and the request made by Parliament on 24 May,¹² its proposal for a Council Decision on the multiannual research and training programmes to be carried out by the Joint Research Centre.¹³

In view of the rapid progress of science the JRC's programme,¹⁴ which extends over several years, cannot set down in advance all the details of the research activities that will be required; it must consequently be made very flexible and provision must be made for its rapid adaptation whenever the need arises.

The aim of this altered proposal, then, is to establish a procedure whereby the Commission, with the participation of representatives of the Member States, can make the necessary decisions for adapting the programme adopted in broad outline by the Council and ensure close cooperation between the JRC and the Member States in implementing the research programmes.

2.1.189. At the same time, on 24 May the Commission therefore amended Decision 71/57/Euratom¹⁵ on the reorganization of the Joint Research Centre with a view to setting up a Board of Governors and a Scientific Council to assist it in this task.

A Board of Governors and a Scientific Council, each having 11 members (one

¹ Bull. EC 2-1984, point 2.1.156.

² COM(84) 287 final.

³ OJ C 208, 4.8.1983; Bull. EC 6-1983, point 2.1.248.

⁴ Point 1.1.1 *et seq.*

⁵ Bull. EC 4-1984, point 2.1.132.

⁶ Bull. EC 4-1984, point 2.1.25.

⁷ OJ C 230, 27.8.1983; Bull. EC 6-1983, point 2.1.271.

⁸ OJ C 218, 13.8.1983; Bull. EC 6-1983, point 2.1.262.

⁹ OJ C 179, 6.7.1983; Bull. EC 6-1983, point 2.1.279.

¹⁰ OJ C 156, 16.6.1984; COM(74) 296.

¹¹ Bull. EC 12-1983, point 2.1.220.

¹² OJ C 172, 2.7.1984.

¹³ OJ C 225, 23.8.1983; COM(83) 377 final.

¹⁴ OJ L 3, 5.1.1984; Bull. EC 12-1983, point 2.1.225.

¹⁵ OJ L 16, 20.1.1971; OJ L 319, 16.11.1982.

from each Member State and a chairman), are to be appointed to replace the present Governing Board. These two new bodies will have the task of advising the Commission in the planning and management of JRC activities, and the Board of Governors will have the additional responsibility of authorizing the Commission to make any changes to JRC programmes that may be required, within the limits laid down by the Council.

International cooperation

2.1.190. The Scientific and Technical Research Committee (CREST) discussed the implementation of the international cooperation projects decided upon at Williamsburg in the context of technology, growth and employment.¹ It underlined the interest that exists in removing barriers to international cooperation in science and technology and in harmonizing the attitudes of the major economic partners in this field.

COST projects

2.1.191. On 24 May the Council, acting on a proposal from the Commission,² adopted a concerted-action project on the effects of processing and distribution on the quality and nutritive value of food.³

The purpose of this project, which constitutes a follow-up to COST Project 91 (1979-82),⁴ is to coordinate the R&D work being carried out in the Member States in the following three areas: high-temperature short-time processing (HTST) and other innovative heat-treatment processes; quality and nutritive value of foods produced by biotechnology; and refrigerated storage. This Community programme is open to participation by non-COST countries.⁵

On 23 January the Council authorized the Commission to negotiate an agreement between the Community and the non-member countries participating in COST on a concerted-action project in this field.⁶

Scientific and technical objectives

Promoting industrial competitiveness

Biotechnology

2.1.192. CREST, meeting at Toulouse on 3 and 4 May, endorsed the proposal for a Council Decision adopting a Community research action programme in the field of biotechnology (1985-89).⁷ The Committee felt that the programme is capable of developing biotechnology in Europe.

Improving the management of raw materials

2.1.193. From 8 to 10 May a workshop on anaerobic digestion and hydrolysis of hydrocarbons from waste was held in Luxembourg in the context of the Community R&D programme on the recycling of urban and industrial waste.⁸ The recommendations made at the workshop will serve as a guide for future activities on fermentation and hydrolysis, one of the four research topics in the recycling programme.

Improving the management of energy resources

Thermonuclear fusion

2.1.194. On 22 and 24 May respectively the Commission presented to the Council two proposals for Decisions in the fusion field:⁹ the first concerned a research and

¹ Bull. EC 1-1983, point 2.1.108; Bull. EC 4-1983, point 2.1.153; Bull. EC 3-1984, point 2.1.185.

² OJ C 260, 29.9.1983; Bull. EC 7/8-1983, point 2.1.199.

³ OJ L 151, 7.6.1984.

⁴ OJ L 270, 27.10.1979.

⁵ The non-member countries participating in COST are Austria, Finland, Norway, Portugal, Spain, Sweden, Switzerland, Turkey and Yugoslavia.

⁶ Bull. EC 1-1984, point 2.1.108.

⁷ Bull. EC 4-1984, point 2.1.25.

⁸ OJ L 357, 21.12.1983; Bull. EC 12-1983, point 2.1.228.

⁹ COM(84) 271 final.

training programme (1985-89) on controlled thermonuclear fusion; the second related to the setting-up of a tritium-handling laboratory, thus complementing the Council Decision of 22 December 1983 adopting a research programme (1984-87) to be implemented by the JRC.¹

2.1.195. The first proposal revises the fusion programme for 1982-86 adopted by the Council on 25 May 1982,² with a view to obtaining the necessary funds for extending the performance of JET (Joint European Torus) and for preparing the technological basis for NET (Next European Torus) and its conceptual design.

This new programme is part of a long-term collaboration scheme covering all the activities undertaken in this field in the Member States. Two non-member countries—Sweden and Switzerland—are likewise participating in the European fusion programme, the ultimate aim of which is to produce energy from reactions between the nuclei of light atoms. The following activities are involved:

- *Extending the performance of JET.* This device, which started operating on schedule in June 1983,³ has attained the basic performance (in the 'ohmic heating' phase) that the physicists had made their goal. Through the use of powerful heating systems the next programme aims at pushing up performance even more, notably as regards the temperature of the plasma (the ionized gas confined within the device). The ultimate objective is a temperature of about 100 million degrees.

- *A complementary programme of plasma physics studies in the associated laboratories.* The construction of five large devices will be completed in laboratories in the Member States, in order to tackle the particular problems of plasma confinement that cannot be studied in JET. Three of these devices—Tore Supra (France), Asdex Upgrade (Germany) and FTU (Italy)—are of the tokamak type, while the other two are intended for studying alternative concepts: Wendelstein VII AS (Germany) is a stellarator, and RFX (Italy) a reversed-field pinch.

- *NET and reactor technology.* By 1990-92 JET and the complementary devices will have provided all the results sought with regard to the scientific aspect of the problem. The ground has to be prepared for the 'next stage', the aim of which will be to demonstrate the technological feasibility of fusion. To this end, a NET study group has been set up and a substantial reactor technology programme is going to be developed.

The total cost estimate for this programme is 1 860 000 ECU. The Community's contribution is 790 million ECU for the five years of the programme, including 347 million ECU as the Community's 80% participation in JET.

2.1.196. The second proposal was made by the Commission at the request of the Council, which, when it adopted the JRC's multiannual programme in December 1983,¹ asked for in-depth studies on the task, composition and time schedule of a tritium-handling laboratory which was to be a replacement for the Super-Sara project abandoned in 1983.⁴ It wanted these studies to take place at the beginning of 1984 in close consultation with the advisory bodies concerned with the fusion programme, so as to ensure that the laboratory would be integrated into the European fusion context. The staff complement and appropriations (12.5 million ECU) considered necessary for the setting-up of a tritium-handling laboratory at Ispra have already been provided for in JRC's multiannual programme for 1984-87.

Non-nuclear energy

2.1.197. On 24 May the Commission sent the Council a proposal for a Decision on a

¹ OJ L 3, 5.1.1984; Bull. EC 12-1983, point 2.1.225.

² OJ L 157, 8.6.1982; Bull. EC 5-1982, point 2.1.148.

³ Bull. EC 6-1983, point 2.1.260; Bull. EC 10-1983, point 2.1.194; Bull. EC 4-1984, point 1.4.1 *et seq.*

⁴ Bull. EC 3-1983, point 2.1.166.

shared-cost R&D programme (1984-87) in the field of optimization of production and utilization of hydrocarbons,¹ as a complement to the Decision adopting an R&D programme in the field of non-nuclear energy (1983-87).²

The new programme has four aspects: improving knowledge of oil deposits in the interests of a better production strategy; promoting the use of natural gas, which represents some 45% of world hydrocarbon reserves; making use of the heavy fractions of oil by converting them into light products with the aid of new catalysts and processes; adapting engine design to fuel quality in order to make optimum use of lower-grade petrol.

The funds required for achieving the programme objectives are estimated at 35 million ECU.

Nuclear fission energy

2.1.198. From 22 to 24 May the Commission held a conference in Luxembourg on the decommissioning of nuclear power plants, in order to present the results obtained between 1979 and 1983 in the Community's first shared-cost research action programme in this field.³ The following subjects were discussed: the formation of radioactive waste, decontamination processes, dismantling techniques and the management of waste resulting from decommissioning.

Particular attention was devoted to the decontamination and recovery of about 100 tonnes of contaminated steel from various reactors; the steel was subsequently melted in ordinary furnaces without the slightest risk of irradiation. There was an animated discussion as to the advisability of using sophisticated remote-control equipment in the decommissioning process. The complete dismantling of a nuclear reactor is assumed to take 50 years, this period being necessary to enable highly radioactive components to cool before being removed and placed in final storage.

2.1.199. On 25 May Parliament adopted a resolution on the development of advanced reactor concepts.⁴

Improving living and working conditions

Radiation protection

2.1.200. The 1983 Progress Report⁵ on the radiation protection programme⁶ has just been published. It will enable scientists interested in this programme to take advantage of the collective knowledge and of the facilities available in certain laboratories.

The document describes the work carried out in 1983 on more than 400 research projects in areas such as radiation dosimetry and its interpretation, behaviour and control of radionuclides in the environment, somatic and genetic effects of ionizing radiation, evaluation of radiation risks and reduction of patient exposure during medical radiodiagnosis.

2.1.201. Development work on new dosimetry instruments in radiation protection research occupies an important place in the field of radiation dosimetry and its interpretation.

From 15 to 17 May the Commission, together with the European Radiation Dosimetry Group (EURADOS) and the University of the Saar, held a workshop at Homburg/Saar on the practical implementation of microdosimetric counters in radiation protection. Such counters are able to measure the probability distribution of absorbed dose as a function of the energy imparted to a small sensitive volume by single energetic particles. The results of the workshop have led to new ideas on the development of low-pressure counters as

¹ OJ C 154, 14.6.1984; COM(84) 273 final.

² OJ C 218, 13.8.1983; Bull. EC 6-1983, point 2.1.262.

³ Bull. EC 3-1979, point 2.1.128.

⁴ Point 2.4.15; OJ C 172, 2.7.1984.

⁵ EUR 9088 (Office for Official Publications of the European Communities, L-2985 Luxembourg).

⁶ OJ L 78, 23.3.1980.

working-area monitors, personal dosimeters and reference instruments, particularly for mixed neutron-gamma radiations.

Improving the efficacy of the Community's scientific and technical potential

2.1.202. At its meeting in Toulouse on 3 and 4 May, CREST welcomed the proposal for a Decision concerning a plan for multi-

sectoral activities to stimulate European co-operation and scientific and technical interchange (1985-88), sent to the Council by the Commission in April.¹ In CREST's opinion the proposal is entirely in line with current efforts to create a European science and technology continuum and meets a genuine Community need to make optimum use of European research.

¹ Bull. EC 4-1984, point 2.1.132.

2. Enlargement and external relations

Enlargement and bilateral relations with applicant countries

EEC-Portugal and EEC-Spain financial cooperation

2.2.1. On 16 May the Commission sent a communication to the Council concerning an extension of financial cooperation between the Community and Spain and Portugal, following requests received from the Governments of the two countries in February.

Financial cooperation was started in 1981¹ and consists of providing Spain and Portugal with aid in the form of EIB loans; a decision was taken in 1983 to extend cooperation until 30 June 1984.² The funds made available to Portugal (225 million ECU) and Spain (300 million ECU) have now been exhausted.

In view of the satisfactory results so far and the importance of not interrupting cooperation with the likelihood of the two countries becoming members of the Community in the near future, the Commission is proposing a further extension until 31 December

1985 involving sums of at least 250 million ECU for Spain and 150 million ECU for Portugal.

It is also proposed that the priority areas remain the same—in particular, the modernization and development of small businesses in manufacturing and the tourist industry, transport links and communications infrastructure with the Community, energy and regional policies and, as far as Portugal is concerned, agriculture and fisheries.

Portugal

Accession negotiations

2.2.2. The 18th ministerial-level meeting of the negotiations was held in Brussels on 15 May.³ The Community presented an important statement on fisheries. It also made statements on the specific tax issue

¹ Fifteenth General Report, points 624 and 630.

² Seventeenth General Report, points 624 and 629; Bull. EC 10-1983, point 2.2.1.

³ Bull. EC 3-1984, point 2.2.3.

of zero-rating for VAT purposes and, as regards right of establishment, on direct investment in Portugal. The two delegations succeeded in reaching agreement on both these matters.

Agreement was also reached on a number of major agricultural questions, notably the mixed transitional arrangements and a special aid programme for farm structures in Portugal.

Pre-accession aid

2.2.3. Under the Agreement, in force since 1 January 1981,¹ providing for pre-accession aid for Portugal, the Commission and the Portuguese Government on 21 May signed four financing agreements concerning the following projects:

- creation of an agricultural markets information service (Community contribution of 672 000 ECU);
- listing of vine varieties and their different names (Community contribution of 112 000 ECU);
- forestry improvement in the Cabeco Rainha area (Community contribution of 204 000 ECU);
- construction of western road out of Funchal, Madeira (Community contribution of 2 million ECU).

This will bring to a little over 64 million ECU the grants made to Portugal since the entry into force of the Agreement; the total available is 100 million ECU.

Spain

2.2.4. The 31st deputy-level meeting² of the negotiations for Spain's accession to the Community was held in Brussels on 28 May.

The Community presented two statements, one on fisheries (dealing in turn, after a number of general considerations, with access to waters and external resources, markets, structures and State aid) and the other on external relations.

With regard to external relations, agreement was reached on replacing two textile products by two others in the list of tariff exceptions *vis-à-vis* preferential Mediterranean and ACP countries. This agreement brings to a close, as regards external relations in the industrial field, the negotiations on Spain's adoption of the Community's preferential trade arrangements in respect of Mediterranean and ACP countries (plus OCT) or unilateral import arrangements (GSP).

Commercial policy

Implementing the common commercial policy

Commercial policy instruments

Easing of restrictive measures

2.2.5. Under the Council Regulation of 14 November 1983 on import arrangements for products originating in State-trading countries, not liberalized at Community level,³ the Commission took decisions opening quotas for the following:

Italy—People's Republic of China: ladies' hand-embroidered silk woven night-dresses;⁴

Italy—Poland: bulked man-made casein staple fibres;⁴

Italy—Hungary: natural honey; dried potatoes; horticultural sheet glass and/or drawn glass of a thickness of less than 2.5 mm; stranded wire, cables, cordage, ropes,

¹ Fifteenth General Report, point 624.

² Bull. EC 3-1984, point 2.2.5.

³ OJ L 346, 8.12.1983.

⁴ OJ C 121, 5.5.1984.

plaited bands and the like of aluminium wire; unwrought aluminium; aluminous cement;¹

Italy—Poland: bulked man-made casein staple fibres;²

Italy—Czechoslovakia: synthetic organic dyestuffs;²

Italy—Soviet Union: unwrought aluminium not alloyed and/or aluminium alloyed waste recast into ingots.³

Trade protection

2.2.6. The trade protection measures taken in May are shown in Table 6:

Council	Commission
<p><i>Repeal of definitive anti-dumping duty on imports of:</i></p> <ul style="list-style-type: none"> standardized multiphase electric motors having an output of more than 0.75 kW but not more than 75 kW, originating in the Soviet Union, and termination of proceeding <p>OJ L 123, 9.5.1984 (acceptance of undertakings: OJ L 95, 5.4.1984)</p>	<p><i>Initiation of anti-dumping proceeding concerning imports of:</i></p> <ul style="list-style-type: none"> paraformaldehyde originating in Spain <p><i>Acceptance of undertakings given in connection with anti-dumping proceeding concerning imports of:</i></p> <ul style="list-style-type: none"> certain sensitized paper for colour photographs, originating in Japan, and termination of proceeding <p>OJ L 124, 11.5.1984 (initiation of proceeding: OJ C 292, 28.10.1983)</p>

2.2.7. On 7 May the Commission sent the Council a proposal⁴ for amending Council Regulation No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from non-Community countries.⁵ In view of the experience gained with the Regulation over its last three years, some technical adjustments are proposed, mainly to the provisions relating to transactions between parties which appear to be associated or to have a compensatory arrangement with each other, to the granting of allowances for differences in conditions and terms of sale and to the reference period for the determination of dumping or subsidization (these provisions require clarification since the Community's traditional interpretation has been challenged by interested parties); changes are also needed in the procedure to be followed after withdrawal or violation of undertakings (in order to make the action taken by the Community more effective).

Some of the Regulation's provisions require updating to take account of customs legislation and changes in the common rules for imports from State-trading countries. Others need to be streamlined, particularly

by introducing time limits within which undertakings can be given and by limiting refund procedures to definitive duties or amounts definitively collected.

Sectoral commercial policy matters

Iron and steel products

Arrangements with non-member countries

2.2.8. On 29 May the Commission decided⁶ to include Austria, Finland, Norway, Spain and Sweden in its Decision taken on 14 March 1978⁷ and amended in April this year,⁸ which prohibits alignment by Community firms on offers of iron and steel

¹ OJ C 126, 12.5.1984.

² OJ C 142, 29.5.1984.

³ OJ C 147, 6.6.1984.

⁴ COM(84) 232 final.

⁵ OJ L 339, 31.12.1979; Bull. EC 12-1979, point 2.2.10.

⁶ OJ L 143, 30.5.1984.

⁷ OJ L 73, 15.3.1978.

⁸ OJ L 97, 7.4.1984; Bull. EC 4-1984, point 2.2.9.

products originating in certain non-member countries. The inclusion of these countries follows on from the arrangements recently concluded with them.¹

US measures concerning special steels

2.2.9. On 15 May the Council amended,² on a proposal from the Commission,³ the Regulation it adopted in February relating to the countermeasures to be taken by the Community in compensation for the restrictive measures imposed by the United States in July 1983 against imports of special steels from the Community.⁴

Textile products

Agreements and arrangements with non-member countries

MFA countries

2.2.10. Consultations were held with Philippine officials in Manila on 25 May on the subject of exports of women's suits to the United Kingdom. An agreement was reached on the annual level for such exports during the three-year period 1984-86.

2.2.11. On 24 May the Council amended some of the outward processing trade objectives for Yugoslavia, mainly in order to raise the regional objectives for reimports of trousers and blouses.⁵

Mediterranean preferential countries

2.2.12. the Community has felt constrained to apply safeguard measures against imports of several categories of textile products from Turkey.⁶ On 4 May it imposed, for 1984, quantitative restrictions, Community-wide, on imports of T-shirts, trousers, undergarments and various outer garments from Turkey, and set regional limits for the same period on imports of women's dresses into France and cotton velvet into the United Kingdom. On the same day⁶ it

was decided to suspend, until 15 July 1984, the issue of documents for imports into the Community from Turkey of cotton woven fabrics and household linen and imports of shirts into France and terry towelling into the United Kingdom. Meanwhile, the Commission is continuing its efforts to reach agreement with Turkey on a comprehensive arrangement to cover exports of all the product categories causing concern.

Relations with industrialized countries

United States

2.2.13. On 15 May the Council amended,⁷ on a proposal from the Commission,³ the Regulation adopted in February introducing countermeasures to be taken by the Community in compensation for the restrictions imposed by the United States in July 1983 on imports of special steels from the Community.⁴

The amending Regulation is designed to take better account, in the import quotas expressed in ECU, of changes in the dollar/ECU exchange rate between 1982 (the reference year chosen by the Community for calculation of the quotas) and the effective date of the Regulation.

Japan

2.2.14. Mr Gaston Thorn paid an official visit to Japan from 9 to 12 May. During his visit the Commission President was received by His Majesty the Emperor and had talks with the Prime Minister, Mr Yasuhiro Nakasone, leading members of the Government, members of the Diet, Japanese and European businessmen, and representatives of

¹ Bull. EC 4-1984, point 2.2.8.

² Point 2.2.13; OJ L 131, 17.5.1984.

³ Bull. EC 3-1984, point 2.2.18.

⁴ OJ L 40, 11.2.1984; Bull. EC 2-1984, point 2.2.18.

⁵ OJ L 143, 30.5.1984.

⁶ OJ L 122, 8.5.1984.

⁷ OJ L 131, 17.5.1984.

Japanese youth and the press. The visit had a threefold objective: to promote Europe's image in Japan, encourage broader cooperation between Europe and Japan and urge Japan to adopt a more international stance and assume a share of responsibilities in the world economy, trade and development assistance commensurate with its economic power.

It is hoped that this visit will be followed by a strengthening of cooperation between the two parties.

2.2.15. A preliminary round-table meeting took place in Brussels on 15 May between several members of the Japanese Government (the Ministers of Foreign Affairs and of International Trade and Industry, and the Director-General of the Economic Planning Agency) and the Commission. The Japanese side reaffirmed Japan's desire to strengthen its links with the Community and its determination to strengthen its links with the Community and its determination to continue opening up the Japanese market, including the financial market, and reiterated its suggestion that a new round of GATT negotiations should be launched in the near future. The Commission laid particular stress on the need for a better balance of trade between the Community and Japan and called upon Japan to assume its full responsibilities at world level. The Commission also emphasized the importance which it attaches to the development of cooperation with Japan. On the question of a new round of trade negotiations, it urged the need to complete the GATT work programme and to refrain from embarking upon such an exercise unless there was adequate preparation and a broad consensus as to its objectives.

The Japanese ministers invited the Commission to attend a round-table meeting in Japan in 1985.

New Zealand

2.2.16. Mr Warren Cooper, New Zealand's Minister of Foreign Affairs and Minister of Overseas Trade, visited the Commis-

sion on 2 May, where he met Mr Haferkamp and Mr Dalsager. The purpose of his visit to the Commission and to all the Member States, timed to occur immediately prior to the Council meeting of Agriculture Ministers on 7 and 8 May,¹ was to underline once again New Zealand's overriding interest in having the Commission's proposal of October 1983 on butter² agreed by the Council at its next meeting. Mr Cooper stressed that a five-year approach was the only political solution possible for New Zealand. He also emphasized the mutual advantages accruing to the Community and New Zealand from dairy cooperation on the world market and said he very much appreciated the efforts made so far. He hoped that all the Member States, including Ireland, would show understanding for New Zealand's concerns.

EFTA countries

2.2.17. Heads of Government and other ministers from the EFTA countries met at Visby in Sweden on 23 May.

After the meeting, a statement was made public, confirming in both form and substance the positions reached in Luxembourg,³ and a work programme drawn up.

2.2.18. A number of visits took place in May demonstrating the new spirit of EEC-EFTA relations following the Luxembourg ministerial meeting.⁴

Austria

2.2.19. On 3 and 4 May Mr Haferkamp paid an official visit to Austria during which he met representatives from all the State institutions. He was received by President Rudolf Kirchschläger, had talks with Chancellor Fred Sinowatz, Vice-Chancellor Norbert Steger, Foreign Minister Erwin Lanc and Minister of Transport Karl Lausecker.

¹ Points 2.1.122 and 2.4.17.

² Bull. EC 10-1983, point 2.1.121.

³ Bull. EC 4-1984, point 1.2.1 *et seq.*

⁴ Points 2.2.19 to 2.2.22.

A working session in Parliament with President Anton Benya and representatives of all the political parties and a meeting with the President of the Federal Economic Chamber, Mr Rudolf Sallinger, rounded off the programme.

Mr Haferkamp's visit was directed towards fuller economic cooperation with the EFTA countries a view to establishing a genuine Europe-wide market along the lines set out at the Luxembourg meeting.¹

During his talks with Austrian Government representatives, Mr Haferkamp elaborated on the Community approach, set out in the Luxembourg joint declaration, with regard to areas of possible cooperation.

Finland

2.2.20. The Finnish Minister of Trade, Mr Jermu Laine, visited the Commission on 28 and 29 May. Mr Laine held talks with Mr Haferkamp and Mr Davignon vice-presidents, and Mr Andriessen, member of the Commission. Discussions centred on bilateral trades issues, the possibilities of cooperation in research and development, competition policy (State aids, restrictive practices), consumer protection, development of the internal market and environmental questions.

Mr Laine gave Mr Haferkamp a personal briefing on the discussions between Heads of Government in Visby.²

Norway

2.2.21. A group of senior Norwegian officials visited the Commission on 24 May. This was instrumental in allowing new interdepartmental links to be established.

Switzerland

2.2.22. On 7 and 8 May Mr Haferkamp paid an official visit to Switzerland. He was received by his host, Mr Kurt Furgler, Federal Councillor for Economic Affairs, and by Mr Pierre Aubert, Federal Councillor for Foreign Affairs. During a working

session chaired by Mr Furgler, the same general themes of international economic cooperation and the follow-up to the Luxembourg meeting were discussed.

Mr Haferkamp's visit to Switzerland, like his visit to Austria, proved very satisfactory. Relations with the two countries have developed in a particularly constructive manner over the last few years.

Relations with other countries and regions

Mediterranean countries

Malta

2.2.23. On 22 May Parliament adopted a resolution reaffirming the need for further development and consolidation of economic and financial relations with Malta.³

Morocco

2.2.24. During his visit to Morocco on 17 and 18 May Mr Pisani was received by His Majesty King Hassan II, and had talks with the Prime Minister and other members of the Government, including the Ministers of Trade, Industry and Tourism, Finance, Agriculture and Agrarian Reform, and Co-operation.

Since EEC-Moroccan cooperation activities—financial and technical cooperation in particular—are progressing well, the discussions centred largely on a number of points of immediate concern, and on the future of relations between the two parties.

The Moroccan authorities expressed concern about the operation of the trade clauses of the Cooperation Agreement,⁴ particularly in the light of the Community's forthcoming enlargement. They referred to

¹ Bull. EC 4-1984, point 1.2.1 *et seq.*

² Point 2.2.17.

³ OJ C 172, 2.7.1984.

⁴ OJ L 264, 27.9.1978.

the practical measures currently under consideration in the Community, which are intended to safeguard their commercial interests but which they regard as not wholly appropriate.

Also discussed were Morocco's efforts to become less import-dependent, thanks to a plan to increase its self-sufficiency in food production. Mr Pisani indicated that the Community would do its very best to contribute to the success of this policy and, should the Moroccan authorities so desire, to give priority in future financial and technical cooperation activities to the food production sector.

Countries of the Gulf and the Arabian Peninsula

Yemen Arab Republic

2.2.25. On 22 May negotiation between delegations from the Commission and the Yemen Arab Republic were concluded in Brussels with the initialling of a Cooperation Agreement. The initiative for the negotiations dates from the end of last year,¹ and the Agreement is expected to be signed in a few months.

The conclusion of the Agreement, the first with a country in the Gulf region, creates a framework for relations which have developed between the Community and Yemen over the last few years. The Agreement is a five-year renewable agreement of the same type as those the Community has concluded with other non-associated developing countries. A joint Committee will be set up to promote and review commercial, economic and development cooperation activities.

Asia

India

2.2.26. The third meeting of the EEC-India Joint Commission set up under the Commercial and Economic Cooperation

Agreement signed in 1981² was held at ministerial level in New Delhi on 5 and 7 May. The Community delegation was led by Mr Ivor Richard and the Indian delegation by Mr Vishwanath Patrap Singh, Union Minister of Commerce.

In the light of India's trade deficit with the Community, the Joint Commission agreed to continue the technical examination of various products with a view to improving Indian penetration of the Community market, to be backed up this year by a programme of trade promotion in favour of India.

A further programme of industrial cooperation was agreed which will include support for the Indian Investment Centre in Frankfurt, investment workshops for two industrial sectors, and a seminar on the transfer of technology.

With regard to science and technology, the Joint Commission adopted a programme for implementation in 1984 and subsequently, which includes cooperation in tropical health and agriculture, food processing, environmental protection and energy.

The Joint Commission also reviewed ongoing Community-assisted programmes for financial and technical cooperation and food aid. Both parties favoured the development of 'triangular' cooperation with other developing countries.

2.2.26a. In the course of his visit Mr Richard also addressed an invited audience on the theme 'The European Community and India—cooperation in a multi-polar world' and called on members of the Indian cabinet.

Sri Lanka

2.2.27. The sixth session of the EEC-Sri Lanka Joint Commission under the Commercial Cooperation Agreement³ took place in Brussels on 28 and 29 May.

¹ Bull. EC 11-1983, point 2.2.39.

² OJ L 328, 16.11.1981.

³ OJ L 247, 23.9.1975.

The Joint Commission reviewed Community aid programmes in favour of Sri Lanka, including trade promotion, energy cooperation, food aid, financial and technical assistance to the Mahaweli Ganga scheme and industrial cooperation to promote European investment in Sri Lanka in the rubber and jewellery industries.

Indonesia

2.2.28. Mr Thorn was in Indonesia from 3 to 6 May on an official visit, the first stop on a tour of South-East Asia which also took him to South Korea¹ and Japan.² His talks with President Suharto, the Indonesian Foreign Minister and the Minister-Coordinator for Economic, Financial and Industrial Affairs centred on bilateral relations and the major international economic and political problems.

Both sides expressed satisfaction at the significant growth of trade between Indonesia and the Community over the last 10 years and the scale of Community financial and technical assistance to Indonesia, which ranks third among the non-associated developing countries as a recipient of Community aid.

The two sides hoped for a further strengthening of their relationship in years to come, and the Indonesian Government in particular was keen to see a higher level of European investment in the country. In this connection, Mr Thorn laid stress on the Commission's efforts to bring together businessmen from the Community and ASEAN, which include the organization of seminars and 'business weeks'.

2.2.29. Mr Thorn announced that with a view to increasing the effectiveness of the Community's assistance to Indonesia the Commission planned to open a Jakarta branch of its regional office in Bangkok.

South Korea

2.2.30. Continuing his trip, Mr Thorn was in South Korea from 7 to 9 May, the first-

ever visit to that country by a President of the Commission. He met the President, Mr Chun Doo-Hwan, and had talks with Prime Minister Chin, the Foreign Minister, Mr Lee, and Mr Shin, Minister of the Economic Planning Board.

The discussions centred on bilateral relations, and on a number of major economic and political issues of general concern.

Mr Thorn pointed out that the level of economic development South Korea had achieved, as well as being a good thing for the country itself, was beneficial to the international community at large. But it also gave Korea greater responsibilities towards its trading partners.

Both sides noted a positive trend in trade relations, though regarding further expansion as both possible and desirable. The yearly³ high-level talks between the Commission and South Korea—the next consultations are scheduled to take place in Brussels at the beginning of July—provide an appropriate forum for the discussion of these and other matters.

Also on the agenda in Korea were current multilateral issues, including the preparation for the Western economic summit and the prospects for a round of GATT trade negotiations.

2.2.31. The Korean Trade and Industry Minister Mr Jin-ho Kum had a meeting with Mr Davignon in Brussels on 25 May. The mood at these talks was cordial, and provided the parties with an opportunity to look at the main issues which will be on the agenda for the high-level consultations due to take place on 3 and 4 July.

One aim will be to increase the volume of trade while bringing about an improvement in the Community's trade balance, and there will also be an attempt to find ways of rendering the Korean market more acces-

¹ Point 2.2.30.

² Point 2.2.14.

³ Bull. EC 3-1983, point 2.2.44.

sible. Also underlined during the Brussels talks was the need for Korea to cooperate internationally on shipbuilding.

Mr Kum's response on these issues was positive, and he also indicated Korea's desire for scientific, technical and industrial cooperation with the Community.

Latin America

Central American Common Market

2.2.32. The third Community-GRUCA meeting in the dialogue with the Central American Common Market countries plus Panama took place in Brussels on 21 May. The two sides discussed their economic relations in general, the trend of the Community's trade with Central American countries, and Community measures to assist the region, in particular by means of trade promotion and technical and financial aid and training for development.

The Central American countries argued for greater openings for their exports to the Community, particularly in the form of improvements to the GSP. They also called for a regional cooperation agreement providing for substantive measures plus an increase in resources for cooperation activities. GRUCA regards such an agreement as a means for the Community to give concrete expression to its frequently voiced support for Central America.

Development

North-South relations

International Development Strategy

2.2.33. The committee of the UN General Assembly responsible for reviewing and appraising the implementation of the International Development Strategy (Third Development Decade) met in New York on 7-25

May. Because of the differences between the various positions the committee was not able to complete its business in the time allotted and will meet again in September. Broadly speaking, the Group of 77's proposals aimed at amplifying or consolidating the measures set out in the Strategy adopted by the General Assembly in 1980.¹ These proposals were largely drawn from proposals that had been presented earlier, and in particular during UNCTAD VI.² For their part, the industrialized countries, without questioning the actual objectives of the Strategy, advocated a less ambitious approach that was more in keeping with the economic realities of this first half of the Decade.

The Community, whose position had been prepared by the high-level North-South group, presented a document during the meeting which gave an analysis of the economic situation and set out the conclusions the committee might, in its opinion, reach. Earlier, together with many other countries, it had let the Secretary-General have a brief outline of its own activities since the beginning of the Decade; it had also circulated among the delegations a more detailed document setting out its activities in the various fields coming within the scope of the Strategy.

At the beginning of the meeting the Group of 77 presented a detailed document on general policy measures for gradually implementing the Strategy.

The meeting was more of an exchange of views than a negotiating session. The Community, in particular, commented on the Group of 77's proposals in great detail. To sum up, the discussions clarified the respective positions and revealed some areas of agreement, which will be gone into more thoroughly at the next meeting.

¹ Fourteenth General Report, point 603.

² Bull. EC. 6-1983, point 2.2.47; Bull. EC 7/8-1983, points 2.2.61 to 2.2.64.

The European Community and Africa

2.2.34. On 24 May the Commission sent to the Council a communication¹ analysing the present economic and social situation in Africa and Europe's role in the development of the continent today with reference to the international crisis and the priorities laid down by the African countries themselves in the 1980 Lagos Plan. The communication deals with Africa as a whole. Although the emphasis is on the sub-Saharan countries, many of the conclusions and suggestions are also valid for the Southern and Eastern Mediterranean countries, which are also the subject of proposals concerning the implementation of a Mediterranean policy by the enlarged Community.²

The Commission will shortly be presenting a similar communication on the Caribbean and the Pacific.

Grounds for the communication

2.2.35. The African continent merits special attention because the social and economic situation there is particularly worrying and has taken the form of an acute financial and food crisis. This situation has led to major aid donors and international organizations taking a series of initiatives.

Initiatives by multilateral organizations include: the campaign led by FAO in 1983 in order to alert public opinion to the effects of the drought in 24 African countries; the appeal launched in January by the UN Secretary-General calling on the international community to increase aid to Africa; the various reports drawn up by the World Bank, which is also planning to raise the share of IDA funds allocated to sub-Saharan Africa (from 32% to 36%).

There have also been a number of bilateral initiatives to aid Africa: the US announcement of additional emergency food aid worth USD 90 million, the launching of the Economic Policy Initiative to give USD 500 million over five years; Japan, for its part,

has decided to increase its food aid, which will rise in value from USD 38 million to USD 103 million.

The Member States too have expressed their concern about the future of the African continent on a number of occasions.

In this context the Community, which, together with the Member States, provides more than 50% of official development assistance to Africa (the Community as such concentrating 70% of its aid there) could not remain silent. The Commission has therefore proposed this communication, which takes stock of all these various initiatives and provides a general view of its approach to problems concerning Africa.

Content

2.3.36. This policy document is to serve as a basis for all the operations or negotiations that are being or are due to be carried out in the name of the Community in Africa; it evaluates and analyses these operations, and makes suggestions as to how they can be improved. Henceforth, in setting out priorities for food, emergency and structural development aid, account must be taken of the urgent need to preserve the continent's main natural equilibria and especially to combat desertification.

But the support that Europe has a duty to give Africa must go beyond the confines of aid and find expression in the field of economic relations. The Community has to ensure greater stability and greater predictability in its trade with the African countries. It is possible to develop much more ambitious policies and operations in all areas where the complementary nature of resources and mutual interest allow. These include mining, energy and fisheries and also the industrial sector. European investors need to become much more involved in the development of Africa's productive resources

¹ COM(84) 310 final.

² Sixteenth General Report, point 674; see also Bull. EC 3-1984, point 2.2.28.

than they have been up to now. The necessary conditions still have to be created, however.

2.2.37. The Commission concludes its communication by announcing its intention—if the Council approves these guidelines—of making more specific proposals within the context of the various cooperation agreements which link the Community with African countries and also with respect to the implementation of the other instruments its administers.

World Food Council

2.2.38. A meeting to prepare for the tenth ministerial meeting of the World Food Council (scheduled for June in Addis Ababa) was held in Rome from 30 April to 3 May.¹

Negotiations for a new ACP-EEC Convention

Third ministerial session

2.2.39. The third ministerial session of the conference negotiating the renewal of the ACP-EEC Convention was held at Suva, Fiji, on 3-5 May.² All aspects of the negotiations were reviewed and areas of agreement and disagreement between the two sides were identified.

In the closing speeches Mr Hugh Shearer, President of the ACP Council of Ministers, Mr Claude Cheysson, President of the Council of the Communities, and Mr Edgard Pisani, Member of the Commission, made reference to the positive atmosphere at the conference and the constructive nature of the talks.

As differing positions were reconciled or clarified and agreement was confirmed or obtained on numerous points (both general issues and more specific items), the conference was able to proceed swiftly to the drafting of a great deal of the text of the future convention.

2.2.40. The most important areas of negotiation where the two parties reached agreement at Suva were the objectives of cooperation in each part of the convention, the consolidation of the achievements of the current convention, improved consultation procedures, and joint interpretation of the convention should ambiguities emerge. It was also agreed that technical consultations should take place between the Commission and the ACP on the effects of the enlargement of the Community, and that a clause would be inserted in the new convention to enable the ACP to negotiate with the Community any problems which enlargement may cause them.

Agreement was also reached on certain changes to the convention's institutions (namely, the merging of the Consultative Assembly and Joint Committee to form a single body). The Community agreed to allow the ACP countries to refer problems of ACP migrants and students in the Community to the ACP-EEC Council—a subject which the Community had previously said it was not competent to deal with.

Agreement was obtained on beef and veal quotas. Both parties felt fairly optimistic that progress could be made on mines and energy, fisheries, investment and also the problems of desertification and drought—a topic which both sides wish to give greater emphasis in the new convention—although they acknowledged that this goodwill still needed to be translated into action.

2.2.41. Substantial obstacles still remain in a number of areas, however. The ACP countries were especially disappointed with the Community's position on the use of Stabex transfers and with the state of trade; they are calling for free access to Community markets, elimination of non-tariff barriers, a narrower definition of the safeguard clause, guarantees to prevent further erosion of their preference levels and less restrictive rules of origin.

¹ Point 2.2.60.

² Bull. EC 2-1984, point 2.2.32.

In addition, there are still problems concerning ACP access to surplus Community agricultural products, and also human rights and financial and technical cooperation (programming, competition and ACP customs and tax arrangements).

2.2.42. On 14 May the Council took note of the progress that had been achieved at the conference and reviewed the areas where the Community had to finalize its position with the aim of reaching substantial agreement on the key issues by the next ministerial session, scheduled to be held in Luxembourg on 28-29 June.¹

2.2.43. In a resolution passed on 24 May Parliament underlined the importance of combating desertification and erosion in the Sahel—especially in the light of the renewal of the EEC-ACP Convention.²

Generalized tariff preferences

2.2.44. The twelfth session of UNCTAD's Special Committee on Preferences, held in Geneva from 24 April to 4 May, once again reviewed the implementation, maintenance, improvement and utilization of the generalized system of preferences. However, in spite of strenuous efforts to create a bridge between the differing views of donor countries and beneficiary countries, it proved impossible to arrive at any agreed conclusions on how the GSP should evolve in the future.

In his statement, the Commission spokesman reported on the changes and improvements which the EEC had made to its GSP scheme since the Special Committee's last meeting in 1982.³ He also said that modifications made in 1981 for industrial products had achieved the objective of promoting access to the Community market for less competitive countries without adversely affecting the more advanced countries.

2.2.45. In parallel with the formal proceedings of the Special Committee, the Community had informal consultations on its

GSP scheme with 11 beneficiary countries: views were exchanged on the operation of the scheme, with possible improvements being suggested and explanations given of some of the practical constraints, in particular current economic trends, which limit the Community's room for manoeuvre.

Commodities and world agreements

Cocoa

2.2.46. The first meeting of the UN conference to negotiate a fourth International Cocoa Agreement was held in Geneva from 7 to 25 May. Nearly all the producer countries were represented at the meeting, including Ivory Coast, the leading world producer, as were a large number of consumer countries, among them the Community and its Member States (the United States participating only as an observer). A general consensus emerged on the need to provide for a mixed type of defence mechanism for negotiated prices comprising a buffer stock supplemented by supply management measures in the new agreement.

In this context, the Community and its Member States put forward an original proposal concerning the supply management measures based on withdrawals from the market, the detailed implementation of which has still to be decided.

The market stabilizing effect of such a system would be similar to that of the export quota system proposed by the producer countries and a number of consumer countries and, in the Community's view, does not carry the risk of misuse which would undermine the effectiveness of a mechanism based on quotas. This proposal, which was presented too late for examination by the conference, may, after redrafting, make a

¹ Point 2.4.17.

² Point 2.4.15; OJ C 172, 2.7.1984.

³ Bull. EC 5-1982, point 2.2.11.

significant contribution to the setting up of stabilization mechanisms under a fourth international agreement.

The conference will meet again from 8 to 26 October after its chairman, Ambassador Alemán (Ecuador), has held consultations to prepare the ground.

Jute

2.2.47. The Committee on Projects of the International Jute Agreement, which came into force on 9 January 1984,¹ held its first session from 7 to 9 May 1984 in Dhaka, Bangladesh, the headquarters of the Organization. Most of the parties to the Agreement attended the session, including most Member States of the Community and the Commission.

After examining a number of projects, the Committee agreed to give priority to five agricultural projects. In addition, an industrial and a market promotion project were selected.

The International Jute Council will have to decide at its next session, in October 1984, on the recommendations of its Committee on Projects. The problem of financing the projects selected will also have to be examined.

Wheat

2.2.48. On 7 May the Council decided to conclude the 1981 Protocols for the sixth extension of the Wheat Trade Convention 1971 and for the first extension of the Food Aid Convention 1980, constituting the International Wheat Agreement.²

Food aid

Annual Programmes

2.2.49. On 7 May the Council adopted the Regulation³ proposed by the Commission in January⁴ laying down the implementation

procedures of the 1982 Regulation⁵ on food aid policy and management for 1984. Parliament gave its opinion on the Commission's proposal in April.⁶

This Regulation makes available the following overall quantities as food aid to certain developing countries and certain organizations for the current year:

<i>cereals</i> : an initial amount of	927 663 tonnes;
a second amount of not more than:	200 000 tonnes;
<i>milk powder</i> :	122 500 tonnes;
<i>butteroil</i> :	32 760 tonnes;
<i>sugar</i> :	13 500 tonnes;
<i>vegetable oil/olive oil</i> :	20 000 tonnes;
<i>other products</i> : (fish, dried vegetables, etc) amounting to the equivalent of	147 000 tonnes.

In accordance with the Council Regulation of 15 November 1983,⁷ a large proportion of this aid will be used for operations aimed at integrating food aid more fully in the development of food production and priority will be given to the most vulnerable groups in the population.

2.2.50. While awaiting the Council's formal adoption of this Regulation, the Commission had already, on 25 April,⁸ allocated 59 000 tonnes of cereals as emergency aid to some of the West and southern African countries whose food problems had become particularly acute owing to the effects of drought.

2.2.51. On 30 May the Commission decided to make further allocations of food aid, under the 1984 programme (Article 92 of the budget), to the countries and organizations listed below:

¹ Bull. EC 1-1984, point 2.2.30.

² OJ L 124, 11.5.1984.

³ OJ L 124, 11.5.1984.

⁴ OJ C 55, 28.2.1984; Bull. EC 1-1984, point 2.2.32.

⁵ OJ L 352, 14.12.1982; Bull. EC 12-1982, point 2.2.36.

⁶ OJ C 127, 14.5.1984; Bull. EC 4-1984, point 2.2.34.

⁷ Bull. EC 11-1983, point 2.2.46.

⁸ Bull. EC 4-1984, point 2.2.36.

Pays	Quantity (tonnes)				Value (million ECU)				
	Cereals	Milk-powder	Butter-oil	Other	Cereals	Milk-powder	Butter-oil	Other	Transport
Cape Verde	9 000	320	300	1 000 H	1.4	0.3	0.8	0.8	0.8
Gambia	1 000				0.2				0.2
Upper Volta	5 000				0.8				0.3
Mali	15 000	460	200		2.3	0.5	0.5		1.0
Mauritania	12 000	800	900		1.9	0.9	2.3		1.0
Niger		200				0.2			0.2
Senegal	16 000	950			2.5	1.0			1.1
Chad	9 000				1.4				0.9
Zimbabwe	15 000	4 000	750		2.3	2.9	2.0		—
Angola	20 000				3.1				1.1
Mozambique	44 000	600	200		6.9	0.6	0.5		2.6
NGOs	35 000	23 000	1 500	500 VO	5.5	24.7	3.9	3.0	7.1
				1 500 B					
				1 400 S					
				400 F					
ICRC	15 000	500	800	1 500 B	2.4	0.5	2.1	1.8	2.0
				500 VO					
				500 S					
UNHCR	78 000	2 000	200	2 500 S	12.3	2.2	0.5	3.8	5.3
				1 000 B					
				2 000 VO					
				75 F					
Total	274 000	32 830	4 850	5 000 B	43.0	33.8	12.6	9.4	23.6
				4 400 S					
				3 000 VO					
				475 F					

Grand total: 122 400 000 ECU.

B: beans.
VO: vegetable oil.
S: sugar.
P: fish.

It is significant that in the three weeks following approval of the implementing Regulation the Commission took decisions committing nearly one quarter of the total food aid budget (500 100 000 ECU) in order to help, either directly or via international or non-governmental organizations, the most vulnerable countries to cope with their desperate food situation.

*

2.2.52. On 24 May Parliament called on the Council and the Commission to grant emergency aid to the Shamali-Paghman area of Afghanistan.¹

Trade promotion

Trade missions

2.2.53. In May the Commission arranged for a trade mission from Sudan (Karkadeh) to visit Europe.

International fairs

2.2.54. The ACP States have taken part in international trade fairs in Paris and Bordeaux, France, and in Bulawayo, Zim-

¹ Point 2.4.15; OJ C 172, 2.7.1984.

babwe, with the help of technical and financial backing from the Community as part of the regional cooperation programme.

Financial and technical cooperation

ACP States and OCT

2.2.55. In May the Commission took decisions involving the allocation of fourth and fifth EDF resources totalling 41 930 000 ECU to finance projects, programmes and emergency aid operations administered by it in the following sectors:

	<i>ECU</i>
Industrialization	2 900 000
Social development	11 320 000
Rural production	19 110 000
Trade promotion	350 000
Economic and social infrastructure	3 500 000
Water engineering	4 280 000
Emergency aid	470 000
Total	41 930 000

More particularly, emergency aid was granted to Mayotte, devastated by Cyclone Kamisy, and Antigua, suffering from drought.

Relations with NGOs

2.2.56. On 17 May the Commission sent the Council a report on the use made of the 31 200 000 ECU appropriation for cooperation with NGOs (1983 budget). Although relations with the NGOs are mainly in the field of project cofinancing in developing countries, other important areas for cooperation with them are also covered, such as development education in the Community, food aid, emergency aid and inter-NGO coordination.

2.2.57. In the period from 1 January to 31 May the Commission committed grant aid totalling 8 000 000 ECU, for cofinancing 59 projects, submitted by 45 NGOs, to be carried out in the developing countries.

In addition, 25 campaigns to inform the European public about development issues have been cofinanced at a cost of 1 049 085 ECU.

Institutions

ACP-EEC institutions

ACP-EEC Council of Ministers

2.2.58. Under the chairmanship of Mr Hugh Shearer of Jamaica, President of the ACP Council of Ministers, the ACP-EEC Council of Ministers met in Fiji on 2 May for its ninth regular meeting.¹ A large number of topics were reviewed, particularly in the field of trade, and some progress was made. The Community was represented by Mr Claude Cheysson, President of the Council, and Mr Edgard Pisani, Member of the Commission with special responsibility for development matters.

Concerning trade cooperation, the ACP side expressed dissatisfaction with the Community's response to the problem of access for ACP strawberries to its markets. The measures were seen as being too little and too late, especially in the light of the proposals put forward earlier by the Commission. The Community promised to take a further look at the ACP countries' request in the light of the actual and potential level of their exports. The Community stated its willingness to reopen the case for wheat bran and residues if the ACP side was ready with some new facts. On the question of aflatoxin in animal feed, the Commission was examining the extent to which Community health standards needed to be stiffened and would be consulting the ACP States. Regarding the Commission proposal in connection with the organization of the rose and carnation market, the Community undertook not to apply restrictive measures. Referring to a proposal to tax imports of

¹ COM(84) 252 final.

² Bull. EC 5-1983, point 2.2.51.

oils and fats, the Community told the ACP States that this was still at the conjectural stage, with no developments likely in the near future.

In answer to ACP criticisms of the Community's sugar policy, the Commission recalled its own and the Community's position with particular reference to the need to check the spiralling growth of Community sugar prices, the impossibility of guaranteeing the ACP countries prices in excess of the Community price and the fact that the new tonnages must be decided case by case by the Commission. There might be a reduction in ACP quotas and an increase in India's, or vice versa, without there necessarily being a direct link between the two operations. The two sides agreed to set up a working party to study possible future trends on the sugar market.

On the subject of Stabex, the Commission proposed completing the joint examination of the method of calculating transfers by mid-June. It was ready to agree to a new method if need be, but not to methods which varied from one country or one year to another. Fiji stated that it was reconciled to the Community's rejection of its request that its exports to all destinations should be covered. The Council decided that Niger's exports of cow peas to other ACP countries should come within the scope of the Stabex system.

It was agreed that the ACP States would be consulted in due course on the question of the Community's enlargement and that during the accession negotiations regular and detailed technical discussions between the Community and the ACP States would continue.

Other subjects discussed were the situation in Chad, the negotiations for an International Cocoa Agreement, the problems of southern Africa and measures to combat desertification. Reports by the Committee set up under Article 108 of the second Lomé Convention (financial and technical cooperation) and another on supplementary financing for industrial cooperation were adopted.

International organizations and conferences

United Nations

International Development Strategy

2.2.59. The General Assembly committee responsible for reviewing and appraising the implementation of the International Development Strategy (Third Development Decade) met in New York from 7 to 25 May.¹

World Food Council

2.2.60. A preparatory meeting was held in Rome from 30 April to 3 May in connection with the ministerial meeting of the World Food Council, to be held in Addis Ababa from 10 to 15 June. The meeting provided further evidence of the wider awareness in the international community as a whole of food problems in many parts of the world, particularly Africa. It also revealed gathering support for the national food strategies approach.

United Nations Environment Programme

2.2.61. From 16 to 19 May Commission representatives were in Nairobi for the twelfth session of the Governing Council of the United Nations Environment Programme.²

General Agreement on Tariffs and Trade (GATT)

Council

2.2.62. At its meeting on 15 and 16 May the GATT Council examined several issues in connection with the settlement of disputes. It adopted a report by the panel

¹ Point 2.2.33.

² Point 2.1.117.

which had examined the United States complaint regarding certain restrictions imposed by Japan on imports of leather¹ and another by the panel which had looked into the Community complaint concerning the 'manufacturing clause' in United States copyright legislation.¹ This means that Japan and the United States must now comply with the findings of these two reports. Hong Kong again raised the issue of implementation by the Community of the panel's recommendations regarding certain quantitative restrictions applied by France,²

The Council set up a working party to review the GATT Secretariat's study on textiles and clothing in the world economy and to complete the work in this context demanded by the ministerial declaration of November 1982.³

It had not yet reached a decision regarding the Community's request for the establishment of a working party to review Japanese measures affecting world trade in copper ore and concentrates.

Finally, the Council discussed the main developments that have occurred in the international trading system and ways of putting into practice the political undertaking to resist protectionist pressures expressed in the Ministers' November 1982 declaration.³

Committee on Subsidies and Countervailing Measures

2.2.63. The Committee held a further meeting on 10 May.⁴ It continued its review of the national laws of some of the signatory countries in relation to the obligations resulting from the Code.⁵ A number of comments were made concerning Australia's legislation in particular. The Committee established procedures for dealing with the issue of improving signatory countries' notifications of subsidies.

A draft directive, prepared by a group of experts, was tabled in the Committee; this was intended to make it possible to determine whether or not systems of drawback on substitute products are tantamount to export subsidies.

The Committee has not yet reached a decision on the reports of the two panels which looked into United States complaints regarding Community refunds on exports of wheat flour and pasta products. The Committee chairman is holding informal talks with the signatory countries on this issue. Informal consultations between the parties concerned are also continuing on the United States complaint against Community refunds and Brazilian subsidies on poultry exports.

The Committee will be holding its next meeting in October.

Group on Quantitative Restrictions and Other Non-tariff Measures

2.2.64. The Group on Quantitative Restrictions and Other Non-tariff Measures of GATT held a further meeting in Geneva on 7 and 8 May.⁶

With regard to quantitative restrictions, the Group agreed to conclude stages I and II of the work programme, i.e. the collection of a data base and the review of grounds on which the quantitative restrictions are maintained and of their conformity to the General Agreement; the Group also agreed to initiate stage III of the work programme, i.e. discussion of the Group's findings and conclusions.

With regard to other non-tariff measures, the Group continued to discuss possible approaches to the selection of priority areas.

Its next meeting will be held from 13 to 15 June.

Organization for Economic Cooperation and Development

Council

2.2.65. On 17 and 18 May the OECD Council met at ministerial level in Paris. In

¹ Bull. EC 3-1984, point 2.2.56.

² Bull. EC 2-1984, point 2.2.52.

³ Bull. EC 11-1982, point 1.1.1 *et seq.*

⁴ Bull. EC 11-1983, point 2.2.68.

⁵ Thirteenth General Report, point 494.

⁶ Bull. EC 3-1984, point 2.2.57.

its discussions it devoted more time than usual to trade matters. Ministers took a decision, to be submitted if necessary to the parliaments of OECD member countries for ratification, to advance the next Tokyo Round tariff cuts and to start extensive consultations on a possible new round of multilateral trade negotiations. They also set themselves the objectives of achieving lasting growth. Another wide-ranging debate was the one on Third World debt. Ministers undertook a review of the 1976 Declaration on International Investment and Multinational Enterprises, agreeing to strengthen their cooperation in this area. The Council appointed Mr Jean-Claude Paye as the organization's next Secretary General, to succeed Mr Emile van Lennep.

Environment Committee

2.2.66. The Commission took part in a further meeting of OECD's Environment Committee, held in Paris from 9 to 11 May.¹

Council of Europe

Committee of Ministers

2.2.67. The Council of Europe's Committee of Ministers held its 74th meeting in Strasbourg on 10 May at the time of the spring session (7 to 11 May) of the 21-nation organization's Parliamentary Assembly. In celebrating the Council of Europe's 35th anniversary this year, Ministers recalled its vital contribution to building Europe. They asked their representatives to put forward proposals for strengthening and expanding cooperation between the Council of Europe and the Community in time for their next meeting.

Parliamentary Assembly

2.2.67a. The Parliamentary Assembly itself noted that all customs duties on industrial products moving between EFTA countries and the Community had been elimin-

ated on 1 January 1984. It called on these two groups of countries to step up their economic cooperation. During the session it also restored Turkish parliamentarians' rights to sit in the Assembly (they had been barred since the 1980 military coup) and urged the Turkish Government to keep the country on a democratic course.

Finally, the Assembly elected the Council of Europe's new Secretary General. He is Mr Marcelino Oreja Aguirre, who was Foreign Minister (1976-80) in the first Government formed under the Spanish monarchy and is now a member of the Assembly. Mr Aguirre's five-year term of office will run from 1 October.

Diplomatic relations

2.2.68. The President of the Council and the President of the Commission received the following ambassadors, who presented their letters of credence, to take effect on 14 May:

HE Mr Saliou Aboudou, Representative of the People's Republic of Benin to the EEC and Head of Mission to the ECSC and Euratom; HE Mr Charles Valy Tuho, Representative of the Republic of the Ivory Coast to the EEC and Head of Mission to the ECSC and Euratom; HE Mr Yacouba Sandi, Representative of the Republic of the Niger to the EEC and Head of Mission to the ECSC and Euratom; HE Mr Christian Rémi Richard, Representative of the Democratic Republic of Madagascar to the EEC and Head of Mission to the ECSC and Euratom.

The new ambassadors succeed Mr. Douwa David Gbaguidi (Benin), Mr Seydou Diarra (Ivory Coast), Mr Habou Saley (Niger) and Mr Pierre Désiré Ranjeva (Madagascar).

¹ Point 2.1.118.

3. Financing Community activities

Budgets

General budget

Preliminary draft budget for 1985

2.3.1. On 23 May the Commission adopted, with a view to its transmission to the Council and to the Parliament, the preliminary draft of the general budget of the European Communities for 1985.¹ As it stated in its preliminary draft budget for 1984,² the Commission remarks that, whatever happens, it will not be possible to finance Community policies with the resources available under the existing 1% VAT own resources ceiling, this limit having already been exceeded in 1984.³ The Commission has accordingly assumed, for 1985, that these additional resources will be made available to the Communities at the appropriate time.²

In establishing its preliminary draft, the Commission sought to reconcile the following objectives:

- maintaining a proper balance between what is desirable for the development of Community policies and what is attainable in view of the general constraints on public expenditure in the Community and the requirements of sound budget discipline;
- keeping, both for agricultural and other expenditure, within the guidelines on budgetary discipline outlined in its communication of 6 March⁴ without prejudice to the positions which Parliament or the Council might adopt in this regard.

It also took account of the general objectives outlined in Parliament's resolution of 13 April 1984⁵ on guidelines for the budgetary policy of the Communities for 1985. The Commission broadly shares Parliament's view of the priority needs facing the Community and has sought to reflect these priorities in its own budget options. Nevertheless, there are limits on the freedom of ac-

tion of the Community or indeed the budgetary authority itself. This is particularly true of appropriations for agricultural expenditure, which take up around two thirds of the overall budget, and differentiated appropriations, where a substantial volume of payment appropriations will be required mainly for financing commitments already entered into.

Expenditure

2.3.2. The proposed appropriations are based on forecast expenditure of 30 228.2 million ECU in commitments and 28 103.5 million ECU in payments. Compared with the 1984 budget, the increase in commitment appropriations is 10.41% and in payment appropriations 10.81%. These rates of increase, broken down into compulsory and non-compulsory expenditure, amount to an increase in non-compulsory expenditure of 12.75% in both commitments and payments. This means that the maximum rate of increase for this expenditure (8.5%) is exceeded by approximately 50%.⁶ In view of the large amount of commitments which the Commission will have entered into against these appropriations by 31 December 1984 (approximately 3 200 million ECU), an increase in non-compulsory expenditure limited to the maximum rate would have left very little scope for granting further commitment appropriations in 1985, assuming a normal ratio between payments and commitments.

In addition, as a result of the very high increase in agricultural expenditure in 1983 and 1984, the Commission notes that the objective underscored in its communication on budgetary discipline⁷—that is to say that

¹ Political introduction to the preliminary draft: point 1.1.1 *et seq.*

² Bull. EC 5-1983, points 1.2.3 and 2.3.1.

³ Bull. EC 4-1984, point 1.1.1 *et seq.*

⁴ Bull. EC 3-1984, point 1.2.1 *et seq.*

⁵ OJ C 127, 14.5.1984; Bull. EC 4-1984, point 2.4.9.

⁶ Bull. EC 4-1984, point 2.3.2.

⁷ Bull. EC 2-1984, point 1.2.1 *et seq.*

the rate of increase in EAGGF Guarantee Section expenditure, expressed as a moving average of three financial years, should be kept below the rate of increase in own resources—is at present impossible to achieve in relation to past years, but that the increase proposed for 1985 over 1984 meets this guideline for the future.

EAGGF Guarantee Section

On the basis of existing agricultural regulations, and leaving aside any adjustment such as decisions on farm prices for 1985, estimated expenditure amounts to 18 965 million ECU. In addition, the Commission considers that a special Community programme to reduce stocks is required because of the high level of stocks of a number of products, such as butter. It proposes that 350 million ECU should be allocated for this purpose. Guarantee expenditure proposed by the Commission accordingly amounts to 19 315 million ECU, a 17% increase over appropriations entered in the 1984 budget (16 500 million ECU). However, if the comparison is with the Commission's latest estimates of probable requirements for 1984 (18 631 million ECU¹), then the rate of increase in 1985 compared with 1984 is only 3.7%.

Structural Funds

For both the Regional and Social Funds, the Commission proposes increases in commitment appropriations designed to ensure the same level of activity in real terms in 1985 as in 1984. The amounts entered in the 1984 budget have been increased by 5.1% in line with the estimated Community rate of inflation. This increase is not large enough to achieve the long-term policy objectives of the Commission and Parliament in these two fields. However, a larger increase would cause insoluble payment difficulties in the Community's present budget situation.

The proposal increases in payment appropriations are 16.3% for the Regional Fund and 12.8% for the Social Fund.

Other policies

The Commission has also granted special budget priority to research, the Mediterranean programmes and transport. This approach is compatible not just with the draft conclusions of the March European Council but also with Parliament's guidelines on budgetary policy.

- For research (in particular implementation of the Esprit programme), the Commission is proposing 914.76 million ECU for commitments and 614.05 million ECU for payments, respective increases of 22.98% and 20.50%.

- For the Mediterranean programmes, the Commission is proposing that 160 million ECU in commitment appropriations should be entered in the budget (preparatory operations and programmes proper); 10 million ECU was entered in the 1984 budget for preparatory operations alone.

- For transport, the appropriations proposed amount to 111.75 million ECU in commitment appropriations and 35.75 million ECU in payment appropriations, respective increases of 36.70% and 5.93%.

- The proposals for development aid amount to 1 459 million ECU for commitments and 1 151 million ECU for payments, respective increases of 42.68% and 28.37%. However, the proposals are of the same order of magnitude as those made by the Commission in its 1984 preliminary draft,² particularly with regard to the fight against hunger in the world and aid to non-associated developing countries. They do, however, reflect a speeding-up of the process of implementation of the financial protocols for the Mediterranean countries.

Correction of budgetary imbalances

2.3.3. With regard to the correction of budgetary imbalances, the preliminary draft contains no provision for expenditure meas-

¹ Bull. EC 4-1984, point 1.1.1 *et seq.*

² Bull. EC 5-1983, point 2.3.7.

Table 7 — *Community expenditure by sector*
Appropriations for commitments

(ECU)

Sector	1984 Budget		1985 preliminary draft budget		Change (3/1)	
	Amount	%	Amount	%	Amount	%
	(1)	(2)	(3)	(4)	(5)	(6)
1. Support for agricultural markets						
EAGGF Guarantee (Ch. 10 to 29)	16 500 000 000	60.27	19 315 000 000	63.90	+ 2 815 000 000	+ 17.06
Total 1	16 500 000 000	60.27	19 315 000 000	63.90	+ 2 815 000 000	+ 17.06
2. Structural policies						
EAGGF Guidance (Ch. 30 to 33)	723 500 000	2.64	834 341 000	2.76	+ 110 841 000	+ 15.32
Specific agricultural measures (Ch. 38)	86 560 000	0.32	94 859 000	0.31	+ 8 299 000	+ 9.59
Fisheries (Ch. 40 to 46)	159 108 000	0.58	181 070 000	0.60	+ 21 962 000	+ 13.80
Regional Fund (Ch. 50 and 51)	2 140 000 000	7.82	2 250 000 000	7.44	+ 110 000 000	+ 5.14
EMS (Ch. 52)	p.m.	—	p.m.	—	—	—
Supplementary measures (UK) (Ch. 53)	p.m.	—	—	—	p.m.	—
Miscellaneous regional measures (Ch. 54, 55 and 56)	45 700 000	0.17	227 750 000	0.75	+ 182 050 000	+ 398.—
Transport (Ch. 58)	81 750 000	0.30	111 750 000	0.37	+ 30 000 000	+ 36.70
Social Fund (Ch. 60 and 61)	1 846 000 000	6.74	1 940 000 000	6.42	+ 94 000 000	+ 5.09
Miscellaneous social measures (Ch. 64, 65 and 69)	175 022 000	0.64	188 997 000	0.63	+ 13 975 000	+ 7.98
Education and culture (Ch. 63 and 67)	18 956 000	0.07	20 360 000	0.07	+ 1 404 000	+ 7.41
Environment and consumers (Ch. 66)	19 964 000	0.07	21 019 000	0.07	+ 1 055 000	+ 5.28
Total 2	5 296 560 000	19.34	5 870 146 000	19.42	+ 573 586 000	+ 10.83
3. Research, energy and industry						
Energy (Ch. 70 and 71)	¹ 183 035 000	0.67	156 465 000	0.52	— 26 570 000	— 14.52
Research and investment (Ch. 72 and 73)	743 837 000	2.72	914 767 000	3.03	+ 170 930 000	+ 22.98
Information and innovation (Ch. 75)	27 435 000	0.10	23 200 000	0.08	— 4 235 000	— 15.44
Industry and internal market (Ch. 77)	64 021 000	0.23	52 370 000	0.17	— 11 651 000	— 18.20
Total 3	1 018 328 000	3.72	1 146 802 000	3.79	— 128 474 000	+ 12.62

4. Refunds and reserves							
Refunds to the Member States (Ch. 80)	1 057 343 000	3.86	1 047 098 000	3.46	-	10 245 000	- 0.97
Other refunds (Ch. 82 and 86)	46 165 033	0.17	26 963 023	0.09	-	19 202 010	- 41.59
Financial mechanism (Ch. 81)	—	—	—	—		—	—
Miscellaneous guarantees (Ch. 79, 83, 84 and 85)	p.m.	—	p.m.	—		—	—
Reserves (Ch. 101)	1 207 000 000 ²	4.41	5 000 000	0.02	-	1 202 000 000	—
Total 4	2 310 508 033	8.44	1 079 061 023	3.57	-	1 231 447 010	- 53.30
5. Development cooperation and non-member countries							
EDF (Ch. 90 and 91)	p.m.	—	p.m.	—		—	—
Food aid (Ch. 92)	506 100 000	1.85	671 900 000	2.22	+	165 800 000	+ 32.75
Cooperation with non-associated developing countries (Ch. 93)	237 050 000	0.87	325 232 000	1.08	+	88 182 000	+ 37.20
Specific and exceptional measures (Ch. 94 and 95)	113 170 000	0.41	69 980 000	0.23	-	43 190 000	- 38.16
Cooperation with Mediterranean countries (Ch. 96)	108 000 000	0.39	326 600 000	1.08	+	218 600 000	+ 202.—
Miscellaneous cooperation measures (Ch. 97, 98 and 99)	58 500 000	0.21	65 300 000	0.22	+	6 800 000	+ 11.62
Total 5	1 022 820 000	3.74	1 459 012 000	4.83	+	436 192 000	+ 42.65
6. Staff and administrative appropriations							
Section III A — Commission	803 510 055	2.93	920 065 050	3.04	+	116 554 995	+ 14.51
Sections I, II, IV and V — Other institutions)	425 562 275	1.55	438 110 000	1.45	+	12 547 725	+ 2.95
Total 6	1 229 072 330	4.49	1 358 175 050	4.49	+	129 102 720	+ 10.50
Grand total	27 377 288 363	100.—	30 228 196 073	100.—	+	2 850 907 710	+ 10.41

¹ Including 30 million ECU entered in Chap. 100 for chapters, 70, 73, 75, 77 and 58 (78 in 1984).

² Including 1 202 million ECU entered in Chap. 100 for special measures for the UK and Germany.

Table 8 — *Community expenditure by sector*
Appropriations for payments

(ECU)

Sector	1984 Budget		1985 preliminary draft budget		Change (3/1)	
	Amount	%	Amount	%	Amount	%
	(1)	(2)	(3)	(4)	(5)	(6)
1. Support for agricultural markets						
EAGGF Guarantee (Ch. 10 to 29)	16 500 000 000	65.06	19 315 000 000	68.73	+ 2 815 000 000	+ 17.06
Total 1	16 500 000 000	65.06	19 315 000 000	68.73	+ 2 815 000 000	+ 17.06
2. Structural policies						
EAGGF Guidance (Ch. 30 to 33)	595 610 000	2.35	856 800 000	3.05	+ 261 190 000	+ 43.85
Specific agricultural measures (Ch. 38)	79 520 000	0.31	83 039 000	0.30	+ 3 519 000	+ 4.43
Fisheries (Ch. 40 to 46)	112 358 000	0.44	139 670 000	0.50	+ 27 312 000	+ 24.31
Regional Fund (Ch. 50 and 51)	1 412 500 000	5.57	1 642 500 000	5.84	+ 230 000 000	+ 16.28
EMS (Ch. 52)	p.m.	—	p.m.	—	—	—
Supplementary measures (UK) (Ch. 53)	p.m.	—	—	—	p.m.	—
Miscellaneous regional measures (Ch. 54, 55 and 56)	42 300 000	0.17	62 750 000	0.22	+ 20 450 000	+ 48.35
Transport (Ch. 58)	33 750 000	0.13	35 750 000	0.13	+ 2 000 000	+ 5.93
Social Fund (Ch. 60 and 61)	1 220 000 000	4.81	1 376 000 000	4.90	+ 156 000 000	+ 12.79
Miscellaneous social measures (Ch. 64, 65 and 69)	174 222 000	0.69	187 896 000	0.67	+ 13 674 000	+ 7.85
Education and culture (Ch. 63 and 67)	18 956 000	0.07	20 360 000	0.07	+ 1 404 000	+ 7.41
Environment and consumers (Ch. 66)	16 214 000	0.06	17 169 000	0.06	+ 955 000	+ 5.89
Total 2	3 705 430 000	14.61	4 421 934 000	15.73	+ 716 504 000	+ 19.34
3. Research, energy and industry						
Energy (Ch. 70 and 71)	¹ 124 650 000	0.49	91 965 000	0.33	— 32 685 000	— 26.22
Research and investment (Ch. 72 and 73)	509 567 000	2.01	614 050 000	2.18	+ 104 483 000	+ 20.50
Information and innovation (Ch. 75)	23 185 000	0.09	15 550 000	0.06	— 7 635 000	— 32.93
Industry and internal market (Ch. 77)	61 901 000	0.24	56 030 000	0.20	— 5 871 000	— 9.48
Total 3	719 303 000	2.83	777 595 000	2.77	+ 58 292 000	+ 8.10

4. Refunds and reserves						
Refunds to the Member States (Ch. 80)	1 057 343 000	4.17	1 047 098 000	3.73	- 10 245 000	- 0.97
Other refunds (Ch. 82 and 86)	46 165 033	0.18	26 963 023	0.10	- 19 202 010	- 41.59
Financial mechanism (Ch. 81)	—	—	—	—	—	—
Miscellaneous guarantees (Ch. 79, 83, 84 and 85)	p.m.	—	p.m.	—	—	—
Reserves (Ch. 101)	1 207 000 000 ²	4.76	5 000 000	0.02	- 1 202 000 000	—
Total 4	2 310 508 033	9.11	1 079 051 023	3.84	- 1 231 447 010	- 53.30
5. Development cooperation and non-member countries						
EDF (Ch. 90 and 91)	p.m.	—	p.m.	—	—	—
Food aid (Ch. 92)	506 100 000	2.00	492 400 000	1.75	- 13 700 000	- 2.71
Cooperation with non-associated developing countries (Ch. 93)	131 305 000	0.52	173 770 000	0.62	+ 42 465 000	+ 32.34
Specific and exceptional measures (Ch. 94 and 95)	95 170 000	0.38	70 980 000	0.25	- 24 190 000	- 25.42
Cooperation with Mediterranean countries (Ch. 96)	106 073 000	0.42	349 250 000	1.24	+ 243 177 000	+ 229.—
Miscellaneous cooperation measures (Ch. 97, 98 and 99)	58 500 000	0.23	65 300 000	0.23	+ 6 800 000	+ 11.62
Total 5	897 148 000	3.54	1 151 700 000	4.10	+ 254 552 000	+ 28.37
6. Staff and administrative appropriations						
Section III A — Commission	803 510 055	3.17	920 065 050	3.27	+ 116 554 995	+ 14.51
Sections I, II, IV and V — Other institutions	425 562 275	1.68	438 110 000	1.56	+ 12 547 725	+ 2.95
Total 6	1 229 072 330	4.85	1 358 175 050	4.83	+ 129 102 720	+ 10.50
Grand total	25 361 461 363	100.—	28 103 465 073	100.—	+ 2 742 003 710	+ 10.81

¹ Including 24.6 million ECU entered in Chap. 100 for Chapters 70, 73, 75, 77 and 58 (78 in 1984).

² Including 1 202 million ECU entered in Chap. 100 for special measures for the UK and Germany.

ures of the kind undertaken in previous years. The Commission assumes, in the light of current discussions on this subject with regard to the future financing of the Community, that any adjustments for 1984 to be implemented in 1985 will not affect the level of Community expenditure. In so far as these procedures involve modulation of Member States' VAT payments, the Commission will be submitting appropriate proposals for the correction of the revenue side of the budget once the necessary legal basis for this modulation has been established.

Resources

2.3.4. Present forecasts of the resources available for financing the 1985 budget show an increase of approximately 5.3% in relation to 1984. Estimates of revenue accruing from customs duties, agricultural levies and other sources of revenue besides VAT show, however, that they will be insufficient to cover proposed expenditure and

that a VAT call-up rate of 1.12% will be required. In view of the existing 1% ceiling on VAT, the Commission will be putting forward amendments to the proposal transmitted on 6 May 1983 for a Council Decision on the Community own resources system,¹ a specific clause of which will provide, in view of the time required for national ratification procedures, that the Decision should take effect on 1 January 1985. This will mean that the VAT rate of 1.12% will apply for the entire 1985 budget year. In order to guarantee that under all circumstances the 1985 budget will be in balance, the Commission will also be proposing that the Council adopt a decision providing for the Member States to make funds available to the Community; this would apply only if the Decision on new own resources did not come into operation sufficiently rapidly.

¹ OJ C 145, 3.6.1983; Bull. EC 5-1983, point 1.2.1 *et seq.*

Table 9 — *Own resources and other revenue*

	1984 ¹	1985 ²	Change %
Agricultural levies	1 426 650 000	1 387 850 000	- 2.72
Sugar and isoglucose levies	973 280 000	986 930 000	+ 1.40
Customs duties	7 623 500 000	8 096 200 000	+ 6.20
VAT and financial contributions	14 608 500 000	15 461 547 760	+ 5.84
Miscellaneous revenue	222 115 900	258 283 470	+ 16.28
Available resources	24 854 045 900	26 190 811 230	+ 5.38
Difference to be financed	2 333 000 000	1 912 653 843	- 18.02
Total expenditure	27 187 045 900	28 103 465 073	+ 3.37

¹ Revised estimates given in the communication of 17 April 1984 (Bull. EC 4-1984, point 1.1.1 *et seq.*).

² Forecasts for 1985 preliminary draft budget.

Three-year financial forecasts 1985-86-87

2.3.5. As required by the Council Decision of 21 April 1970,¹ the Commission accompanied its preliminary draft budget for 1985 with financial forecasts for the three subsequent years.

In common with Parliament, the Commission has centred its attention on the fight against unemployment and hunger in the world. More specifically, the forecasts for 1986 and 1987 are dominated by:

- strict control of the cost of the common organization of agricultural markets by the gradual implementation of the principle that the average rate of growth in expenditure should remain below that of own resources;
- the accession of Spain and Portugal on 1 January 1986;
- a significant rise in real terms of total expenditure for improving structures, with impeding enlargement conferring priority on the integrated Mediterranean programmes;
- support for activities which are vital to Europe's competitive position, economic development and employment, that is to say research, new technologies and innovation in advanced-technology fields;
- the inclusion of the EDF in the budget.

In addition, the 1986 and 1987 budgets will include approximately 830 million ECU each year for interest payments on the 2 333 million ECU loan from the Member States proposed for 1984.²

2.3.6. In terms of commitments for payments, total expenditure will rise from 28 103 million ECU in 1985 to approximately 33 710 million ECU in 1986 and 37 290 million ECU in 1987, an annual average rate of increase of 15.2%.

The corresponding appropriations for commitments will amount to 30 228 million ECU in 1985, 37 670 ECU in 1986 and

42 650 million ECU in 1987, with an annual average rate of increase of 18.8%.

The sharp rise in expenditure, particularly in 1986, can largely be explained by the financial implications of enlargement, the repayment of the loan proposed to cover requirements in 1984 and the inclusion of the EDF in the budget.

2.3.7. Financing this expenditure will call for a significant increase in own resources—and this should be facilitated by simultaneously implementing a mechanism to compensate for budgetary imbalances, i.e. the unfair budgetary situations of some Member States.

Total resources within the existing 1% VAT ceiling will rise by 7.3% in 1986 and 7% in 1987. Approximately 5 580 million ECU extra will be needed to cover requirements in 1986 and 7 190 million ECU will be required in 1987, which would produce VAT rates of 1.334% in 1986 and 1.399% in 1987. It should be noted that these rates do not include the implications of the mechanism to remove budgetary imbalances nor do they take account of interest payments on a possible loan in 1985 similar to that proposed for 1984.

Revenue and expenditure account for 1983

2.3.8. On 30 May the Commission sent the budgetary authority the revenue and expenditure account and the balance sheet for 1983.

The year's operations gave rise to a surplus of 307.10 million ECU, which will be entered as revenue for 1984.

The revenue and expenditure shown in the accounts are given in Tables 12 and 13.

¹ OJ L 94, 28.4.1970.

² Bull. EC 4-1984, point 1.1.1 *et seq.*

Table 10 — *Three-year financial estimates 1985-86-87*
 Expenditure (appropriations for payments) and resources

(million ECU)

Sectors	1984 ¹	1985	1986	1987
<i>A. Expenditure</i>				
1. EAGGF Guarantee Section (Titles 1 and 2B)	16 500.0 (18 631.0)	19 315	20 860	22 100
2. Fisheries and marine policy (Chapters 40 to 46B)	112.4	139.7	180	190
3. Structural expenditure				
• EAGGF Guidance Section (Chapters 30 to 33B)	595.6	856.8		
• Social Fund (Chapters 60 to 62B)	1 220.0	1 376.0		
• Regional Fund (Chapters 50 and 51B)	1 412.5	1 642.5	5 640	6 500
• Mediterranean programmes (Chapter 55B)	10.0	10.0		
• Transport, other regional measures (Chapters 58 and 54B)	66.1	88.5		
4. Research (Chapters 72 and 73B)	509.6	614.0	890	1 070
5. Energy and industry (Chapters 70, 71, 75 and 77B)	209.7	163.6	190	280
6. Development cooperation (Chapters 92 to 99B)	897.1	1 151.2	1 900 ²	2 600 ²
7. Miscellaneous (Chapters 38, 63 to 69 and 101)	293.9	313.4	340	380
8. Administrative expenditure				
• Commission (Part A)	803.5 (838.5)	920.1	990	1 060
• Other institutions	425.6	439.1	470	500
9. Refunds to Member States	1 103.5	1 074.1	1 950	2 010
10. Special measures UK/D	1 202.0	—	—	—
11. Enlargement (net effect)	—	—	300	600
12. Total (rounded)	25 361.5 ¹ (27 187.5)	28 103.5	33 710	37 290

(million ECU)

Sectors	1984 ¹	1985	1986	1987
B. Resources				
1. Miscellaneous revenue	222.1	258.3	285	305
2. Customs duties	7 623.5	8 096.2	8 550	9 050
3. Agricultural and sugar levies	2 949.9 (2 399.9)	2 374.8	2 595	2 745
4. Amount of expenditure (A.12) to be covered by VAT	14 566.0 (14 608.5)	17 374.2	22 280	25 190
5. Loan from the Member States	(2 333)	p.m.	—	—
6. Total	25 361.5 (27 187.5)	28 103.5	33 710	37 290
7. 1% of VAT base	14 608.5	15 461.5	16 700	18 000
8. Resources with 1% VAT limit (1 to 3 + 7)	25 404.0 (24 854.0)	26 190.8	28 130	30 100
9. VAT rate to cover total (B4 ÷ B7 in%)	0.997 (1.00)	1.124	1.334	1.399

¹ The figures in brackets show, for the main items, the updating based on the 17 April 1984 proposal for meeting requirements in 1984; Bull. EC 4-1984, point 1.1.1 *et seq.* The total on line 12 includes all the modifications, including savings.

² Including the EDF (Chapters 90 and 91).

Table 11 — *Three-year financial forecasts 1985-86-87*
Appropriations for commitments

(million ECU)

Sectors	1984 ¹	1985	1986	1987
Expenditure				
1. EAGGF Guarantee Section (Titles 1 and 2B)	16 500.0 (18 631.0)	19 315	20 860	32 100
2. Fisheries and marine policy (Chapters 40 to 46B)	159.1	181.1	190	200
3. Structural expenditure				
• EAGGF Guidance Section (Chapters 30 to 33B)	723.5	834.3		
• Social Fund (Chapters 60 to 62B)	1 846.0	1 940.0		
• Regional Fund (Chapters 50 and 51B)	2 140.0	2 250.0	6 200	7 100
• Mediterranean programmes (Chapter 55B)	10.0	160.0		
• Transport, other regional measures (Chapters 58 and 54B)	117.5	179.5		
4. Research (Chapters 72 and 73B)	743.8	914.8	1 030	1 170

Budgets

Table 11 — (continued)

(million ECU)

Sectors	1984 ¹	1985	1986	1987
5. Energy and industry (Chapters 70, 71, 75 and 77B)	274.4	232.0	270	310
6. Development cooperation (includes the EDF from 1986) (Chapters 92 to 99B)	1 022.8	1 459.0	3 350 ²	3 800 ²
7. Miscellaneous (Chapters 38, 63 to 69 and 101)	305.6	330.2	360	400
8. Administrative expenditure				
• Commission (Part A)	803.5 (838.5)			
• Other institutions	425.6	438.1	470	500
9. Refunds to Member States	1 103.5	1 074.1	1 950	2 010
10. Special measures UK/D	1 202.0	—	—	—
11. Enlargement	—	—	2 000	4 000
12. Total (rounded)	27 377.3 (29 543.4)	30 228.2	37 670	42 650

¹ and ² See footnotes to previous table.

Table 12 — 1983 revenue situation at 31 December 1983

(ECU)

	Revenue estimated in the budget	Actual revenue	Revenue as a % of estimates
Own resources			
— Agricultural levies	1 475 400 000	1 347 063 547	91.30
— Sugar and isoglucose levies	958 549 000	947 960 833	98.90
— Customs duties	7 234 600 000	6 988 646 860	96.60
— VAT resources	13 691 023 482	13 699 040 695	100.06
Total	23 359 572 482	22 982 711 935	98.39
Financial contributions	216 950 486	217 724 744	100.36
Surplus available			
— Surplus available from the 1981 and 1982 financial years	1 486 732 678	1 486 732 678	100.00
— Balance of 1982 VAT own resources	— 256 566 450	— 256 566 450	100.00
— Corrections to balance of own resources and adjustments to financial contributions for 1979 to 1981	65 677 893	69 688 673	106.11
Miscellaneous revenue	188 726 385	265 211 639	140.52
Total	25 061 093 474	24 765 506 219	98.82

Table 13 — Use of appropriations for 1983

(million ECU)

	Total appropriations ¹		% used		Approps for pays carried over from 1982 to 1983	% used	Approps lapsing or available at 31.12.83.			
	For commitments	For payments	Commitments	Payments			Approps for commits		Approps for payments	
							Lapsing	Available	Lapsing	Available
Commission										
<i>Operating appropriations</i>										
• Agriculture	16 970.1	16 536.5	98.8	98.8	430.4	60.7	82.0	115.1	239.0	144.1
of which:										
EAGGF Guarantee Section	(15 822.2)	(15 822.2)	(99.8)	(99.8)	(2.6)	(95.4)	(36.4)	(—)	(36.4)	(0.1)
EAGGF Guidance Section	(985.0)	(612.3)	(87.9)	(79.8)	(391.2)	(59.1)	(20.9)	(98.1)	(159.9)	(123.9)
Fisheries	(105.6)	(56.9)	(83.1)	(56.1)	(30.4)	(75.2)	(1.4)	(16.5)	(8.8)	(12.5)
• Social	2 081.2	1 417.1	95.9	56.2	218.4	97.3	11.6	72.9	17.5	608.6
• Regional	2 513.4	1 495.4	94.2	92.1	174.4	80.4	2.3	143.2	36.4	115.2
• Energy	954.1	885.0	98.1	91.3	31.4	71.2	5.1	12.8	14.1	72.3
• Research and investment	538.8	433.7	91.4	86.7	58.0	84.9	5.0	41.2	6.5	60.0
• Industrial policy	111.3	62.0	87.5	48.1	31.0	60.6	2.0	12.0	14.1	30.2
• Transport	26.5	14.4	42.3	18.2	1.1	99.3	0.3	15.0	0.2	11.6
• Environment and consumer protection	13.2	13.6	81.3	29.8	8.3	89.1	0.5	2.0	1.4	9.1
• Development cooperation	1 291.6	984.6	82.1	52.6	345.3	84.9	33.6	197.4	56.8	963.1
of which:										
Food aid	(541.9)	(541.9)	(99.9)	(59.9)	(72.3)	(88.6)	(0.8)	(—)	(9.1)	² (216.6)
Non-associated developing countries	(369.4)	(122.7)	(65.2)	(29.6)	(117.1)	(86.9)	(0.1)	(128.4)	(15.5)	(86.2)
Specific and exceptional measures	(145.6)	(140.0)	(92.6)	(28.5)	(50.6)	(97.8)	(2.7)	(8.1)	(3.4)	(97.4)
Cooperation with Mediterranean countries	(183.2)	(128.5)	(50.4)	(52.1)	(103.8)	(73.6)	(29.9)	(60.9)	(27.4)	(61.6)
Miscellaneous	(51.5)	(51.5)	(100.0)	(97.4)	(1.5)	(92.6)	(—)	(—)	(0.1)	(1.3)
Subtotal	24 500.2	21 842.3	96.9	92.7	1 298.3	77.5	142.4	611.6	376.2	1 514.2

Table 13 — (suite)

(million ECU)

	Total appropriations ¹		% used		Approps for pays carried over from 1982 to 1983	% used	Approps lapsing or available at 31.12.83.			
	For commitments	For payments	Commitments	Payments			Approps for commits		Approps for payments	
							Lapsing	Available	Lapsing	Available
• Staff and administrative appropriations	755.7	755.7	98.4	90.9	58.9	83.9	12.4	—	21.9	51.3
• Repayment of own resources collection costs	966.9	966.9	96.0	88.1	71.5	97.7	38.4	—	48.1	76.5
• Financial compensation to UK and Greece	122.1	122.1	99.6	80.8	44.5	99.4	0.5	—	0.7	23.0
• Supplementary measures in favour of UK	887.6	887.6	100.0	100.0	—	—	—	—	—	—
• Provisional appropriations	43.7	89.4	—	—	—	—	43.7	—	89.4	—
Contingency reserve	(1.1)	(1.1)	—	—	—	—	(1.1)	—	(1.1)	—
Commission total	27 276.2	24 664.0	96.9	92.3	1 473.2	79.4	237.4	611.6	528.3	1 670.0
of which:										
Non-differentiated appropriations	20 529.6	20 529.6	99.3	96.7	511.0	82.3	146.3	—	236.8	529.6
Differentiated appropriations	6 746.6	4 134.4	89.6	70.5	962.2	77.8	91.1	611.6	291.5	1 140.4
Other institutions	404.8	404.8	92.8	82.1	47.8	87.5	28.3	0.8	34.3	44.3
Grand total	27 681.0	25 068.8	96.8	92.2	1 521.0	79.6	265.7	612.4	562.6	1 714.3

¹ Initial budget as amended by transfers of appropriations, plus commitment appropriations remaining from previous financial years and adjustments of commitments from previous years still to be settled.

² Including 18.6 million ECU paid as advances up to 31 December 1983.

Own resources

2.3.9. On 23 May Parliament passed a resolution¹ on budget discipline and the future financing of the Community.² It reaffirmed its right to be involved in decisions on measures relating to budget discipline and the future financing of the Community. It considered it necessary in addition, with a view to shaping the budget in an effective and rational manner, that 'some basic conditions had to be established in the form of objectives, guidelines, reference frameworks and financial strategies, amalgamated in a binding multiannual financial forecast, to be determined by both arms of the budgetary authority in conjunction with the Commission³.

Parliament asked that the Commission, the Council and itself should reach joint agreement with the governments of the Member States on which policies should be financed solely at Community level, which solely by the Member States and which on a joint basis. It also demanded that a tripartite meeting should be held in accordance with the Joint Declaration of 30 June 1982 on the organization of the budget procedure.³

Financial Regulations

2.3.10. On 24 May Parliament endorsed⁴ the further proposed amendment⁵ to Regulation No 2891/77⁶ implementing the 1970 Decision on own resources.⁷ It expressed its desire that the Commission should make clearer that own resources are to be acquired by the Community from the moment that the event entitling them to be levied occurs, that progress should be achieved towards harmonization of national provisions in order to secure a uniform application of the own resources system and that the exceptions to the obligation to make entitlements available should be more precisely defined.

Parliament also urged that examination of the proposed revision of Regulations Nos 2891 and 2892/77⁸ should be speeded up and that the conciliation procedure should be opened as quickly as possible.

ECSC operating budget

Transfer from the general budget to the ECSC budget

2.3.11. The Council, which in March had confirmed the need for a set of social support measures for the coal industry,⁹ approved the principle on 22 May of a transfer of 60 million ECU from the 1984 general budget to the ECSC.¹⁰

This sum will provide a contribution, a token of Community solidarity, towards the financing of measures to counter the social and economic consequences of the restructuring and modernization being undertaken by the coal industries of the Member States.

Financial operations

ECSC

Loans raised

2.3.12. During May the Commission made a number of private placings in German marks for the equivalent of 33.8 million ECU.

Loans paid out

2.3.13. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission made loans in May totalling 3.75 million ECU, broken down as follows:

¹ Point 2.4.15; OJ C 172, 2.7.1984.

² Bull. EC 2-1984, point 1.2.1 *et seq.*

³ OJ C 194, 28.7.1982; Bull. EC 6-1982, point 1.1.1 *et seq.*

⁴ OJ C 172, 2.7.1984.

⁵ OJ C 303, 10.11.1983; Bull. EC 10-1983, point 2.3.8.

⁶ OJ L 336, 27.12.1977.

⁷ OJ L 94, 28.4.1970.

⁸ OJ C 200, 4.8.1982; amended proposal in OJ C 67, 12.3.1983.

⁹ Bull. EC 3-1984, point 2.1.175.

¹⁰ OJ C 290, 26.10.1983; Bull. EC 10-1983, points 2.1.185 and 2.3.4.

Subsidized housing

2.3.14. Loans for the building of subsidized housing totalled 0.62 million ECU, of which 0.45 million ECU was for steelworkers and 0.17 million ECU for mineworkers.

Conversion loans

2.3.15. A multiregional conversion loan of 3.13 million ECU was granted to a financial

institution in the Federal Republic of Germany for on-lending to small businesses.

EEC-NCI

Loans raised

2.3.16. In May the Commission raised 50 million ECU with a seven-year public issue. Carrying a coupon of 11.25%, it was issued at par.

4. Political and institutional matters

European political cooperation

2.4.1. Community Foreign Ministers meeting in political cooperation in Brussels on 14 May adopted the following statement on Afghanistan:

'For several weeks, Soviet forces have been carrying on a large-scale offensive in various provinces of Afghanistan, and especially in the Panjshir area. The Ten consider that the intensified or new methods being employed in this offensive, in particular high-altitude bombing, can only add to suffering and destruction without shortening a conflict to which there is no military solution. These attacks can only lead to an increase in the number of homeless and refugees. Indeed this increased resort to force confirms the stubbornness of the resistance and the difficulties being encountered in overcoming it.

In these circumstances, the Ten must reiterate their attachment to the principles set out in the resolutions of the General Assembly of the United Nations and recently recalled on the fourth anniversary of Soviet intervention, namely that the withdrawal of foreign troops, self-determination by the Afghan people, the voluntary return of the refugees and the non-alignment of Afghanistan are the conditions for an honourable, just and lasting settlement for all the parties concerned. The Ten call on the Soviet union once again to follow this

course and support the efforts being made to this end by the Secretary-General of the United Nations.'

2.4.2. With regard to the export of chemicals capable of being used in chemical weapons¹ the Council issued the following press statement after its 14 and 15 May meeting:

'In accordance with political cooperation discussions concluding that it was necessary to control exports of certain chemical products which might be delivered directly or indirectly to warring countries, the Council, which had before it a Commission proposal under Article 113 of the Treaty:

- noted that all the Member States had already taken or were about to take the necessary control measures at national level and agreed that such measures would be taken on a coordinated basis and that the Member States would consult each other and the Commission, in accordance with Article 224 of the Treaty, with a view to ensuring the proper functioning of the common market;
- instructed the Permanent Representatives Committee to carry out for future reference a detailed study of the legal, technical and juris-

¹ Bull. EC 4-1984, point 2.4.1.

dictional problems which, in the light of the provisions of the Treaty, might be raised by this type of measure.¹

2.4.3. Between 25 and 27 May the Foreign Ministers met in Salon-de-Provence—an informal meeting along the lines of the one held in Gymnich. According to information released to the press by the French Foreign Minister, Mr Claude Cheysson, discussion centred on East-West relations. Ministers expressed their interest in increasing contacts with countries of the Eastern bloc but agreed that a number of obstacles still existed, such as Afghanistan, Poland and the Eastern bloc's increasingly large nuclear arsenal.

2.4.4. A meeting of experts on the peaceful settlement of disputes was held in Athens from 21 March¹ to 30 April pursuant to the concluding document of the Madrid meeting on the follow-up to the Conference on Security and Cooperation in Europe. The Ten presented a proposal for the peaceful settlement of disputes providing for a method including a number of mandatory requirements. Despite extensive discussion it proved impossible, because of the opposition from the Warsaw Pact countries, to arrive at a consensus on the actual content of such a method. Further discussion may, however, take place within the CSCE framework.

2.4.5. In the course of its May part-session Parliament adopted resolutions on a common approach by the Member States towards various infringements of the law by new organizations operating under the protection afforded to religious bodies, human rights in the world and Community policy on human rights, respect for human rights in Turkey, Mr Chapman's petition concerning penal procedures of a murder in Greece, the situation of missing persons in Argentina, the position of Juan Pablo Cardenas, the situation of Andrei Sakharov and his wife, the EEC's relations with Namibia, the Gulf war, recent events concerning the Libyan People's Bureau in London, and the Olympic Game.²

European policy and relations between the institutions

European policy

Greek memorandum

2.4.6. On 10 May the Council signified its agreement to the granting of financial assistance from the 1983 and 1984 budgets for transport infrastructure projects of Community interest in Greece,³ as proposed by the Commission in its March 1983 reply to the Greek memorandum.⁴

2.4.7. On the same date,⁵ also as a follow-up to the above reply, the Commission sent the Council further proposals for agricultural regulations.⁶ The proposals relate to the increasing of staff in the departments responsible for the quality control of agricultural products in Greece and to the granting of aid for the transhumance of sheep, goats and cattle in Greece and for the transport of means of production to certain islands. They supplement the Regulation extending the common measure on the acceleration of agricultural development in certain regions of Greece, adopted by the Council in March.⁷ Parliament endorsed the proposals on 24 May.⁸

Greenland

2.4.8. On 23 May Parliament delivered its opinion⁸ on the Commission proposals on the conclusion of an agreement on future relations between Greenland and the Community.⁹ It approved the proposals with the

¹ Bull. EC 3-1984, point 2.4.4.

² Point 2.4.16; OJ C 172, 2.7.1984.

³ Point 2.1.162; Bull. EC 7/8-1983, point 2.1.175.

⁴ Bull. EC 3-1983, point 1.4.8.

⁵ Bull. EC 3-1983, points 1.4.1 to 1.4.13.

⁶ Point 2.1.137; COM(84) 192 final.

⁷ Bull. EC 3-1984, point 2.4.7.

⁸ OJ C 172, 2.7.1984.

⁹ Bull. EC 2-1984, point 1.4.1 *et seq.*

qualification that it might be possible to improve the implementing provisions for the fisheries agreement which had already been signed.

Relations between the institutions

2.4.9. On 21 May Parliament passed a resolution asking the Commission to let it have all proposals which it would normally submit to the Committee on the Adaptation of Directives to Technical and Scientific Progress¹ on the grounds that the Committee were now usurping the powers conferred on Parliament by the Treaties.

Institutions and organs of the Communities

Parliament²

Strasbourg: 21 to 25 May

2.4.10. The May part-session, the last meeting of the first Parliament directly elected by universal suffrage, dealt with over 70 technical matters that had to be settled before the end of the term.

The high spot of the proceedings was the statement by Mr François Mitterrand, President of the French Republic and President of the Council,³ who, presenting a blueprint for present and future Community policy, committed France to the support of the draft Treaty establishing European Union on the lines set out by Parliament.

This last meeting ended with an address by Parliament's President, Mr Piet Dankert, and messages from the Commission President and Vice-President, Mr Gaston Thorn and Mr Etienne Davignon.

Assessment of the first term: statement by Mr Dankert

2.4.11. 'During these five years we have not managed to achieve all that many of us

hoped for in 1979', declared Mr Dankert, who nevertheless welcomed the assertion of Parliament's control function by the application of effective methods. The severe constraints on Parliament's legislative function, though not robbing the House of effect on Community regulations and directives, had nevertheless made its action "scarcely perceptible outside", whereas the voter expected at least "a share in legislative power". The full use of its budgetary powers had enabled the House, by rejecting the 1980 budget, to spur the reform of the common agricultural policy and, by rejecting the 1982 supplementary budget and putting the British compensation into a reserve at the end of 1983, "to prevent the Community from degenerating into a kind of compensation fund".

As objectives for the next term Mr Dankert said that Parliament must improve its image in the eyes of the electorate and get closer to the voters, as well as act like a determined, jointly responsible partner on the budgetary and legislative side: "our legal legitimacy must become a political legitimacy". To justify wider legislative powers for Parliament, he said that "the fact that national parliaments delegate certain European prerogatives to governments impairs parliamentary democracy at national level if, in the end, the European Parliament has no say in the exercise of those prerogatives".

¹ Point 2.4.15; OJ C 172, 2.7.1984.

² This report was prepared from *Le point de la session* published by Parliament's Secretariat. The complete texts of the resolutions adopted by Parliament are reproduced in OJ C 172, 2.7.1984, and the reports of the proceedings are contained in OJ Annex 1-314. The political groups of members are indicated in brackets by the following abbreviations: *Soc* = Socialists; *EPP* = European People's Party—Christian Democratic Group; *ED* = European Democratic Group; *Com* = Communists and Allies; *Lib* = Liberals and Democrats; *EPD* = European Progressive Democrats; *Ind* = Group for the Technical Coordination and Defence of Independent Groups and Members; *NA* = Non-affiliated. The countries of origin are indicated as follows: B = Belgium, DK = Denmark, D = Federal Republic of Germany, GR = Greece, F = France, IRL = Ireland, I = Italy, L = Luxembourg, NL = Netherlands, UK = United Kingdom.

³ Point 3.4.1.

2.4.12. Mr Thorn, stressing that over the last four years the Community crisis had been with them all, restated the position he would be defending at the next European Council on the various facets of the budget dilemma: budget discipline, raising the ceiling of own resources, the sharing of budgetary burdens, transitional measures to cover requirements during the period between the exhaustion of own resources and ratification of a higher ceiling by the national parliaments. On the last point Mr Thorn said that the Council must accept the financial consequences of its legislation. Methods of financing other than what the Commission had just proposed were conceivable, but the principle of the Council's financial responsibility for ensuring continuity of Community policies must be decided at Fontainebleau as part of the 'overall package'.

Apart from the guarantee of adequate financing, there must also be a constant political will and an ability to take decisions, both of which the Community seemed to have lost. This political will and the ability to take decisions could not materialize unless everyone reverted to strict and constructive adherence to the letter and the spirit of the Treaties.

Europe's future certainly hung on new 'pragmatic and diversified' forms of cooperation; it depended equally on strengthening the institutions and broadening areas of European competence. In this connection Mr Thorn again congratulated Parliament on its draft Treaty establishing European Union, saying that the House had acted as a constituent assembly. To help this draft secure a unanimous and constructive response, he quoted Jean Monnet: 'men die, others will come ... what we can leave them is not our personal experience, which will disappear with us; what we can leave them are institutions. Institutions live longer than men and if they are well made can accumulate and pass on the wisdom of successive generations'.

2.4.13. Mr Davignon paid handsome tribute to the first elected Parliament when he said that the House had rejected the false

security of inertia and had aimed for more—and better—for Europe. He also thanked the House for reiterating that 'European integration is a political and not a technical exercise', and added: 'It will be to your honour that you produced a Treaty on European Union when the governments were still at their proclamations. From next autumn, the essential European revival—President Mitterrand has just confirmed it and Chancellor Kohl said it earlier—cannot go forward without taking account of this signal text'. Then, welcoming the role played by Parliament, Mr Davignon went on to say that 'the future has always been your priority as regards new policies, research, technology and completion of the common market'. He concluded with a reminder that 'Parliament wanted solidarity to be a reality and not a talking point' and that, without the House, the Commission could not have completed the reform of the structural Funds or successfully attended to the social aspects of coal and steel policy: 'it would redound to Parliament's and the Commission's credit to have ensured that the conflict of interests did not obliterate the solidarity without which there would be no Community'.

2.4.14. Parliament gave opinions on a number of Commission proposals, including:

- (i) a communication on the economic situation in the Community;¹
- (ii) an amendment to the Directive of 6 February 1970 on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust systems of motor vehicles;²
- (iii) a Decision concerning the coordination of the actions of the Member States and the Commission related to the implementation of a long-term programme for the use of telematics for Community information systems concerned with imports/

¹ Heading 'Economic and monetary policy'.

² Heading 'Internal market and industrial affairs'.

exports and the management and financial control of agricultural market organizations;¹

(iv) an amendment to the Regulation of 25 March 1976 on the customs treatment applicable to goods returned to the customs territory of the Community;²

(v) a draft Regulation on block exemption for motor vehicle distribution and servicing agreements;³

(vi) an amendment to the Directive of 28 April 1981 on aid to shipbuilding;³

(vii) two proposals for Directives to lift all restrictions on duty-free admission of fuel contained in the fuel tanks of commercial vehicles;⁴

(viii) a Directive relating to the protection of dialysis patients by minimizing the exposure to aluminium;⁵

(ix) a Directive on the principle of equal treatment for men and women in self-employed occupations, including agriculture, and on protection during pregnancy and maternity;⁵

(x) a Resolution concerning action to combat unemployment among women;⁵

(xi) a Regulation establishing a Community scheme to provide forests in the Community with increased protection against fire and acid rain;⁶

(xii) a Directive on the drawing up of contingency plans to combat accidental oil spills at sea;⁶

(xiii) three Regulations on Community agricultural aid to Greece, as part of the Commission's answer to the Greek memorandum;⁷

(xiv) a Regulation on the conclusion of the fisheries Agreement between the EEC and the Republic of Seychelles;⁸

(xv) two Regulations on the conclusion of the Agreement and the Protocol and a Regulation laying down specific measures in connection with the special arrangement on fisheries applicable to Greenland;⁸

(XVI) a Directive on access to the occupation of carrier of goods by waterway in national and international transport and on the mutual recognition of diplomas, certificates and other evidence of formal qualifications for this occupation;⁹

(xvii) a Regulation laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport;⁹

(xviii) a Resolution on implementing a Community road safety programme;⁹

(xix) a Decision adopting new provisions relating to Chapter VI (Supplies) of the Treaty establishing the European Atomic Energy Community;¹⁰

(xx) a communication on the establishment of the JRC Board of Governors;¹¹

(xxi) a Decision on the adoption of a work programme for the first phase of the implementation of an information system on the state of the environment and the national resources in the Community (1984-87);¹¹

(xxii) an amendment to Regulation No 2891/77 implementing the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Community's own resources.¹²

2.4.15. Parliament also passed resolutions concerning:

(i) preventive legal supervision in the Community to avoid future barriers to trade: Parliament regarded the Council Directive of 28 March 1983 on an information procedure in the field of technical standards and regulations¹³ as a first step towards

¹ Heading 'Internal market and industrial affairs'.

² Heading 'Customs union'.

³ Heading 'Competition'.

⁴ Heading 'Financial institutions and taxation'.

⁵ Heading 'Employment, education and social policy'.

⁶ Heading 'Environment and consumers'.

⁷ Heading 'Agriculture'.

⁸ Heading 'Fisheries'.

⁹ Heading 'Transport'.

¹⁰ Heading 'Energy'.

¹¹ Heading 'Research and development'.

¹² Heading 'Financing Community activities'.

¹³ OJ L 109, 26.4.1983; Bull. EC 3-1983, point 2.1.8.

eliminating these barriers by transferring standardization from national to European level; it stressed, however, that this Directive must not be the final step and that the Commission must be empowered to prevent the introduction of standards which clearly created a new obstacle to trade;

(ii) Community policy on small and medium-sized undertakings and craft industries: noting that a range of innovative policies for small businesses had recently been introduced in both the United States and Japan and restating the role of these businesses in creating jobs, the House made a number of proposals for opening up the Community to small businesses and craft industries and for opening small businesses and craft industries to the world;

(iii) the Commission procurement procedure for information technology equipment, services and software: the House urged that the efforts already being made to establish agreed international standards in this sector be intensified and rapidly brought to a successful conclusion; the Commission was asked to institute an integrated decision-making structure for the procurement of information technology equipment and services;

(iv) European media policy: the Commission was urged to submit a Green Paper forthwith, with a view to establishing a legal basis for a European framework Regulation on radio and television broadcasting by satellite;

(v) United Kingdom copyright design law: believing that this legislation was impeding imports into the United Kingdom of certain types of goods, Parliament asked the Commission to exercise fully its duty as guardian of the Treaty by fully investigating individual complaints of breaches of Community law and to take appropriate action promptly;

(vi) the market in violent and horrific video cassettes: the House requested the Commission to consider the legal options under the Treaties that would allow it to act against the dangers inherent in these

films depicting acts of violence; the Commission was also asked to organize a conference open to the national bodies responsible and to experts in order to investigate all the problems posed by the existence of this market;

(vii) the situation of gypsies in the Community: Parliament wanted to see the administrative situation of nomads regularized and asked for assistance from Community funds to develop areas designed for itinerant people;

(viii) the harmonization of social legislation in the Member States: believing that the defence of the European economy and equal working conditions for workers and companies in the Community constituted the two objectives that necessitated such harmonization, Parliament urged the Commission to promote a process of social harmonization especially by means of collective agreements;

(ix) the Commission's publication entitled 'Social Security Problems': endorsing the Commission's criticism of the excessive growth in health expenditure and its concern over the rise in the cost of caring for the elderly, the House asked it to study the problems of financing and effectiveness of social security schemes with a view to their harmonization and convergence;

(x) drug-taking by children: the House urged the Commission to prevail upon the opium-producing countries to stop producing and exporting this drug, increasingly absorbed by children in the form of heroin;

(xi) the situation of cultural workers: the House asked the Commission for a report on the social and legal situation of these workers and ways and means of improving it;

(xii) the earthquakes which hit central and southern Italy in April and May: in four separate resolutions the House urged that emergency aid be granted for the victims of these disasters and that special Community measures be taken to restart economic activity in the areas concerned;

(xiii) limiting the emission of pollutants into the air from large combustion plants and air quality standards for nitrogen dioxide: the Council was urged to begin without delay the consultations on both Commission proposals;¹

(xiv) lead-free petrol: the House asked the Council immediately to consider the Commission's proposal² and urged the latter to make the introduction of lead-free petrol compulsory by 1989, as originally planned;

(xv) bathing water: the House called on the Commission to ensure that tourists were kept fully informed of the state of such waters and asked it to present a study on the right of ownership and the public right of access to sea coasts and lake shores;

(xvi) protection of the habitat of the lakes of Ganzirri and Faro (Messina) and protection of the natural habitat of the ponds of Vendicari (Syracuse): the House called on the Commission to ensure that the Italian authorities complied with the Community rules and urged it to make adequate recommendations to Italy, if necessary by recourse to the Court of Justice;

(xvii) the international Waddenzee area: Parliament asked the Commission to endeavour to have the Waddenzee designated a 'European or Community Nature Reserve' and to lay down criteria for this designation such that it may also be applied to other important large-scale transfrontier nature areas within the Community;

(xviii) limiting of animal experiments and the protection of laboratory animals: having laid down strict conditions in order to avoid pointless experiments and any acts of cruelty, the House asked the Commission to submit a proposal to the Council for the protection of animals used in experiments;

(xix) indoor pollution: the Commission was requested to give priority to research into the possible carcinogenic effects of certain insulating materials and into the health problems that can be directly attributed to the use of air-conditioning systems in many buildings;

(xx) the consequences of the Council's decisions on agricultural prices and related measures for 1984/85: considering the related measures to be ineffective in budgetary terms and socially disastrous, the House called for their withdrawal;

(xxi) disposal of dairy surpluses: the House asked the Commission to put forward a scheme for subsidizing milk for pensioners in such a way that the net cost to the Community was very low, or nil;

(xxii) organization of the market in sheepmeat: stressing the importance of sheepmeat and goatmeat production for the economic and social viability of the Community's underfavoured regions, Parliament was against the introduction of any coresponsibility scheme in any sector in short supply;

(xxiii) the Community viticultural land register: Parliament asked the Commission to establish a Community viticultural land register, using, wherever possible, the aerial photography and photoanalysis techniques employed in establishing the olive oil register; the House saw in the register an instrument for modern planning and forceful management of production potential adapted to a rapidly developing market;

(xxiv) airport planning in the Community: having drawn the attention of the Member States to the need to do everything to simplify the administrative formalities for Community nationals, the House urged the Commission to ensure that public aid allocated to airports conformed to Community legislation and to make it easier for airports—in full compliance with the competition rules—to obtain aid from the Community's financial instruments;

(xxv) Community measures to improve the situation in the inland waterways sector: the House asked the Commission to counter or prevent any structural overcapacity of fleets and any distortion of competition, and reminded the Commission and the Council of the special needs of estuaries;

¹ OJ C 49, 21.2.1984; OJ C 258, 27.9.1983.

² Point 1.2.1 *et seq.*

(xxvi) the future of Middle East oil supplies for the world outside the Communist area and oil prices: Parliament urged the Council and the Commission to make every effort to diversify the geographical distribution of its oil suppliers and to promote increased production of electricity of nuclear origin, in order to limit Europe's dependence and ensure the competitiveness of its industries;

(xxvii) the development of advanced reactors: the House asked the Commission to coordinate experience gained in the Member States and to present a proposal for multiannual R&D programmes in this system, mentioning the funding required;

(xxviii) economic and trading relations with Malta: Parliament hoped that financial and adjustment protocols would be negotiated with Malta that took account of the accession of Greece as well as the forthcoming enlargement in order to stabilize Malta's policy of non-alignment;

(xxix) a plan of emergency Community aid for the Shamali-Paghman region in Afghanistan: with the civilian population still being subjected to bombing and massacre, the House urged the Commission and the Council to grant emergency aid to the people of the Shamali plateau.

(xxx) the firewood crisis in the Sahel region of Africa and the serious implications for the Third World: welcoming the experiments with the aim of saving wood, particularly the work on 'improved stoves', the House asked the Commission to urge the Sahel countries to submit further projects for the same purpose;

(xxxii) Committees for the Adaptation of Directives to Technical Progress: Parliament asked the Commission to refrain from proposing the setting up of any further technical adaptation committees and reminded the Council and the Commission of the obligation to respect its prerogatives—conferred by the Treaties—in the legislative process; the House considered that the powers exercised by these committees supplanted its own powers under the Treaties;

(xxxii) questions of budget discipline and the future financing of the Community: the House reminded the Commission and the Council that to secure effective and rational solutions the definition of the main guidelines on these two issues could come only through joint thinking and action on the part of the Council, the Commission and Parliament; it considered it necessary, therefore, since both arms of the budgetary authority were entitled to participate on an equal footing, to abandon the distinction between compulsory and non-compulsory expenditure so as to attain a balanced budget under joint responsibility.

2.4.16. In the field of political cooperation Parliament passed resolutions on:

(i) human rights in the world and Community policy on human rights: Parliament asked the Commission to give one of its Members specific responsibility for human rights and made many further proposals for a Community policy and European political cooperation on this issue;

(ii) a common approach by the Member States towards various infringements of the law by new organizations operating under the protection afforded to religious bodies: the House believed that the Ministers of the Interior and Ministers of Justice meeting in political cooperation and the Ministers of Social Affairs must hold an exchange of information as soon as possible on the problems arising from the activities of the abovementioned organizations; the House also listed a number of criteria to ensure that these societies respected the social legislation and individual freedom for the persons they employed and their members;

(iii) Community relations with Namibia: Parliament urged the Commission to undertake immediately preparatory studies in order to identify the priority areas of future programmes of Community aid to an independent Namibia;

(iv) the Gulf War: the House asked the Foreign Ministers meeting in political cooperation to formulate a common position

at the United Nations and asked the Member States to stop supplies of arms to Iran and Iraq immediately;

(v) recent events involving the Libyan People's Bureau in London: condemning the Libyan outrages in London, the House asked the Foreign Ministers meeting in political cooperation to consider coordinated Community action to prevent abuse of diplomatic privileges that served to cover State-inspired terrorism, and to adopt measures which would place relations between States of radically different ideological complexion on a more stable footing;

(vi) the continuing violations of human rights in Turkey: the House reiterated its wish to see the rights of justice restored in Turkey and the release of political prisoners detained because of their opinions;

(vii) respect for human rights in Turkey: the House urged the newly elected Turkish Grand National Assembly to put an end to the arbitrary measures and torture inflicted on political prisoners and to restore the freedom of the press;

(viii) the position of Juan Pablo Cardenas: the House asked the Commission and the Foreign Ministers meeting in political cooperation to make representations to the Chilean authorities on behalf of the editor of *Analisis*;

(ix) the situation of missing persons in Argentina: Parliament urged the Commission and the Foreign Ministers meeting in political cooperation to shed full light on the crimes of the dictatorship and do justice to the victims;

(x) the petition by Mr Edward Chapman concerning penal procedures of a murder in Greece: in regard to the murder of Mr Chapman's daughter at the time of the military dictatorship, Parliament held that the doubts cast on Miss Chapman's good character were groundless and called for every effort to establish the actual perpetrator of the crime;

(xi) the situation of Andrei Sakharov and his wife: having reminded the Soviet authorities of the international commitments they made concerning human rights, the House urged them to allow Andrei Sakharov to leave the Soviet Union; the President of the European Council was asked to consider the political risks of his visit to the Soviet Union without first having secured satisfactory assurances concerning the fate of the Sakharovs;

(xii) the Olympic Games: regretting the exploitation of the Olympic Games for nationalist and excessive commercial purposes, the House proposed that a permanent extraterritorial site for the Games be established in Greece by no later than 1996.

Council

2.4.17. The Council held six meetings in May. The table below lists the number, place and date of each meeting, the names of the Council President and Commission representatives and the main items of business. A more detailed account of specific items can be found in the sections of the Bulletin referred to in the footnotes.

Table 14 — Council meetings in May 1984

Number, place and date of meeting	Subject	President	Commission	Main items of business
925th Suva, Fiji 2 May ¹	Foreign affairs	Mr Cheysson	Mr Pisani	Preparation for 9th regular session of ACP-EEC Council of Ministers (2 May) ¹ Preparation for 3rd ministerial session of ACP-EEC negotiating conference (3-5 May) ¹
926th Brussels 7 and 8 May	Agriculture	Mr Rocard	Mr Dalsager	Structures ² Sheepmeat and goatmeat ² New Zealand butter ² Fruit and vegetables ² Olive oil Wine Control of classical swine fever Preservatives authorized for use in foodstuffs ³
927th Brussels 10 May	Transport	Mr Fiterman	Mr Kontogeorgis	Transport infrastructure ⁴ Community quota for carriage of goods by road ⁴ Weights and dimensions ⁴ Air transport Community programme on road safety ⁴ Railway cooperation ⁴ Social provisions in road transport
928th Brussels 14 and 15 May	Foreign affairs	Mr Cheysson Mr Dumas	Mr Thorn Mr Ortoli Mr Haferkamp Mr Natali Mr Davignon Mr Tugendhat Mr Giolitti Mr Pisani	Portuguese accession Fruit and vegetables: adjustment of <i>acquis communautaire</i> ² Measures to cover budgetary requirements in 1984 Elimination of technical barriers to trade ACP-EEC negotiations — follow-up to 3rd session in Fiji ² Review of ERDF Regulation ⁵ Preparations for next OECD ministerial meeting (Paris, 17-18 May) Preparations for Western economic summit (London, 7-9 June) Relations with North Yemen ⁶ Export of chemical products for use in chemical weapons Easing of checks on persons at frontiers
929th Brussels 22 May	Energy	Mr Auroux	Mr Davignon	Member States' energy policies ⁷ Comparison of energy-saving programmes of Member States ⁷ Natural gas Demonstration projects in energy field (1983-85) ⁷ Coal — social aspects ⁷ Financial aid to EEC industries producing solid fuel ⁷ Situation in Gulf Promotion of energy investments ⁷

Commission

Number, place and date of meeting	Subject	President	Commission	Main items of business
930th Brussels 24 and 25 May	Fisheries	Mr Lengagne	Mr Kontogeorgis	Amendment of 1984 TACs and quotas Regulation ⁸ Technical measures for conservation of fishery resources ⁸ Procedure for fixing TACs and quotas for 1985 and subsequent years French Guiana ⁸ Fisheries relations between EEC and USA Fisheries relations between Community and certain non-member countries Safety and working conditions of fishermen Situation of herring market ⁸

¹ Development.

² Agriculture.

³ Internal market and industrial affairs.

⁴ Transport.

⁵ Regional policy.

⁶ Relations with other countries and regions.

⁷ Energy.

⁸ Fisheries.

Commission

Activities

Decisions, communications and proposals

2.4.18. The Commission adopted the preliminary draft general budget for 1985.¹ Mr Tugendhat presented the broad lines to Parliament.

The Commission adopted a Green Paper entitled 'Television without frontiers'² in response to a request made by Parliament in March 1982. The paper assesses the problems posed by cross-frontier radio and television broadcasting or programmes, particularly in view of the imminent development of new broadcasting methods (by satellite and cable). In the same sphere, the Commission approved a proposal for a Council recommendation to step up action to combat audio-visual piracy.

In view of the urgent need to speed up and strengthen action to combat air pollution, the Commission presented to the Council

two proposals on the elimination of lead from petrol and the reduction of motor-vehicle emissions.³

A major communication on telecommunications, one of the priorities pinpointed by the European Council, was transmitted to the Council.⁴

In response to a request made by the Council at its last meeting on internal market questions, the Commission adopted a communication on strengthening the internal market.

The Commission adopted a proposal to the Council for the next four-year research programme (1985-89) on thermonuclear fusion. This programme also provides for the installation of a tritium-handling laboratory in Ispra. The Commission also put forward a proposal for a research programme on hydrocarbons production and use.

¹ Point 1.1.1 *et seq.*

² Point 1.3.1 *et seq.*

³ Point 1.2.1 *et seq.*

⁴ Point 1.4.1 *et seq.*

Relations with workers' and employers' organizations

2.4.19. During a colloquium with the European Trade Union Confederation on education, training and employment in Europe, Mr Richard, the Member of the Commission with special responsibility for social affairs, made a plea for a new social contract to be concluded between governments, employers and trade unions. This should ensure that adults, whether working or not, have access to high-quality

training which would better equip them to face the far-reaching technological and economic changes in the years ahead.

While not underestimating the importance of youth education and training programmes, Mr Richard pointed out that, by comparison, adult programmes had been somewhat neglected despite the positive effect they had on existing jobs. He also suggested that Member States' job incentive schemes should be reviewed with an eye to making more efficient use of available resources.

Court of Justice¹

2.4.20. New cases

Case	Subject	Basis
ECSC — Steel 132/84 — Badische Stahlwerke AG v Commission ¹	Decision 234/84/ECSC (monitoring system and steel production quotas)	Article 33 ECSC
Free movement of goods 95/84 — Ministère public v A. Darras and D. Tostain	Is a national law fixing minimum retail prices for books contrary to Community law or can it be justified on grounds of public policy?	Article 177 EEC
114 and 115/84 — 1. Piszko SA, 2. J. Maroccini and 3. Chambre syndicale nationale du commerce et de la réparation automobile (CSNCRA) v Dammarie Distribution 'Centre Leclerc' SA ²	Is a national law fixing minimum prices for motor fuels contrary to Community law?	Article 177 EEC
Taxation 112/84 — M. Humblot v Directeur générale des impôts	Does Article 95 of the EEC Treaty permit a Member State to impose a specific tax on products from another Member State which it does not manufacture but which are similar to or in competition with its own products (in the case in point, vehicles)?	Article 177 EEC
Social policy 94/84 — Office national de l'emploi (ONEM) v J. Deak	Right of a non-national of a Member State to unemployment benefit and a temporary allowance for former students, paid by Belgium, by reason of the fact that his mother is a national of another Member State (Regulation (EEC) No 1408/71)	Article 177 EEC

¹ For more detailed information, see the material published by the Court of Justice in the *Official Journal* and the *European Court Reports*, and the publications of its Information Office (e.g. the annual synopsis of the work of the Court or the information quarterly).

Case	Subject	Basis
104/84 — J.M.W. Kromhout v Raad van Arbeid	Interpretation of the first sentence of Article 10(1)(a) of Regulation (EEC) No 574/72 as regards family allowances	Article 177 EEC
105/84 — Forening af Arbejdsledere i Danmark, as representative of Hans Erik Mikkelsen, v Danmols Inventar A/S	Must the expression 'employee' in Directive 77/187/EEC be interpreted as meaning that it is sufficient for the person concerned to have been an employee of the transferor or must he also occupy a position as employee with the transferee? In the latter case, must a person who has a 50% interest in the company in question be considered an 'employee' covered by the Directive?	Article 177 EEC
122/84 — K. Scrivner and C. Cole, his wife, v Centre public d'aide sociale (CPAS)	Does the 'minimum means of subsistence' provided under Belgian law constitute a 'social advantage' within the meaning of Regulation (EEC) No 1612/68 and, as a subsidiary question, is the requirement as to length of residence, to be met by nationals of Member States before they can qualify for the minimum means of subsistence, compatible with Community law?	Article 177 EEC
Agriculture		
109/84 — Klaus von Menges v Land Nordrhein-Westfalen	Are ewe's milk and ewe's milk products' included in the terms 'milk and milk products' within the meaning of Article 2(2)(a) of Council Regulation (EEC) No 1078/77 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds?	Article 177 EEC
116/84 — Ministère public v H. Roelstraete	Is a flat-rate assessment by the national legislature of marketing and import costs compatible with Regulations (EEC) Nos 121/67 and 805/68 where those costs incorporate the maximum profit margin, that is to say the retailer's net profit ⁴	Article 177 EEC
124/84 — H. Spitta & Co v HZA Frankfurt am Main-Ost ³	Is the reduction fixed by Article 1 of Regulation (EEC) No 932/77 for products falling under CCT subheading 16.02 B III b) 1 aa) (prepared meat) valid?	Article 177 EEC
125/84 — Continental Irish Meat Limited v Minister for Agriculture ³	Is an exporting Member State which has entered into an agreement with an importing Member State for the payment of a compensatory amount, which should be granted by the importing Member State, to be regarded as acting as agent of the said importing Member State in making or becoming liable for the payment?	Article 177 EEC
129 and 130/84 — Italy v Commission ⁴	Annulment in part of the Commission Decisions of 8 February 1984 (EAGGF interventions, Guarantee Section — clearance of accounts) in so far as they disallow certain expenditure relating to aid to certain agricultural sectors	Article 173 EEC

Case	Subject	Basis
133/84 — United Kingdom v Commission ⁵	Annulment of the Commission Decisions of 8 February 1984 (EAGGF interventions, Guarantee Section — clearance of accounts) in so far as they disallow certain expenditure relating to aid to various agricultural sectors	Article 173 EEC
Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters		
119/84 — P. Capelloni and F. Aquilini v J.C.J. Pelkmans ¹	Interpretation of Article 39 of the Brussels Convention as regards the procedure for enforcing protective measures during the period of appeal against the enforcement order	
Miscellaneous		
135/84 — F. Brossard v Commission	Letter from the Commission of 27 March 1984 disclaiming jurisdiction to receive against a decision by a national court of last instance refusing to apply Article 177 of the EEC Treaty	Article 173 EEC
Administrative questions		
111/84 — Institut national d'assurances sociales pour travailleurs indépendants (INASTI) v N. Cantisani	Do Articles 1 and 3 of the Conditions of Employment of Other Servants of the European Communities apply, for the duration of their employment, to interpreters engaged by the Commission, where such employment, covering one or more days, is governed by the Commission's Arrangements Regarding Freelance Interpreters of 8 October 1974, and where the amounts paid to such interpreters are described as 'remuneration, allowances and expenses payable to freelance conference interpreters'?	Article 177 EEC
118/84 — Commission v Royale Belge SA ³	Performance of an insurance contract and order to pay the occupational disease benefits (Article 73 of the Staff Regulations) payable to an official	Article 181 EEC
136/84 — G. Leussink v Commission ⁶	Application for compensation for non-material damage caused by an occupational accident involving the applicant	Article 178 EEC
Infringements		
121/84 — Commission v Italy ³	Restrictions on the carriage by road through Italian territory of live animals originating in a Member State and intended for another Member State or a non-member country	Article 169 EEC
126/84 — Commission v Ireland ³	The requirement that traders purchase from a national refinery a specified proportion of their needs in petroleum products	Article 169 EEC

Case	Subject	Basis
131/84 — Commission v Italy ⁴	Failure to implement the Court's judgment in Case 91/81 (failure to incorporate into national law all the provisions of Directive 75/129/EEC on collective redundancies)	Article 169 EEC
140/84 — Commission v France ⁷	Council Directive 79/622/EEC (roll-over protection structures of wheeled agricultural or forestry tractors)	Article 169 EEC

Disputes between the Community and its staff

v Commission

120/84,³ 123/84, 127/84, 128/84,⁸ 138/84⁶

v Court of Auditors

134/84⁹

¹ OJ C 160, 20.6.1984.

² OJ C 146, 5.6.1984.

³ OJ C 149, 7.6.1984.

⁴ OJ C 163, 23.6.1984.

⁵ OJ C 167, 27.6.1984.

⁶ OJ C 161, 21.6.1984.

⁷ OJ C 166, 26.6.1984.

⁸ OJ C 154, 14.6.1984.

⁹ OJ C 151, 9.6.1984.

2.4.21. Judgments

Date and case	Held
ECSC — Steel	
15.5.1984, 9/83 — Eisen und Metall AG v Commission	1. The amount of the fine imposed on the applicant is reduced 2. The remainder of the application is dismissed
17.5.1984, 83/83 — Estel NV v Commission ²	Application dismissed (annulment of a decision imposing a fine for exceeding steel production quotas)
23.5.1984, 50/84R — Bensider SrL v Commission	The application for a stay of enforcement of the Decision of 23 December 1983 (production certificate and accompanying documents) is dismissed
30.5.1984, 224/83 — Ferriere Vittoria Srl v Commission ³	Application dismissed as inadmissible (annulment of a decision imposing a fine on the applicant for failure to adhere to its price lists)

Date and case	Held
Customs union	
16.5.1984, 105/83 — Pakvries BV v Netherlands Minister for Agriculture and Fisheries ²	Regulation (EEC) No 542/69 must be interpreted as meaning that the Netherlands may apply to a Community transit document a Benelux agreement which provides, in derogation from Article 36(1) of that Regulation, that the action to recover charges must be brought by the Benelux country in which the document was issued
Social security	
17.5.1984, 101/83 — Raad van Arbeid v P.B. Brusse ²	As a rule, a migrant worker is affiliated to the social security scheme of the country of employment. However, in the case of a worker who for a large number of years had not been affiliated to that scheme, the national authorities of that country and of the country of former residence reached an agreement, corresponding to the interest of the worker, to the effect that the scheme of the country of former residence would continue to apply to him. On the basis of this agreement, the worker is entitled in respect of his children to the family benefits provided for by the latter scheme, notwithstanding the fact that those children, being resident in the country of employment, do not satisfy the condition of residence in the State in which that scheme applies
Agriculture	
15.5.1984, 121/83 — Zuckerfabrik Franken v HZA Würzburg ²	The levy for the offsetting of storage costs to which sugar produced under quotas A and B is subject is also due in respect of an intermediate product which appears only temporarily during the manufacturing process, even if it is transformed into another product not falling under CCT heading No 17.01
17.5.1984, 15/83 — Denkavit Nederland BV v Hoofdproduktschap voor Akkerbouwprodukten ²	Consideration of the question raised by the College van Beroep voor het Bedrijfsleven has disclosed no factor of such a nature as to affect the validity of Articles 6(2) and 7 of Regulation (EEC) No 1725/79
30.5.1984, 62/83 — Eximo Molkereierzeugnisse Handelsgesellschaft mbH v Commission ³	Application dismissed (compensation for damage caused by the failure to adjust the export refunds for milk products at the beginning of the 1982/83 milk year)
Infringements	
10.5.1984, 58/83 — Commission v Greede ⁴	By continuing in 1981 to submit the importation of certain products from other Member States to the requirement to pay for them wholly in cash, Greece has failed to fulfil its obligations under Article 38 of the Act of Accession

Date and case	Held
16.5.1984, 312/82 — Commission v Italy	Order for removal from the Court Register (restrictions on the transport of milk by road)
16.5.1984, 31/84 — Commission v France	Order for removal from the Court Register (requirement of a certificate of origin for Champagne wines intended for export)
30.5.1984, 149/83 — Commission v Denmark	Order for removal from the Court Register (Directive 76/207/EEC — equal treatment for men and women)

Orders for removal from the Court Register

- 11.4.1984, 259/80 — C. Buick-Lucas and Others v Court of Auditors
- 11.4.1984, 261/80 — C. Lens v Court of Justice
- 11.4.1984, 263/80 — J. Baker and Others v Economic and Social Committee

Disputes between the Community and its staff

v Commission:

- 5.4.1984, 285/81 rev. 1 and rev. 2 — Application for revision dismissed
- 17.5.1984, 12/83² — Application dismissed
- 17.5.1984, 338/82² — Application dismissed
- 30.5.1984, 326/82³ — Application dismissed as inadmissible
- 30.5.1984, 346/82³ — Application dismissed

v Parliament:

- 5.4.1984, 347/82 — Application dismissed

v Court of Justice:

- 15.3.1984, 131/83 — Application dismissed as inadmissible

¹ OJ C 149, 7.6.1984.
² OJ C 150, 8.6.1984.
³ OJ C 163, 23.6.1984.
⁴ OJ C 146, 5.6.1984.

Court of Auditors

2.4.22. On 10 May the Court of Auditors adopted a special report (observations under Article 206a of the EEC Treaty) on the management of Community development aid funds by the European Investment Bank.

Economic and Social Committee

217th plenary session

2.4.23. The Economic and Social Committee held its 217th plenary session in Brus-

sels on 23 and 24 May with Mr Ceyrac in the chair.

During this fairly busy session the Committee adopted 18 opinions, calling in particular for the integrated Mediterranean programmes and the Directive on parental leave and leave for family reasons to be swiftly implemented.

2.4.24. In a letter to the Commission, the Committee urged it to consider the possibility of making butter available at reduced prices to the unemployed. This would reduce surpluses and storage costs and be in the interests of social justice as it would assist those in the weakest social position.

Opinions

Integrated Mediterranean programmes

2.4.25. In its supplementary opinion¹ on the integrated Mediterranean programmes,² adopted unanimously, the Committee stressed the need for coordination, dialogue between the Community and regional authorities involved and the flexible management of financing. It emphasized the need to implement these programmes before enlargement and to extend them to additional areas (Athens, Thessaloniki, Emilia-Romagna, Drôme and Ardèche). It came out in favour of a single Fund from which activities in the various sectors could be financed (agriculture, forestry, fisheries, marketing of products, infrastructures, non-agricultural development and back-up measures) and expressed the desire that it should be possible to transfer appropriations from one operation to another (up to 10% of the total sum allotted to the Member State concerned) and, where appropriate, to extend the period of application of certain operations.

Lastly, the Committee emphasized that these operations should not result in the mere transfer of resources without making any structural improvements to the regions' economic fabric and that the implementation of the IMPs should similarly not result in the Community abandoning its overall Mediterranean policy.

Parental leave and leave for family reasons

2.4.26. By 87 votes to 53 with 18 abstentions, the Committee endorsed the proposed Directive,³ which provides in particular that all workers with children under two years of age (or five years of age for adopted or handicapped children) should be granted parental leave for a minimum of three months. The Committee considers that the Directive provides increased equality of opportunity in employment and encourages a greater sharing of family responsibilities.

While feeling that an allowance should be granted during parental leave (paid from

public funds), the Committee considered that this could cause difficulties for small businesses and that forms of compensation ought to be looked into. Despite this very cautious approach, the members of the Employers' Group voted against the proposal and issued a minority statement.

The members of the Workers' Group replied that the repercussions of the Directive tended to be overestimated, that several Member States already had legislation on parental leave and that the Community could urge other countries to make similar progress.

Local employment initiatives

2.4.27. The Committee warmly welcomed the communication and the proposal for a Decision on the financing of these measures, transmitted by the Commission to the Council in November.⁴ The Committee asked that the role of local employment initiatives should be given greater recognition and, where they had proved viable, financial and organizational assistance should be granted. It supported calls for an in-depth study of the role and objectives of local employment initiatives with special consideration to be given to bankruptcy regulations and ways of salvaging viable parts of bankrupt firms.

Unemployment among women

2.4.28. By 83 votes to 21 with 8 abstentions, the Committee approved the draft Council resolution on action to combat unemployment among women.⁵ While recognizing that the problem of female unemployment could not be separated from the overall unemployment problem, it considered that special measures should be taken to assist unemployed women.

¹ Bull. EC 11-1983, points 2.1.94 and 2.4.24.

² OJ C 251, 19.9.1983; Bull. EC 3-1983, points 1.3.1 to 1.3.13 and 3.4.1 to 3.4.3; Bull. EC 10-1983, point 2.1.163.

³ OJ C 333, 9.12.1983; Bull. EC 11-1983, point 2.1.80.

⁴ OJ C 70, 12.3.1984; Bull. EC 11-1983, points 1.2.1 to 1.2.13.

⁵ OJ C 65, 6.3.1984; Bull. EC 2-1984, point 2.1.73.

Own-initiative opinions

Waste management

2.4.29. After reviewing the harmful effects of waste on the environment and human health, the Committee unanimously adopted an opinion emphasizing that the public authorities and the man in the street have a number of responsibilities and duties to perform in reducing, recycling and harmlessly disposing of waste. The Committee recommends the implementation of a European waste management programme in order actually to achieve these objectives.

Improved dialogue between consumers, producers and retailers

2.4.30. This second own-initiative opinion, adopted by 63 votes to 48 with 27 abstentions, defines the consumer's stance in a market economy while drawing attention to the imbalance which has arisen over the past few years to the consumer's disadvantage. In order to remedy this shortcoming, the Committee proposes that a dialogue be instituted between producers and consumers in order to arrive at voluntary agreements or codes of conduct. The various forms of dialogue and procedures to be followed could be covered by a Community directive. Voluntary codes and agreements would have to comply with the requirements of the directive in order to obtain the EEC 'certificate of conformity'¹

Other opinions

2.4.31. The Economic and Social Committee also adopted opinions on the following:

(i) the approximation of the laws relating to cocoa and chocolate products intended for human consumption² and on extraction solvents used in the production of food-stuffs and food ingredients;³

(ii) the proposal for a Directive relating to the ranges of nominal quantities and capacities permitted for certain prepackaged products;⁴

(iii) the proposal for a 12th Directive on the harmonization of VAT legislation (expenditure not eligible for VAT deduction);⁵

(iv) the proposal for a Regulation concerning the application of Article 85(3) of the Treaty to categories of agreements relating to research and development;⁶

(v) the proposal for a Directive on air quality standards for nitrogen dioxide;⁷

(vi) the proposal for a Directive on the approximation of the laws of the Member States relating to the noise emission of rail-mounted vehicles:⁸ the Committee warmly welcomed the proposal and asked the Commission to carry out additional studies on vehicles not covered by the proposal (underground railways and tramways) and on noise affecting passengers, but limiting the noise level should not be allowed to have a negative effect on technical progress, particularly with regard to increased speed;

(vii) the draft Council recommendation concerning the adoption of a European emergency health card: the Committee proposed a number of technical amendments;⁹

(viii) the Eighth Report on the European Regional Development Fund;¹⁰

(ix) the proposal for a Council Directive amending Directive 80/217/EEC introducing Community measures for the control of classical swine fever;¹¹

(x) the draft Council resolution on the implementation of the Community programme on road safety;¹²

¹ See also 'Unfair terms in contracts concluded with consumers'—Supplement 1/84—Bull. EC; Bull. EC 2-1984, point 2.1.94.

² OJ C 32, 7.2.1984; Bull. EC 1-1984, point 2.1.10.

³ OJ C 312, 17.11.1983; Bull. EC 10-1983, point 2.1.16.

⁴ OJ C 18, 25.1.1984; Bull. EC 1-1984, point 2.1.12.

⁵ OJ C 37, 10.2.1983; Bull. EC 12-1982, point 2.1.50; amended proposal in OJ C 56, 29.2.1984; Bull. EC 2-1984, point 2.1.60.

⁶ Bull. EC 10-1983, point 2.1.44.

⁷ OJ C 258, 27.9.1983; Bull. EC 9-1983, point 2.1.103.

⁸ OJ C 354, 29.12.1983; Bull. EC 11-1983, point 2.1.105.

⁹ OJ C 21, 28.1.1984; Bull. EC 12-1983, point 2.1.88.

¹⁰ Bull. EC 10-1983, point 2.1.79.

¹¹ OJ C 19, 26.1.1984; Bull. EC 1-1984, point 2.1.79.

¹² OJ C 49, 21.2.1984; Bull. EC 3-1984, point 2.1.165.

(xi) the proposal for a Council Decision on the conclusion of an agreement between the European Economic Community and the Kingdom of Spain on international combined road/rail carriage of goods.¹

ECSC Consultative Committee

242nd meeting

2.4.32. 2.4.32. The ECSC Consultative Committee held its 242nd meeting (an extraordinary meeting) in Luxembourg on 17 May with Mr Alain Audiart in the chair.

Mr Etienne Davignon and Mr Frans Andriessen made statements for the Commission on the General Objectives for Steel (1986)² and on restructuring and the aids code for the steel industry respectively. In addition to these two matters, the Committee also examined the Community's energy policy and adopted a resolution to be considered by the Energy Ministers at the Council meeting on 22 May.

General Objectives for Steel (1986)

2.4.33. The Committee examined the Commission's February communication² reassessing the industry's prospects up to 1986 and updating the General Objectives for Steel for 1985. The Committee felt that the forecasts up to 1986 were inadequate: investments in the steel industry, which are costly, must be made for the long term. It wanted a common industrial policy, to include steel policy, looking ahead to 1995.

The Commission Vice-President with special responsibility for this area, Mr Davignon, referred to the methodological problems involved in long-term forecasting. It was not yet possible to predict to what extent fibre-based plastics would be used to replace steel in the motor industry or what savings could be made from a highly efficient use of steel.

Generally speaking, he felt that the situation regarding prices and quantities had im-

proved, but that efforts should continue to eliminate structural overcapacity. Moreover, the link between economic growth and steel consumption was getting weaker and weaker, which made it difficult to predict steel consumption on the basis of growth forecasts. A general analysis of the industry showed that there could be no relaxation of efforts to improve competitiveness, particularly in relation to the United States and Japan, and that there was growing pressure on prices from non-member countries, since they needed to export at all costs to reduce their debt burden.

Members of the Committee stressed the importance of the General Objectives as a guideline for firms and governments. They considered that a reduction in prices beyond 1985 would have disastrous consequences, since rationalization made it impossible to offset constant price cuts. They emphasized the link between restructuring and related social measures and insisted on structural plans being prepared at regional level, so as to prevent the decline of old industrial areas (Mr Davignon recognized the need to devote a larger part of the Regional Fund to these areas).

Replying to fears expressed about a further reduction in capacity, Mr Davignon said that the Commission did not intend to ask for further reductions.

Restructuring and the rules for aids to the steel industry

2.4.34. Examining the fifth Commission report on the application of the rules for aids to the steel industry,² the Committee regretted that there were no data on aids granted from 1974 to 1980 and no breakdown of aids by purpose and that capacity reduction in Germany was underestimated. It supported the idea of capacity reductions being adjusted to the consumption of each country concerned.

¹ OJ C 49, 21.2.1984; Bull. EC 1-1984, point 2.1.103.

² Bull. EC 2-1984, point 2.1.46.

Addressing the Committee, Mr Andriessen, the Member of the Commission with special responsibility for competition policy, said that the Member States had accepted the Commission decision to reduce capacity and that by the end of 1985 capacity would be 30 million tonnes down on 1980. From 1986, the capacity utilization rate would be 70%.

In Mr Andriessen's opinion, the failure to publish data regarding aids was justified by the need for confidentiality, and in any case to publish them would only add to the confusion. He referred to the link between aid and capacity reduction but said that this should not be seen as a straightforward functional dependence.

Community energy policy

2.4.35. Examining the various documents which the Commission had transmitted to the Council in March on the Community energy situation and future prospects,¹ the Committee reiterated its hope for a long-term energy policy based on security of supply. This was the only way in which the consequences of a possible oil and natural gas crisis could be averted. The Committee decided to opt for a policy based on the use of two major sources of energy, Community coal and nuclear energy. This would have a direct impact on the worrying employment situation in the coal industry. The Committee again stressed that the Council should adopt as a matter of urgency the proposal put to it in October,² and accepted in principle on 22 May,³ to transfer 60 million ECU from the general budget to the ECSC budget to finance investment in research and the retraining and redeployment of miners.

With the Energy Ministers in mind, the Committee adopted a resolution which calls once again for a comprehensive action programme aimed at overcoming as rapidly and effectively as possible the psychological, financial, technical and planning impediments to a more extensive conversion to coal.⁴

European Investment Bank

Operations in May

2.4.36. In May the European Investment Bank announced loans for investments within the Community totalling 404.8 million ECU.⁵ The breakdown was as follows: 145.7 million for investments in France, 133.9 million in the United Kingdom, 64.2 million in Greece and 61 million in Denmark. In this total 115.7 million ECU was provided from the resources of the new Community borrowing and lending instrument (NCI).⁶ Outside the Community the Bank lent 20 million ECU for small and medium-scale investments in Israel and 4.4 million ECU to ACP States (Guinea-Bissau, Cameroon and Sudan).

Community

France

2.4.37. FF 1000 million was lent in France, including 600 million from NCI resources. All the financing, in the form of global loans, related to small and medium-scale investments as part of Community support for small businesses.

FF 150 million was granted to the Caisse centrale de crédit coopératif (CCCC) for small and medium-scale investments in sea-fishing operations in coastal areas in receipt of regional development grants. The following activities qualify for loans: the purchase or modernization of fishing boats, construction of coldstores, processing of fisheries products and infrastructures and equipment related to sea fishing in areas where this is a major economic activity and where the

¹ Bull. EC 2-1984, points 2.1.152 to 2.1.154.

² Bull. EC 10-1983, point 2.1.185.

³ Point 2.1.178.

⁴ OJ C 160, 20.6.1984.

⁵ The conversion rates at 30 March 1984 used by the EIB in statistics for the second quarter of 1984 were 1 ECU = BFR 45.63, DKR 8.18, DM 2.23, DR 88.69, FF 6.86, HFL 2.52, IRL 0.73, LIT 1 386, LFR 45.63, UKL 0.60, USD 0.86.

⁶ OJ L 298, 20.10.1978; Bull. EC 10-1979, point 2.1.10.

unemployment rate is significantly higher than the national average. The EIB will in this way be assisting with the restructuring, modernization and expansion measures taken by the French authorities under the common fisheries policy. In December 1982 the Bank had already granted the CCCC FF 120 million towards the purchase of 27 trawlers for fishing in Community waters and three tuna boats for fishing in tropical waters, the construction of five coldstores and of a fish canning factory.

FF 400 million (FF 165 million from the EIB's own resources, 235 million ECU from the NCI) was granted to 16 regional development companies (*Sociétés de développement régional*: SDR) for medium-sized industrial firms in their areas, broken down as follows: from EIB resources, 20 million to SDR Bretagne, 7.5 million to SDR Corse, 20 million to Expanso (South-West), 20 million to Lordex (Lorraine), 25 million to SDR Nord/Pas-de-Calais, 25 million to Sodecco (Centre and Centre-West), 15 million to Sodero (West), 15 million to Sodler (Languedoc-Roussillon) and 17.5 million to To-finso (South-West); from NCI resources, 40 million to Centrest (Burgundy-Franche Comté), 15 million to Champex (Champagne-Ardenne), 10 million to Expanso, 10 million to Lordex, 15 million to SDR Méditerranée, 10 million to SDR Nord/Pas-de-Calais, 20 million to SDR Normandie, 25 million to SDR Picardie, 30 million to Sade (Alsace), 10 million to Sodecco, 10 million to Sodero and 40 million to Sodler. The global loans from EIB resources will be onlent for small and medium-scale investments in areas eligible for regional development assistance, and those from the NCI resources will be more specifically granted for small and medium-scale investments outside those areas.

In November 1983 FF 285 million had been made available—160 million from EIB resources and 125 million from NCI resources. Global loans were granted to seven regional development companies—from EIB resources to Picardie (40 million), Bretagne (40 million), Expanso (40 million) and Sodecco (40 million); from NCI resources

to Centrest (60 million), Sud-Est (40 million) and Normandie (25 million). They provided assistance for more than 200 small and medium-scale schemes (total investment estimated at more than FF 1 1000 million) which were expected directly to create or safeguard approximately 26 000 permanent jobs.

FF 350 million from NCI resources went to the Crédit National for productive investments in small and medium-sized undertakings throughout France. In December 1983 the Crédit National had already been granted an initial global loan of 350 million from NCI resources. This was used for 166 small businesses covering a wide range of activities. Total capital investment amounted to approximately FF 1 225 million, created more than 2 200 jobs and secured some 23 500. The main recipient regions were Rhône-Alpes, Ile-de-France, Upper Normandy, Nord/Pas-de-Calais and Lorraine.

A further global loan of FF 100 million from EIB resources was granted to the Crédit National for small and medium-scale investments in industry and related services for the purpose of saving primary energy and/or the utilization, as oil substitutes, of energy sources with high security of supply, of renewable energy sources (e.g. construction of small-scale hydroelectric power stations) or of recycled waste.

In December 1983 the Crédit National had been granted a global FF 150 million loan by the EIB for energy-saving schemes. This provided finance for 60 schemes (total capital spending was 465 million), including the construction of 20 small-scale hydroelectric power stations, the modernization of energy distribution systems and the utilization of new energy sources (e.g. installation of solar panels) covering a whole range of activities, in particular the food, chemical, metalworking and mechanical engineering, power, pulp and paper making, printing and publishing industries. The overall impact, in terms of savings in consumption or use of replacement fuels, amounted to approximately 69 000 tonnes of oil equivalent per year.

Greece

2.4.38. The opening of a representative office in Athens¹ was a milestone in the Bank's operations in Greece, which total over DR 80 000 million since the country joined the Community in 1981. A number of loans were signed to mark the occasion, for a total of approximately DR 5 700 million.

DR 2 900 million was advanced to the public power corporation for hydroelectric power plants: 1 800 million for twin 75 MW generating units in a plant on the river Acheloos downstream of Stratos in the west of Macedonia, and 1 100 million for two power stations on the Aliakmon river, at Sfikia and Assomata in central Greece. These plants will increase the total electricity-generating capability of the country, and the installed capacity of the Greek grid will be more efficiently used in accordance with Community energy objectives. In addition, the area irrigated by the Aliakman river will increase by 15 000 hectares. It is estimated that these three plants will replace approximately 380 000 tonnes of oil per annum.

DR 1 500 million was granted in the form of a global loan to the National Investment Bank for Industrial Development (NIBID) for small and medium-scale investments in manufacturing industry and tourism, specifically in the least-developed areas of the country. Since 1975 NIBID has received six global loans from the EIB totalling DR 6 000 million. More than 120 small and medium-scale investments (2 400 jobs created) have been granted loans, and this has helped to reduce regional imbalances.

The DR 750 million lent to the Ministry of Public Works will be used to improve the road network, by strengthening or realigning 76 km of national roads, 33 km of provincial roads and 375 km of feeder roads in the centre and south of the Peloponnese. The Land Reclamation Service of the Ministry of Agriculture also received DR 400 million for sprinkler and surface irrigation works on 11 970 hectares in the plain of Drama, and for infrastructures and equip-

ment for the maintenance of drainage systems and roads. A further DR 145 million will go towards financing surface irrigation for 1 460 hectares on the western plain of the river Nestos and maintenance equipment for the drainage system and roads on more than 1 500 hectares of the Nestos plain.

These loans bring EIB lending operations in Greece so far in 1984 to over DR 7 000 million.

Denmark

2.3.49. DKR 500 million was granted (250 million from NCI resources) to finance the extension of the natural gas distribution network in Denmark. DKR 250 million from EIB resources is being used for a distribution system in the west of Sjaelland and the Storstrøm region and DKR 250 million from the NCI is being used for a similar project in the Greater Copenhagen area. These networks will serve some 230 000 customers, mainly for heating purposes in households, the services sector and industry. Costing an estimated DKR 5 500 million, the systems are part of the network now being built across the country in order to use North Sea gas instead of oil. The two networks financed should make it possible to reduce oil imports by some 900 000 tonnes of oil equivalent per year.

United Kingdom

2.4.40. UKL 29 million was lent in the United Kingdom. UKL 20 million was made available to further cooperation between the Government and the EIB whereby the Department of Trade and Industry in England, the Industry Department for Scotland, the Welsh Office Industry Department, the Northern Ireland Industrial Development Board and the Local Enterprise Develop-

¹ Odos Ypsilantou 13-15, Kolanaki, GR-10675 Athens; Telephone: 7249811/12/13; Telex: 22-2126 bkeu gr; Telecopier: 7249814; Head: Konstantin Andreopoulos.

ment Unit onlend funds for setting up, modernizing or extending small and medium-scale industrial and tourism ventures in assisted areas. Under this contract approximately 165 investments (approximately 12 500 jobs created or safeguarded) have been granted loans in local currency at a fixed rate for 10 years, with a two-year grace period on capital repayments. The current interest rate is 9%.

The EIB also lent UKL 9 million for infrastructure development intended to attract new industry and to promote tourism in the Swansea area of Wales. The EIB loan will help Swansea City Council to rehabilitate a derelict 300-hectare industrial site. The planned works include access roads, site preparation, water, electricity, gas and drainage works and installations. The firms setting up operation once the works are completed should create 1 500 jobs. In the coastal strip works are also planned involving coastal protection, roadworks, drainage, electricity supply and the renovation or demolition of old buildings in order to improve the environment and permit the construction of a hotel complex to attract tourists.

Lastly, it should be noted that the EIB Liaison Office for the United Kingdom moved to new premises in May.¹

Outside the Community

Mediterranean

2.4.41. Under the Second EEC-Israel Financial Protocol the EIB lent 20 million ECU to the Industrial Development Bank of Israel (IDBI) for small and medium-scale industrial investments selected by joint agreement. The IDBI, which is Israel's leading source of finance for industrial development, has already received two global loans from the EIB (30 million ECU) under the first financial protocol. This was drawn on to finance 23 smaller ventures, in various parts of the economy, creating approximately 1 400 jobs.

ACP States

2.4.42. The EIB lent 4.4 million ECU from the risk capital resources provided under the Lomé Convention which it is responsible for managing; 3.8 million ECU was granted to Guinea-Bissau (the EIB's first operation in this country) in the form of a conditional loan for an initial fixed term of 20 years at 2% interest. Investment will go towards renovating a shipyard which mainly carries out repairs to the local fleet (ferries, transport and fishing vessels). Water transport is used for almost half of inland freight movements as a result of the country's geography. The yard, situated near the port of Bissau, comprises a slipway for vessels up to 240 tonnes, a dry dock, which is not currently in operation, and approximately 20 workshops and other buildings. The yard has been back in operation since November 1981 but is working well below capacity, mainly because it lacks parts and serviceable equipment. The planned works comprise the dredging of the access channel to the slipway, whose foundations will be relaid, the refurbishing of the equipment and the purchase of new equipment. Approximately 400 jobs will be safeguarded.

In Cameroon the EIB granted 400 000 ECU to the Government for a feasibility study on the exploitation of iron ore from the Mamelles near Kribi, first for test boring to assess reserves, then for a more comprehensive study of the prospects offered by pre-reducing using mineralurgical treatment tests and lastly to determine the best size for the processing plant according to potential demand.

Finally, 200 000 ECU was lent in Sudan, again to the Government, to finance another feasibility study on ways and means of increasing production and sales of chrome ore from the Ingessana Hills.

⁴ 68 Pall Mall, London SW1 Y 5ES; Telephone: 01-8393351; Telex: 919159 bankeu g; Telecopier: 930 9929; Head: Guy Baird.



PART THREE
DOCUMENTATION

1. ECU

Values in national currencies of one ECU

30 May 1984 ¹	
Belgian franc and Luxembourg franc (convertible)	45.5804
Belgian franc and Luxembourg franc (financial)	46.2068
German mark	2.23562
Dutch guilder	2.52019
Pound sterling	0.592081
Danish krone	8.21569
French franc	6.85835
Italian lira	1 383.13
Irish pound	0.729214
Greek drachma	88.4174
United States dollar	0.818907
Swiss franc	1.84729
Spanish peseta	125.825
Swedish krona	6.61472
Norwegian krone	6.37724
Canadian dollar	1.06008
Portuguese escudo	115.016
Austrian schilling	15.7230
Finnish mark	4.74884
Japanese yen	189.413
Australian dollar	0.910301
New Zealand dollar	1.26375

¹ OJ C 145, 1.6.1984.

NB. Explanatory notes on the ECU and 'green' rates can be found in Bull. EC 7/8-1982, points 3.1.1 to 3.1.3.

Representative rates ('green' rates)

Conversion rates into national currencies for the ECU used in connection with the common agricultural policy

May 1984	
National currency	Value in national currency of one ECU
Belgian franc and Luxembourg franc	46.4118 ⁶ 44.9008 ⁷
Danish krone	8.41499 ⁶ 8.23400 ⁷
German mark	2.65660 ¹ 2.52875 ² 2.54273 ³ 2.51457 ⁷
Greek drachma	71.5619 ¹ 90.5281 ⁶ 77.2479 ⁷
French franc	6.19564 ¹ 6.93793 ³ 6.77297 ⁴ 6.86866 ⁵ 6.49211 ⁷
Irish pound	0.725690 0.750110 ⁶
Italian lira	1 432.00 1 341.00 ⁷
Dutch guilder	2.81318 ¹ 2.72149 ² 2.73327 ³ 2.70981 ⁷
Pound sterling	0.618655

¹ For seeds.

² For cereals.

³ For milk and milk products.

⁴ For pigmeat and wine.

⁵ For beef and veal, sheepmeat and goatmeat.

⁶ For beef and veal, sheepmeat and goatmeat, and milk and milk products.

⁷ For other products.

2. Additional references in the Official Journal

3.2.1. This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication

Bull. EC 12-1983

Point 2.1.105

Grants from the European Regional Development Fund for 1983 (fourth allocation)

OJ C 136, 23.5.1984

Bull. EC 3-1984

Points 2.4.32 to 2.4.36

Opinions adopted by the Economic and Social Committee during its session on 28 and 29 March 1984

OJ C 140, 28.5.1984

Bull. EC 4-1984

Point 2.1.16

Convention on the accession of the Hellenic Republic to the Convention on the law applicable to contractual obligations, opened for signature in Rome on 19 June 1980

OJ L 146, 31.5.1984

Point 2.1.65

Draft Council recommendation on the promotion of positive action for women

OJ C 143, 30.5.1984

Point 2.1.84

Commission Directive of 18 April 1984 adapting Council Directive 78/631/EEC on the approximation of the laws of the Member States relating to the classification, packaging and labelling of dangerous preparations (pesticides)

OJ L 144, 30.5.1984

Point 2.1.132

Proposal for a Council Decision adopting a plan to stimulate European cooperation and scientific interchange (1985 to 1988)

OJ C 142, 29.5.1984

3. Infringement procedures

Initiation of proceedings for failure to implement directives

3.3.1. In May the Commission sent letters of formal notice to nine Member States concerning their failure to incorporate directives into national law (the Commission not having been informed of national implementing measures) in the following eight cases:

Internal market and industrial affairs

- Commission Directive of 15 December 1982¹ adapting to technical progress the Council Directive of 25 June 1979 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors (static testing)² (Belgium, France, Italy, Netherlands);

- Commission Directive of 28 March 1983³ adapting to technical progress the Council Directive of 25 July 1978 on the approximation of the laws of the Member States relating to the driver's seat on wheeled agricultural or forestry tractors⁴ (Belgium, France, Italy, Netherlands);

- Council Directive of 26 May 1983⁵ amending the Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers⁶ (Belgium, France, United Kingdom, Ireland);

- Council Directive of 16 June 1983⁷ amending the Council Directive of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from positive-ignition engines of motor vehicles⁸ (Belgium, France, United Kingdom, Italy, Ireland, Luxembourg, Netherlands);

- Commission Directive of 7 June 1982⁹ adapting to technical progress the Council Directive of 4 November 1976 on the approximation of the laws of the Member States relating to radio interference caused by electrical household appliances, portable tools and similar equipment¹⁰ (Germany, Denmark, France, United Kingdom, Luxembourg, Netherlands)

- Commission Directive of 7 June 1982⁹ adapting to technical progress the Council Directive of 4 November 1976 on the approximation of the laws of the Member States relating to the suppression of radio interference with regard to fluorescent lighting luminaires fitted with starters¹⁰ (Germany, Denmark, France, United Kingdom, Luxembourg, Netherlands);

- Commission Directive of 18 August 1983¹¹ adopting the measures provided for in Article 3(3)

of the Council Directive of 4 November 1976 on the approximation of the laws of the Member States relating to radio interference caused by electrical household appliances, portable tools and similar equipment¹⁰ and of the Council Directive of 4 November 1976 on the approximation of the laws of the Member States relating to the suppression of radio interference with regard to fluorescent lighting luminaires fitted with starters¹⁰ (Germany, Denmark);

Employment, social affairs and education

- Council Directive of 15 July 1980 amending the Directives laying down the basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation¹² (Belgium, Denmark, France, United Kingdom, Italy, Ireland, Luxembourg)

Reasoned opinions

3.3.2. The Commission delivered 11 reasoned opinions concerning six Member States in the following cases:

Internal market and industrial affairs

- Incorrect application of the Council Directive of 21 December 1976 coordinating procedures for the award of public supply contracts¹³ (Belgium);

- Importation and marketing of caviar substitutes (Greece).

Employment, social affairs and education

- Failure to incorporate correctly into national law the Council Directive of 9 February on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions¹⁴ (United Kingdom).

¹ OJ L 386, 13.12.1982.

² OJ L 179, 17.7.1979.

³ OJ L 109, 226.4.1983.

⁴ OJ L 255, 18.9.1978.

⁵ OJ L 151, 9.6.1983.

⁶ OJ L 262, 27.9.1976.

⁷ OJ L 197, 20.7.1983.

⁸ OJ L 76, 6.4.1970.

⁹ OJ L 222, 30.7.1982.

¹⁰ OJ L 336, 4.12.1976.

¹¹ OJ L 247, 7.9.1983.

¹² OJ L 246, 17.9.1980.

¹³ OJ L 13, 15.1.1977.

¹⁴ OJ L 39, 14.2.1976.

Agriculture

- Importation of bananas (Greece);
- Delays in the application of the Council Regulation of 18 February 1980 on the granting of abandonment premiums in respect of certain areas under vines¹ (Italy);
- Exportation of potatoes to other Member States (Greece);
- Restrictive conditions on the marketing of butter as regards the maximum age of chilled butter and frozen butter (Greece).

Taxation and financial institutions

- Failure to incorporate correctly into national law the Council Directive of 30 May 1978 on the coordination of laws, regulations and administrative provisions relating to Community coinsurance² (Ireland);
- Incorrect application of the sixth Council Directive of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — common system of value-added tax: uniform basis of assessment³ (France).

Transport

- Failure to incorporate correctly into national law the Council Directive of 12 November 1974 on admission to the occupation of road haulage operator in national and international transport operations⁴ and the Council Directive of 12 November 1974 on admission to the occupation of road transport operator in national and international transport operations⁴ (France).

Energy

- Failure to inform the Commission of national measures to give effect to the Council Directive of 4 May 1976 regarding a Community procedure for information and consultation on the prices of crude oil and petroleum products in the Community⁵ (Belgium)

¹ OJ L 57, 29.2.1980.

² OJ L 151, 7.6.1978.

³ OJ L 145, 13.6.1977.

⁴ OJ L 308, 19.11.1974.

⁵ OJ L 140, 28.5.1976.

4. Address to Parliament by Mr François Mitterrand, President of the European Council

Strasbourg, 23 May 1984

3.4.1. 'I am speaking to you as President of the European Council for the first half of 1984. Believe me when I say that I am conscious of the honour of addressing an Assembly that represents 270 million men and women who will soon be called upon to repeat, in their individual countries, that fundamental act of democracy, electing a Parliament.

But I am also speaking to you as a French European whose personal commitment has been in evidence at every stage of the emergence of Europe.

When, in May 1948, just three years after the war, the European idea took shape at the congress in The Hague, I was there and I believed in it.

When, in 1950, Robert Schuman launched the plan for the European Coal and Steel Community, I supported it and I believed in it. When, in 1956,

the vast task of building the common market began, with the very active participation of the French government of the time, I was there and I believed in it. And today, when we have to rid Europe of the Ten of its differences and lead it resolutely along the path to the future, I can still say that I am here and I believe in it.

Many of my generation have shared the same ordeals, experienced the same hopes and worked for the same cause. There are many younger ones who have, in their turn, conceived the ambition of bringing Europe into line with the dictates of history and, through her, serving the just interests of the peoples that make it up.

Everyone should realize this. Going beyond political divisions and national rivalry, they are the builders of a vast undertaking that will radically change the facts of politics or international geopolitics. They must continue to unite around

this project and their public life will be justified by this alone. They will have reshaped the planet.

This meeting, here in Strasbourg, was something I wanted. It is no doubt usual for the President of the European Council to report on its progress to Parliament. The Stuttgart Council made this a principle of our life together, which is a good thing. But I should like to add something else to this observance of the rites—faith in our action and the will to see it through.

Today, the Community has achieved the initial objectives it inherited from the war. In the beginning, it had to reconcile and bring together peoples whom force and bloodshed had divided and get them harnessed to a common task. That has been done. Now the choice is between letting other people on our continent and outside our continent decide on everyone's destiny, ours included, and combining all the talent and ability, the creative ability and the material, spiritual and cultural resources that have combined to make Europe a civilization, so, as Walt Whitman puts it in a line I very much like, it can at last become what it is.

Our choice is based on a simple idea. None of our peoples, however rich its past and however strong its desire to live, can in isolation have the necessary effect on the present and the future of mankind.

Together, we can, but we are at a period of time when destiny is still hesitant. For all too long Europe has been held back by absurd arguments that make it lose sight of its objective. It had to wake up to the fact that there was no chance of any great design for Europe being anything more than a pipedream as long as it was bogged down in a morass of petty arguments.

To put an end to them, a method of work was fixed on in Stuttgart. Experience has shown it to be a good one. Then, in Athens, came the plan for reconciliation that was to come about in Brussels, in particular in agricultural, budgetary and industrial matters. All the points at issue, bar one, were settled.

A brief reminder of them will show that the way has been cleared and that we have begun to move forward again. Not that the remaining disagreement is negligible, far from it, but, contrary to what many people feared, it has not blocked the machinery of Europe. I shall return to this later.

Our first duty was to modernize the common agricultural policy, which has given the food and agriculture industries in our countries a capacity of international proportions. Then came the problem of surpluses, and dairy surpluses first and foremost, with a view to taking account of the real dairy outlets on the market, a vital corollary to

guaranteed prices—104 million tonnes produced for 85 million consumed. In Brussels, our farmers were invited to try to adapt and convert, a drive which the Community should back up, as it has done in the past, in line with the Treaty of Rome. And what goes for milk should go for all the other agricultural products too. Other important decisions have been taken on the monetary compensatory amounts (dismantling and methods of calculation, that is to say), on fruit and vegetables, on agricultural prices in the prescribed time limits and on the negotiation of cereal substitutes with the USA. And these decisions are now taking practical shape.

Without wishing to ignore the legitimate concern of the producers. I think that this is a victory by the Community over the Community. Now, 27 years after it was devised, the common agricultural policy has returned to the bases from which it should not have strayed.

The Esprit programme was launched a few weeks earlier. It will cost 3 000 million ECU in all, as much as or more than comparable efforts in the same field outside Europe. So the dynamic movement of cooperation on research and development of information technologies between European firms has been encouraged, in a way, with the help of the Community, in a different context. I am also thinking here of CERN, the Airbus, Ariane and JET.

And recently, the 12 biggest European companies laid down common standards for data processing. Taking this industrial initiative further, the Industry Ministers have laid the foundations for joint action by the Ten in the field of telecommunications. They will do the same, next month, for biotechnology, while the Economic and Finance Ministers are working to facilitate this cooperation through a series of financial, legal and tax provisions.

Let us continue with this outline. Everyone, as you know, was calling for tighter control of the Community budget and the Brussels Council reached agreement on this point too. But control over spending could not involve a cut in the resources that were vital to the development of the Community, which is why the Brussels Council came down in favour of raising the VAT ceiling from 1% to 1.4% on 1 January 1986, the date of enlargement to include Spain and Portugal—I make no secret of the fact that I should have liked to see more—and a further rise to 1.6% on 1 January 1988.

Everyone is aware of the problems of the present budget. But I do not think the Community will be forced to use extraordinary means or give in to unacceptable pressure. The Treaty demands that

agricultural spending be financed and it has to be adhered to. That leaves the dispute modestly referred to as the correction of budgetary imbalance—which in fact means the current discussion about the British contribution.

After four years of difficult negotiations, which are forever being relaunched, and in the absence of any agreement at the time of this speech, my comments will be careful ones. The Presidency has spared no effort in trying to handle this problem, but its main aim—and this is where it is intransigent—has been to see that Community principles, in particular that of Community preference, are preserved and it therefore judged that agricultural levies and customs duties, which by their very nature belong to the Community and not to the State that received them, could not be taken into account when compensation was calculated.

I should add that the Treaty of Rome, like any treaty, is a contract and that this contract implies refusal of the idea of fair returns.

It may be reasonable to reconcile, the naturally varying positions of the 10 partners when excessive imbalance occurs, because of the solidarity that binds us—provided we stay within the reasonable limits of a circumstantial regulation and do not try to revise the Treaty without saying so. This was the aim of the debate which has not and never will be concluded as long as there is a fear of Community law being held up to question.

However, the Community is alive and working as a simple account of the arrangements made over the past two months serves to show. It has, in particular—and I want to spend time on this point—passed the point of no return in the Spanish and Portuguese accession procedure.

There are questions about political necessity—which is something we all recognize, not just because of these two countries' courageous reconquest of democracy, but also because of the simple realization that they are Europeans, completely, and that to deny the fact would be to flout history past and present. Are we not going to increase the tension and reduce the cohesion of the present Community? Or will the conditions for economic integration conceivably be met over a long period?

Convenient attitudes may be adopted. Saying yes to enlargement, on an *a priori* basis, in order to please the applicant countries and without drawing any practical conclusions. Or saying no, come what may, and refusing to look at the question. Let us refuse such facile attitudes. Europe would certainly lose out if, as it grew, it merged with the free trade area to which those around it continue to aspire.

Let us remember the last enlargements and beware of leaving the most difficult discussions until later.

At all events, I think an answer to the enlargement question will be forthcoming before the end of September. I think it will be positive and I think it will be applied as from 1 January 1986.

This will mean a frank comparison of the economies, harmonization of the social and tax systems, mutual adherence to the rules of fair competition and a timetable for implementation. It will also mean the present Community making a prior effort to rationalize its functioning and preparing, in particular with integrated Mediterranean programmes, to handle the productions of the South as it did the productions of the North. The producers will of course understand that it is not possible both to call for market laws whereby they can produce unspecified quantities as they like and to protect themselves from these laws with price guarantees. At all events, I note that decisive progress has been made in two hitherto undiscussed sectors, agriculture and fisheries.

But going beyond these debates, the Brussels Council committed itself to taking other steps in other directions. Directives doing away with technical barriers to trade were thus approved, an instrument of common commercial policy was introduced, fishing quotas for 1984 were fixed in time and iron and steel quotas were extended for a further two years. The Eighth Directive on company law was approved, agreement was reached on the social aspects of the reorganization of the coal sector and on so-called demonstration research projects and the reform of the Regional Fund was approved after three years of arduous negotiation.

Lastly, the field of initiatives has now been cleared of obsessive disputes and stretches wide before us.

In spite of customs dismantling, for example, there are still too many obstacles to free movement within the Community.

How many controls and formalities there are to try the patience of those who are subjected to them and baffle the understanding of public opinion!

In view of this House's interest in this matter, a transport policy involving greater flexibility at frontiers and more support for the major infrastructure will be proposed at the June Council. What could be more in keeping with our principles than freedom to come and go, to do business and to trade?

In 1981, when I had just taken up my duties, I mentioned the European social area at the Luxembourg Council. How can a common market be created if, at the same time, the producers are working in wildly different conditions? Since the

common market exists, it would be better for the workers' representatives to organize at that level, in the same way as firms and governments do.

This will be done, I hope, next month, when the Council of Foreign Ministers has produced the Community's medium-term action programme for submission to the European Council, as was agreed in Brussels. More specifically, this same Council of Ministers will have to pursue the efforts, as yet hardly begun, to rid our societies of the disease from which they are suffering—unemployment and, worse, unemployment among young people, by providing vocational training that is more in keeping with requirements. It will be presented with recommendations on the reorganization of working time and will select guidelines relating to the social implications of the new technologies in the light of observations made by the employers' and employees' representatives on the Standing Committee on Employment.

The voice of the European Trade Union Confederation will, of course, be heard.

The natural environment warrants equal attention. When it comes to protecting the environment, our national frontiers have even less *raison d'être*. Yet our ways of thinking and our national susceptibilities are in defiance of good sense.

The Rhine flows beside or through three of the countries of the Community and what harms the environment of one equally harms them all.

But this argument seems not to be heard and the river and its affluents still carry death to animals and plant life and threaten the health of mankind.

Acid rain has profoundly changed the forests of Germany and it is now eating into the forests of the Vosges and moving northwards to Scandinavia. And, for other reasons, the Mediterranean forest is under threat too.

No country is free from this latter-day epidemic. Who will put an end to the scourge? A directive on industrial pollution was adopted in Brussels and it remains to speed up the finalization of strict provisions to control the transfer of toxic and dangerous wastes.

Similarly, the reduction of the lead content of petrol is at the centre of arduous negotiations. Now the target has been clearly identified in this way, will we be wise enough to work towards it without delay? I would not swear to it.

So much for the near future, with its usual pattern of light and shade and its combination of progress and impasse.

But we must look further than the common market.

What is Europe for? This is a question we have to answer if we are not ultimately to lose our identity, our *raison d'être* and our reasons for action.

Is Europe, which has played a pre-eminent part in the formidable advance of modern science, so disconcerted by the development of modern technology that it is unable to emerge from the crisis and take up its place once more, to revive the forms and rediscover the values of its ancient civilization? Is Europe, which contains two thirds of the free régimes of the world, unable to consolidate its institutions and act, with one movement, where action is called for, as a force for peace and equilibrium amongst the most powerful and as a force for justice and progress between North and South? No, I do not believe it is.

But is has yet to realize the full extent of the economic, cultural and political stakes of the coming century.

Let us take four examples.

The first is electronics, Europe spends more than Japan or the USA on research. But each country of Europe is jealous of its techniques and sees its defences crumble under American and Japanese pressure. The protectionist temptation will gain ground—or when it awakes, Europe will have lost the battle on which all others depend. Attempts at industrial alliance so far have failed. Is it not high time the States encouraged unity? Industry will not be modernized if it is content to amass plant. It also has to use financing from such sources as the European Investment Bank and the New Community Instrument.

My second example is the conquest of space. There, the choices came earlier than we anticipated and perhaps earlier than we hoped, first, because of our own success with launchers and satellites. But moving into the industrial phase means sharing the tasks and the investments. It will be easier to look at US offers on a projected civil space station from a position of strength. As I said in the Hague recently, should Europe not put priority on concentrating on itself? A space station is within its grasp. It has the relevant technical and financial means. And although it may be presumptuous to aim higher than present means allow, our industrial experience shows us that anything that can be achieved in 15 years' time must be started now.

Transport is the third example. Agreements were reached recently on increasing the Community road quotas, on cooperation in the railway sector and on road safety. It would be as well to improve on them all right away. A vast railway equipment programme for high-speed transport would, by reducing distances, bring Europeans closer together as a matter of course.

My fourth example is culture. Failing to unite would be condemning ourselves to being, borne along on the tide of words and images from outside.

There is no shortage of projects and they are all within our grasp. What are they? Why not use a Franco-German satellite for a European television channel...

... for all producers in the member countries concerned? Why not have a common fund to support the programme industries that will have the difficult task of giving content to the countless networks? Why not have a coherent plan for teaching European languages...

... European universities, encouraged by exchanges of research workers and equivalence of diplomas? What about the European Cultural Foundation?

I was also proud to see the Theatre of Europe, which Giorgio Strehler runs, set up right in the heart of Paris. Each of your countries takes a pride in its enviable successes, but none of them has a big enough market. Europe is there. It must put its mind to it and get organized!

However, there is one field in which Europe is present, if I may say so, instinctively, namely human rights. When it ratified Article 25 of the European Convention, my country was true to its tradition. But we are all concerned about the increasing ground being gained by terrorism and oppression almost everywhere in the world.

Your Parliament has constantly expressed its attachment to the principles on which freedom was founded and, only yesterday, it adopted a resolution on Andrei Sakharov, whom we are all thinking about.

Every day, alas, in every clime, men suffer and are persecuted for what they believe, for what they hold dear and for what they are.

The time has come to repeat a word under which we once rallied—resist. Yes, resist violence!

I know no other subject on which the people of Europe feel nearer to those who represent them. Yes, this Europe of ours is a Community of laws and we are proud of it. The finest illustration of this is the Court of Justice, where a European legal order is being forged from an unprecedented synthesis of different legal systems.

Another dimension is the different positions the Ten take up on world affairs.

No one but Europe has shown so much imagination and constancy in its trade with the Third World. The Suva conference early this month was an opportunity to orchestrate points of view in

preparation for Lomé III. The final discussions should be taking place in Luxembourg on 28 and 29 June, so the drafting of the future Convention can be completed.

The importance of this is clear at a time when international aid is being cut back and the situation of the poor countries—and I am thinking especially of Africa here—is worsening under the combined effects of the climate, the recession, their debts, the anarchy of the markets, the burden of their interest rates and monetary disorder.

The European Councils have adopted suitable solutions to problems in the world—in the Middle East, Central America, southern Africa, Afghanistan, Cambodia and many others. They have helped preserve that fragile link which maintained a dialogue between the eastern and western parts of our continent from the Helsinki Conference to the Stockholm Conference. They have boosted cooperation between the Community and the seven friendly countries of EFTA. It was not for them to take account of the aspirations—so frequently expressed, particularly of late—towards security and a common defence.

Speaking for myself, I mention this, as I did in the Hague, merely to indicate how very difficult it will be to bring about and how very badly it is needed.

It is clear that we are moving away from the time when Europe's sole destiny was to be shared out and divided up by others. The two words "European independence" now sound different. This is a fact that our century, which is nearing its end, will, I am sure, remember.

The European elections are an occasion for taking stock and embarking on fresh initiatives. The life of the Community institutions is marked by many an imperfection. None of them is really intolerable, but together they create a constant and widespread constraint and we are constantly paying for it.

First we have the unanimity rule, which is used far more than the Treaties suggest and even more than is provided for by the Luxembourg compromise.

How can the complex and diversified unit that the Community has become be governed by the rules of the Diet of the old Kingdom of Poland, where every member could block the decisions? We all know where that led. It is time we returned to a more normal and more promising way of doing things. The French government, which was behind this compromise, has already proposed that it be used only in specific cases. The more frequent practice of voting on important questions heralds a return to the Treaties. But the unanimity rule is not the only difficulty facing the Council of Ministers.

The way the work of everyday management is shared by the Commission, the Permanent Representatives and the Council of Ministers also fluctuates far too much. The latter body is losing part of the political responsibility the Treaties gave it and the European Council is becoming a permanent court of appeal, or even a local court, in the running of our everyday affairs. That is obviously not its role. Let us give the Commission back its authority.

Let us give the Council of Ministers back its means of implementing the policies of which the European Council lays down the guidelines. Let us give the European Council a permanent secretariat for political cooperation.

There are, I know, complaints about relations between the Council and your Parliament being inadequate. Let us do something about this by adhering to the commitments the Member States made in the solemn declaration of Stuttgart and presenting a reform of the conciliation procedure. And lastly, let us reflect on the best way of ensuring greater continuity in the presidency of the Community.

Europe has always been a composite entity. It has developed in stages, using, as the need has arisen, those institutions which seemed the best at the time, even if it meant changing the way they related to each other. But we must keep our points of reference.

This is why it is vital to consolidate the main Treaty that binds the European countries together and constitutes their fundamental law—the Treaty of Rome. Yet the same movement is already carrying us beyond this Treaty to areas it does not cover. I am thinking here of education, health, justice, security and the campaign against terrorism. And what do we find? Some people have talked about a Europe of different speeds or variable geometry. Such a step, which reflects a real situation, is one we must take. Care will be taken to ensure that it complements, rather than competes with, the central structure, the Community. Whenever problems of this kind have arisen,

Europe has created a new institution—the European Council—or adopted a new legal act reflecting an established practice—the European Monetary System and political cooperation as defined in the Stuttgart declaration—or concluded a treaty ratified by the national parliaments—the Lomé Convention. And here is the House encouraging us to go further along this path by proposing a draft treaty on European Union. Those of us who are interested will observe that the same old method is being used. A new situation calls for a new treaty...

... which must not, of course, be a substitute for existing treaties, but an extension of them to fields they do not currently cover. This is the case of the European political community.

France, ladies and gentlemen, is available for such an enterprise.

I, on its behalf, state its willingness to examine and defend your project, the inspiration behind which it approves.

I therefore suggest that preparatory consultations, perhaps leading to a conference of the Member States concerned, be started up. The project on European Union and the solemn declaration of Stuttgart will be a basis for this.

Those, ladies and gentlemen, are the thoughts provoked by my experience as a European and my term of office as President of the European Council.

I am sure that one day this will all be done, for our young people have need of it and it is the price we have to pay for our independence and the independence of our own nations and of Europe. I have too much confidence in our history to believe we could ever allow ourselves to go into a decline—of which an intolerable demographic regression is the most disquieting sign.

But we must not leave it too late. So the exciting task for you and for us is to prevent the ineluctable, to make the improbable succeed, to achieve our hopes and to perpetuate, with its revived youth, a great civilization—our civilization.'

5. Eurobarometer

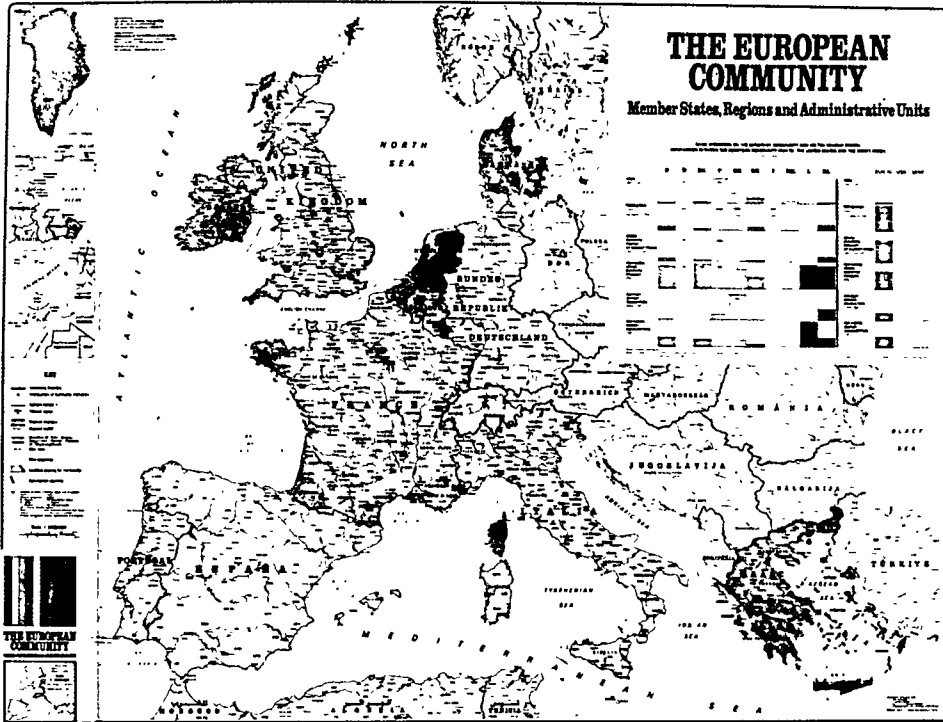
European elections

3.5.1. The latest Eurobarometer survey published by the Commission was carried out between mid-March and mid April,¹ only a few weeks before the second elections to the European Parliament by direct universal suffrage (14 and 17 June).

The election of a single parliamentary assembly during a single week by citizens of the 10 countries offers an exceptional chance to carry out a full-scale study of public attitudes to the Community and to gain a better insight into socio-political phenomena.

For this special edition of Eurobarometer, the poll focused on two main topics: the European Parliament and the June 1984 elections (public awareness of Parliament, its image, propensity to vote and reasons, differentiation between national and European interests and concerns in relation to the electorate's approach on the one hand and the European Community (for or against Western European unification, attitudes towards Community membership, aims and aspirations for the years ahead, review of attitudes towards Europe, Parliament and the elections).

¹ *Eurobarometer—Public Opinion in the European Community*, No 21 (Brussels, May 1984).



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The black and white photograph above shows the administrative map, which covers the existing Community of 10 Member States (Belgium, Denmark, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands and the United Kingdom) and the two countries which have applied for membership (Portugal and Spain).

There is an inset containing 78 block diagrams giving basic statistics on the individual Member States and on the Community, the United States and the Soviet Union.

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There is an inset on the map containing a large number of diagrams giving statistics for each Member State and for the Community as a whole, together with comparisons between the Community and the other main wood-producing countries of the world. The financial assistance provided by the Community is also shown.

This map is basically the same as the administrative map shown in black and white on the facing page, with woodland areas added and the appropriate diagrams substituted.

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Publications of the European Communities

Publications of the European Communities

5 — 1984

Introductory note

This catalogue includes the newly published monographs and series issued during the period to which it relates by the institutions of the European Communities, and also their current periodicals. Publications of which English versions have been issued are listed only in that language; otherwise another version, but only one, is included, in the following order of choice:

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IT: 1 - 12

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The catalogue is divided into three parts, as follows:

Part I — The classified list provides a subject classification of the titles included under 20 headings each divided into subheadings (see below).

Under each subheading, monographs and series are listed first in alphabetical order; there then follows a similar list of periodical titles.

Full entries for monographs and series appear only once; otherwise cross-references are given to the full entries identifying them by the sequence numbers already described. Periodical titles appear in the classified list only as cross-reference entries, full entries being found in Part II.

Part II — Periodicals presents full details of each current Community periodical, listed alphabetically.

Part III — The indexes of titles and series are listed alphabetically and cross-refer using the abovementioned

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Publications may be priced for sale, gratis, or of limited distribution. Those of the last two classes may be obtained from the issuing institutions, or, where they are published by the Information Offices of the Commission, from those offices, whose addresses are given in the lists on pp. 4 and 5. Publications of limited distribution are, however, generally only for the attention of governments of Member States, Community departments and other authorities concerned.

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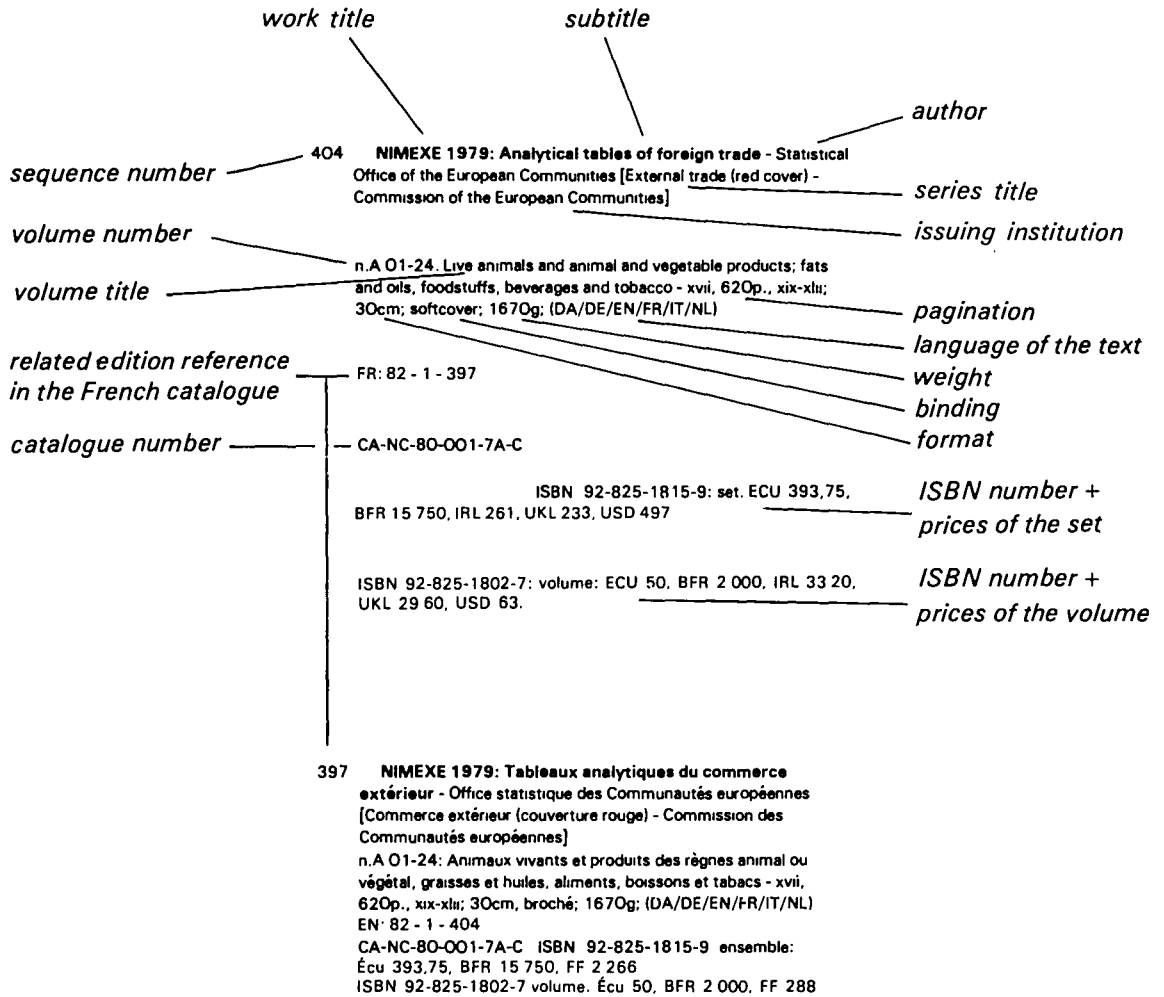
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- 7 **Economic and Social Committee: Annual Report - Economic and Social Committee**
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