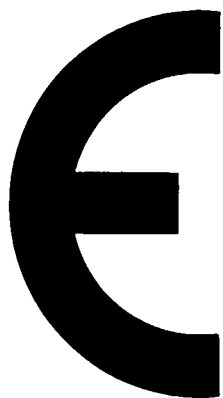


Bulletin

OF THE EUROPEAN COMMUNITIES

Commission



No 9 1984

Volume 17

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PART ONE
SPECIAL FEATURES

Bulletin information service

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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. A people's Europe

1.1.1. Considering it 'essential that the Community should respond to the expectations of the people of Europe by adopting measures to strengthen and promote its identity and image both for its citizens and the rest of the world', the Fontainebleau European Council had asked the Council of Ministers to take a series of specific measures before the middle of 1985 and to study a number of suggestions.¹

It had decided at the same time to create an *ad hoc* committee comprised of representatives of the Heads of State or Government in order to prepare for and coordinate this action.

The Commission welcomes the European Council's initiative, all the more so since the low turnout at the European Parliament elections in June showed that the citizens of Europe find it difficult to reconcile themselves to the gap which exists between political calls for European unity and the absence of tangible results in many facets of their everyday lives.

In a communication entitled 'A people's Europe' sent to the Council on 24 September,² the Commission announced that it intends to act initially in the areas mentioned in the first part of the Fontainebleau conclusions: introduction of the European passport; abolition of police and customs formalities for people crossing the Community's internal frontiers; introduction of a single document for the movement of goods; mutual recognition of university diplomas and freedom of establishment.

European passport

1.1.2. At its meeting in Rome early in December 1975 the European Council had approved the introduction of a uniform passport. Representatives of the Governments of the Member States meeting within the Council passed a resolution on 23 June 1981³ agreeing on the uniform format and the scope of the passport; in addition they resolved that the 'Member States will endeavour' to issue European passports from 1 January 1985 at the latest, and this was reiterated by the Fontainebleau European Council.⁴

The Commission considers that the delay which appears likely in many Member States is unacceptable. Any Member State that condones it is seriously underestimating the urgency of the operation from the point of view of the integration policy and flagrantly contradicting the Fontainebleau conclusions.⁴ The Commission is also concerned at the trend towards substantial increases in passport fees and urges the Member States not to take advantage of the introduction of the European passport to raise these fees, which are already regarded as excessive in many Member States.

Abolition of police and customs formalities for travellers at internal Community frontiers

1.1.3. The Commission considers that the continued existence of customs signs and the frequent long queues at the Community's internal frontiers are the most potent symbol and visible expression for Europeans of the absence of European unity.

Customs formalities

1.1.4. Although the basic reason for the continued existence of formalities is that disparities still exist between the tax systems in the Member States, the Commission feels that many other steps could still be taken to simplify them.

Tax-free allowances for travellers

1.1.5. In April 1983 the Commission proposed that the Council gradually raise tax-free allowances for travellers to 400 ECU by 1987 and increase duty-free quantities for specific products subject to exise duties such as wine, coffee and tea.⁵ On 30 April this year the Council agreed to an initial increase in the tax-free allowance from the starting level of 210 ECU to 280 ECU with

¹ Bull. EC 6-1984, point 1.1.9 (paragraph 6).

² COM(84)446 final.

³ OJ C 241, 19.9.1984.

⁴ Bull. EC 6-1984, point 1.1.9 (paragraph 6); point 3.5.1.

⁵ OJ C 114, 28.4.1983; Bull. EC 4-1983, point 2.1.60.

effect from 1 July 1984, subject to a number of transitional exemptions applying to specific Member States.¹ According to the Commission's calculations, this increase does not even offset the reduction in value caused by inflation. A further increase that would raise the tax-free allowance to 320 ECU from 1 January 1985 is currently being discussed in the Council.

The system of tax-free allowances for travellers should help to avoid double taxation and complicated, time-consuming frontier formalities. Increasing tax-free allowances in terms of value and quantity can thus make a significant contribution towards facilitating the crossing of frontiers. This is why the Commission considers it necessary, in order to implement the mandate from the European Council effectively, to go further than the increase mentioned above and to raise tax-free allowances from the present 280 ECU to 400 ECU from 1 July 1985 (instead of 1 January 1987). To this end it intends to submit a proposal to the Council as soon as possible.

Removals, change of residence

1.1.6. Since 1 January 1984 a Council Directive of 28 March 1983² has been in force which allows individuals changing their place of residence from one Member State to another to import personal effects without having to pay additional tax in the country of destination, provided they were purchased in the country of origin under normal conditions of taxation at least three months (for motor vehicles etc. at least six months) before the change of residence.

The Commission will shortly be presenting a proposal to supplement this Directive which should simplify the current import, export and transit formalities for removals within the Community (e.g. by reducing the papers and documents currently required).

Temporary importation of vehicles for private use

1.1.7. A Council Directive, also adopted on 28 March 1983,² which came into force on 1 January 1984, exempts from tax in the Member State of importation the temporary importation of certain means of transport for private use or of private vehicles for business use.

This Directive is the first major breakthrough in settling the countless practical difficulties which arise in cross-frontier movement of persons, but more far-reaching measures to simplify formalities still have to be taken. The Commission intends to take steps in this direction shortly.

Imports of used goods for personal use

1.1.8. According to an important judgment delivered by the Court of Justice in 1982, used goods purchased by individuals on which taxes have been levied in the country of origin should not be subject to full taxation again in the country of destination. At the very least the amount of tax borne by the goods in the country of origin should be fully taken into account in the Member State of importation.³

In order to give practical effect to this legal precedent the Commission recently presented a proposal to the Council for a 16th VAT Directive⁴ to settle some very specific cases directly affecting Europeans in their daily lives. While stressing that the Council should adopt this proposal as soon as possible, the Commission would also draw attention to another proposal, which has been pending before the Council for many years, on the application of value-added tax to works of art, antiques, and used goods,⁵ which is also designed to avoid double taxation.

Tax relief for small consignments

1.1.9. In December 1983 the Commission proposed that the Council gradually increase the tax relief allowed for small consignments of a non-commercial character sent by one individual to another in different Member States from the current tax-free limit of 70 ECU to 130 ECU by 1987.⁶ As with tax-free allowances for travellers, the increases in the tax relief for these types of small private consignments of goods have been so small in the past few years that, as a result of the re-

¹ OJ L 117, 3.5.1984; Bull. EC 4-1984; point 2.1.54.

² OJ L 105, 23.4.1983; Bull. EC 3-1983, points 2.1.43 and 2.1.44.

³ Case 15/81 *Gaston Schul v Inspecteur der Invoerrechten en Accijnzen* [1982] ECR 1409.

⁴ OJ C 226, 22.8.1984; Bull. EC 7/8-1984, point 2.1.82.

⁵ OJ C 26, 1.2.1978.

⁶ OJ C 3, 6.1.1984; Bull. EC 12-1983, point 2.1.58.

duction in value through inflation, the real value of the tax-free amounts is now significantly lower than in 1974.

The Commission considers, as in the case of tax-free allowances for travellers,¹ that it is necessary to go further than the proposed increase and to raise the tax-free allowance for small consignments from 70 ECU to 130 ECU from 1 July 1985 (instead of 1 January 1987).

Currency controls

1.1.10. In connection with the restrictions and controls on the export of currency which still exist in certain Member States, the Commission recently sent the Member States concerned its interpretation of the Court's judgment² on currency controls, at the same time requesting that they adapt their relevant legislation to the requirements of Community law. A number of them have already started to relax their controls.

Police formalities

1.1.11. On 7 June the Council and the Representatives of the Governments of the Member States adopted a resolution on the easing of personal checks at the Community's internal frontiers.³ This is to be achieved in particular by setting up special check-points for nationals of the Member States and carrying out only spot checks at frontiers. It will be assumed that a person belongs to a Member State of the Community if he presents a European passport. Finally, more far-reaching concessions are demanded for people living close to a frontier.

The Fontainebleau European Council quite explicitly set as its objective the abolition of 'all police and customs formalities' for people crossing the Community's internal frontiers and called for this to be achieved in the near future and at all events before the middle of 1985.⁴

The June resolution must be put into practice immediately to meet the European Council's demands. The Commission has put forward a two-stage plan, based on the agreement between France and Germany,⁵ which it sees as a fine example of a way of speeding up the elimination of personal checks at internal frontiers.

In the first stage, Member States would carry out only spot checks on Community citizens unless there were pressing reasons of public security. From the beginning of 1985, a special sticker system analogous to that provided for in the Franco-German agreement of 13 July 1984 could be introduced; this would make it possible to carry out a simple visual check of vehicles and their occupants as they cross the frontier at reduced speed without the flow of traffic being reduced. Spot checks could be carried out by waving drivers into a special lane. To avoid jeopardizing this project, Member States would have to abandon plans to introduce computerized identity checks at frontier posts. The first stage could be completed by early 1985, the time limit set by the European Council.

The second stage would see the complete elimination of all customs formalities and checks. This assumes, in addition to the harmonization of taxes, the harmonization of provisions on the issue of visas and the admission of nationals of non-Community countries, as well as the establishment of an appropriate and effective structure for close cooperation between national police authorities.

Introduction of a single document for the movement of goods

1.1.12. There are still too many formalities and checks at frontiers, often causing tiresome and above all expensive delays. The events that occurred in the spring⁶ demonstrated very clearly the urgent need for a solution to the problems encountered by goods traffic at frontiers.

The European Council's call for the introduction of a single document for the movement of goods—first made at the 1982 Co-

¹ Point 1.1.5.

² Joined Cases 286/82 and 26/83 *Luisi and Carbone v Ministero del Tesoro* (not yet reported).

³ Bull. EC 6-1984, point 1.5.1 *et seq.*

⁴ Bull. EC 6-1984, point 1.1.9 (paragraph 6).

⁵ Bull. EC 7/8-1984, points 2.1.13 and 3.5.1.

⁶ Bull. EC 2-1984, points 2.1.8 to 2.1.11.

penhagen summit¹ and now repeated—bears out the Commission's view that the Council must finally take a decision by the end of the year on the introduction of a single document² to replace around a hundred national forms.

However, the Commission would stress once again that the introduction of a single document is not in itself sufficient to eliminate all the formalities and checks still applying to the carriage of goods. A key role will be played by the proposal for a 14th VAT Directive on deferred payment,³ under which VAT on imports would no longer be collected at customs offices but on the basis of the periodic return which the importer in any case has to submit to his tax office.

University diplomas and freedom of establishment

1.1.13. The Commission interprets the European Council's conclusions as referring primarily to the mutual recognition of diplomas in connection with freedom of establishment and freedom to provide services, i.e. affecting the right to work. However, the academic recognition of diplomas and periods of study, i.e. the educational angle, is also of major importance for the creation of a people's Europe, as is the mobility of students, researchers and university professors.

Freedom of establishment

1.1.14. Progress on the mutual recognition of university diplomas and the closely related freedom of establishment and freedom to provide services, especially in the medical professions, has been slow since the early successes in the 1970s. Commission proposals for Directives granting these freedoms to architects⁴ and technical professions⁵ have now been before the Council for over 15 years. A proposal for a Directive relating to the activities of pharmacists⁶ is at present being examined by the Council, and a decision may be forthcoming by the end of the year.

The slow progress of recent years has convinced the Commission that a more flexible

overall approach must be devised to achieve a real breakthrough as regards freedom of establishment. This could take the form of mutual recognition of diplomas without any previous harmonization of education and training. To make up for this absence of harmonization, an individual wishing to benefit from freedom of movement must have acquired some relevant professional experience in the country of origin or host country. The Commission plans to adopt proposals as soon as possible on a general system for ensuring the equivalence of university diplomas in order to bring about effective freedom of establishment within the Community. The Commission would also draw attention to the fact that it sent the Council a proposal in September 1983 for a decision on the comparability of vocational training qualifications between Member States.⁷

Mobility of students, researchers and university teachers

1.1.15. With the support of the national governments, the Commission has allocated grants for study programmes devised and carried out jointly by institutions in the various Member States. To date more than 500 universities and other higher education establishments have participated. In 1984 the Commission succeeded for the first time in awarding a limited number of scholarships enabling students to undertake part of their studies in another Member State.

Finally, at the beginning of this year the Commission sent to the Council a plan for stimulating European scientific and technical cooperation and interchange.⁸

¹ Bull. EC 12-1982, point 1.2.3.

² OJ C 203, 6.8.1982; Bull. EC 6-1982, point 2.1.10.

³ OJ C 203, 6.8.1982; Bull. EC 6-1982, point 2.1.57.

⁴ OJ C 239, 4.10.1967.

⁵ OJ C 99, 30.7.1969.

⁶ OJ C 35, 18.2.1981; OJ C 92, 23.4.1981.

⁷ OJ C 264, 4.10.1983; Bull. EC 9-1983, point 2.1.48.

⁸ Bull. EC 2-1984, points 2.1.163 and 2.1.164.

2. Public health

Commission urges Community cooperation

1.2.1. On 18 September the Commission sent the Council a communication on health-related problems¹ to be put on the agenda of the third Council meeting dealing with health matters.² It proposes cooperation between the Member States and joint action at Community level in three priority areas: drug addiction, smoking and infectious diseases.

Background and objectives

1.2.2. The Commission is responding to the conclusions reached by the European Council at Fontainebleau, when measures to combat drug abuse were included among the suggestions to be examined by the *ad hoc* Committee on a People's Europe.³ In the Eurobarometer survey published by the Commission in June last year, 58% of the Europeans who were asked what 'happiness' meant to them put health first.⁴ Parliament has repeatedly raised health issues and urged cooperation at Community level to obtain better protection of the individual, both as a citizen and as a patient.⁵

The Commission's approach is also in line with the work on health care costs and disease prevention agreed by the Ministers of Health in 1978⁶ and included in the Community's medium-term social action programme⁷ and the draft Community action programme on toxicology.⁸

1.2.3. The Commission wishes to show that all the Member States share the same public-health problems and should therefore discuss them within a framework allowing cooperation and joint policies, especially in the three fields proposed; this would lead to greater effectiveness at lower cost. The Commission proposes to use the working methods adopted for the second programme of action on safety and health at work.⁹

Priorities

Drug addiction

1.2.4. Recent years have seen a marked increase in the use of illicit drugs, especially heroin. Heroin addiction, which has increased in all Member States, is spreading from young adults to schoolchildren and young adolescents. The Commission proposes measures at Community level to control the supply of the drug, in particular by increased cooperation between customs services. It already supports this cooperation under the 1967 Convention on Mutual Assistance. Matching efforts to limit demand are also required: education and information campaigns aimed at the professions, children and their parents should help to create a climate in which the use of drugs is discouraged. At Community level, a series of pilot or demonstration projects should be planned, with interchange and comparison between schools in different Member States and between different systems for the treatment and management of drug addicts.

Smoking

1.2.5. From the pathological aspect, the Commission notes that cigarette smoking is responsible for most cases of lung cancer (11 times more frequent than in non-smokers) and chronic bronchitis and is also associated with increased coronary heart disease and a number of other cancers. More than one million deaths from lung cancer are to be expected before the year 2000.

¹ COM(84) 502 final.

² Bull. EC 12-1977, points 1.5.1 to 1.5.4; Bull. EC 11-1978, points 2.1.47 to 2.1.50.

³ Bull. EC 6-1984, point 1.1.9 (paragraph 6).

⁴ Bull. EC 6-1983, point 3.5.1.

⁵ OJ C 87, 5.4.1982; Bull. EC 3-1982, point 2.4.9; OJ C 149, 14.6.1982; Bull. EC 5-1982, point 2.1.50.

⁶ Bull. EC 11-1978, points 2.1.47 and 2.1.48.

⁷ OJ C 175, 4.7.1984; Bull. EC 6-1984, point 2.1.43.

⁸ OJ C 156, 16.6.1984; Bull. EC 5-1984, point 2.1.86.

⁹ OJ C 67, 8.3.1984; Bull. EC 2-1984, point 2.1.79.

The Commission proposes that common objectives be defined and similar policies be adopted to discourage young people from taking up smoking. Cooperation at Community level should support and coordinate measures adopted by Member States so as to avoid conflicting interests and confusion in the minds of young people, more and more of whom now travel extensively in the Community for study and holidays. The Commission recognizes that Member States have not all reached the same stage of progress against smoking and will not, therefore, be able to advance at the same rate. If it provides the impetus, however, agreement on common objectives would help to overcome many of the difficulties.

Infectious disease control

1.2.6. Unlike drug abuse and smoking-related disease, infectious disease is considered to have declined to a level of minor importance. Nevertheless, the past 10 years have seen continuing problems in Member States from tuberculosis, measles, rubella and pertussis, an increasing incidence of gastro-intestinal and sexually transmitted infections and potential problems arising from increased travel and tourism. In 1982 the Regional Office for Europe of the World

Health Organization reported that there was little coordinated prevention policy in Europe owing to wide differences in the legislative and infection-control measures used and to the fact that no attempt had been made to assess the importance of the various control measures. As a result, the Commission proposes three types of measures to provide a more uniform level of protection:

- (i) cooperation at Community level to assist the Regional Office to encourage the development of activities in other European countries;
- (ii) the establishment of a network of national and regional centres with rapid exchange of information, commonly agreed definitions and reporting procedures, standardization of materials and testing and joint training and research projects;
- (iii) adoption of a common approach to immunization, the cornerstone of infectious-disease control, the aim being to take identical measures against childhood infections, widespread epidemics and rare diseases of special significance.

3. Efforts to stabilize Central America

Ministerial Conference in San José, Costa Rica

1.3.1. Foreign Ministers representing the Community and its Member States, Portugal and Spain, the Central American States¹ and the Contadora States² met in San José, Costa Rica, on 28 and 29 September at the invitation of Mr Luis Alberto Monge, the President of Costa Rica, in order to examine

ways in which Europe could help to defuse the conflict in Central America.³ Mr Pisani represented the Commission.

This meeting—a major and unique event in the history of relations between the Com-

¹ Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua.

² Colombia, Mexico, Panama and Venezuela.

³ Bull. EC 6-1984, point 2.2.37.

munity and Central America—provided an opportunity to work out a new structure for dialogue between Europe and the countries of Central America, at both political and economic level.

1.3.2. At political level, it was agreed that meetings would be arranged at regular intervals at ministerial or senior-official level, in order to back up the efforts by the Central American countries to put an end to the violence and promote social justice, economic development and respect for human rights and democratic liberties.

The Ministers taking part pointed to the need for the governments of the region to intensify negotiations to secure mutual understanding and lasting stability.

They confirmed their support, in this context, for the peace measures being undertaken through the Contadora process.

1.3.3. At economic level, the Ministers of the Community stressed the importance of economic development geared to regional integration (Central American Common Market).

They agreed that discussions should quickly be arranged to prepare for the opening of negotiations on a framework economic co-operation agreement linking the Community with the five Central American countries and Panama. This agreement would be negotiated under the aegis of the Central American Economic Council and in coordination with the Group of Heads of Mission of the Central American countries (GRUCA).

They expressed their intention to accord priority to aid for regional and social projects (particularly to help displaced persons). Lastly, they declared that they were in favour of granting additional aid to the Central American countries; from 1985 the sum provided by the Community and its Member States could be increased by 50% to some 60 million ECU.

Apart from financial aid, the Community would continue to supply technical assist-

ance for development projects and aid in the spheres of trade promotion and generalized preferences. Use of the GSP by Central American countries should be simplified and its benefits extended.

The Ministers also stressed the need to improve the promotion and protection of investment in the region, in order to encourage private investors.

Lastly, the international economic situation and the debt problem were raised, and the Ministers of the Ten, and also of Spain and Portugal, said they were prepared to support the Central American countries in the pursuit of policies aimed at solving these problems.

1.3.4. At the meeting, Mr Pisani and Mr Carlos José Gutiérrez, Costa Rica's Foreign Minister, signed an agreement on the opening of a suboffice attached to the Community delegation in Caracas, with special responsibility for relations with Central America.

Joint communiqué

1.3.5. 1. A Conference of Foreign Ministers was held in the city of San José, Costa Rica, on 28-29 September 1984 between the European Community and its Member States, Portugal and Spain, the States of Central America and the Contadora States.

2. The conference was attended by:

For The European Community

HE Mr Peter Barry, TD
Minister for Foreign Affairs of Ireland
President of the Council

HE Mr Giulio Andreotti
Minister for Foreign Affairs of Italy

HE Mr Robert Goebbels
State Secretary, Ministry of Foreign Affairs of Luxembourg

HE Mr Hans van den Broek
Minister for Foreign Affairs of the Netherlands

HE Sir Geoffrey Howe, QC, MP
Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland

HE Mr Leo Tindemans
Minister for External Relations of Belgium

HE Mr Uffe Ellemann-Jensen
Minister for Foreign Affairs of Denmark

HE Mr Hans-Dietrich Genscher
Minister for Foreign Affairs of the Federal Republic of Germany

HE Mr Yannis Haralambopoulos
Minister for Foreign Affairs of Greece

HE Mr Claude Cheysson
Minister for External Relations of France

HE Mr Edgard Pisani
Member of the Commission of the European Communities

For Portugal

HE Mr Jaime Gama
Minister for External Relations

For Spain

HE Mr Fernando Morán Lopez
Minister for Foreign Affairs

For Central America

HE Mr Fernando Andrade Diaz-Durán
Minister for Foreign Relations of Guatemala

HE Mr Jorge E. Tenorio
Minister for External Relations of El Salvador

HE Mr Edgardo Paz Barnica
Minister for External Relations of Honduras

HE Mr Miguel D'Escoto Brockman
Minister for the Exterior of Nicaragua

HE Mr Carlos José Gutiérrez Gutiérrez
Minister for External Relations and Religion of Costa Rica

For The Contadora Group

HE Mr Augusto Ramírez Ocampo
Minister for External Relations of Colombia

HE Mr Bernardo Sepúlveda Amor
Secretary for External Relations of Mexico

HE Mr Oydan Ortega-Durán
Minister for External Relations of Panama

HE Mr Isidro Morales Paúl
Minister for External Relations of Venezuela

Observer for the permanent secretariat of the General Treaty of Central American Economic Integration

Mr Rodolfo Trejos Donaldson

3. Inspired by a consciousness of their shared cultural heritage and of their common attachment to the ideals and values enshrined in the United Nations Charter, the participating countries have inaugurated through this conference a new structure of political and economic dialogue between Europe and Central America. They are convinced that this dialogue, and the increased practical co-operation that it will engender, will reinforce the efforts of the countries of Central America themselves, with the support of the Contadora States, to bring an end to violence and instability in Central America and to promote social justice, economic development and respect for human rights and democratic liberties in that region.

4. A comprehensive discussion took place between the Ministers of the 10 Member States of the European Community and those of the Central American countries on the political, economic and cultural relations between them and agreements were reached on the future development of those relations. They have agreed that further meetings in this dialogue should take place at regular intervals. The level of such meetings, whether at ministerial or official level, will be determined in the light of circumstances. The Foreign Ministers of Spain and Portugal associated themselves with these agreements.

5. The Foreign Ministers exchanged views on current regional and international problems and developments, and in particular the situation in Central America. They expressed their preoccupation at the conditions and acts which gravely disturb the peace and security of the Central American region, and agreed on the necessity for the governments of the area to intensify negotiations which lead to mutual understanding and permanent stability.

6. The Ministers reaffirmed their commitment to the objectives of peace, democracy, security and economic and social development, and political stability in Central America, and were united in the view that the problems of that region cannot be solved by armed force, but only by political solutions springing from the region itself. In this conviction they affirmed their support for the pacification measures which are being developed in the Contadora process. They expressed their conviction that this process represents a genuinely regional initiative and the best opportunity to achieve a solution to the crisis through political undertakings aimed at the achievement of the aims set out in the 'Document of objectives' approved by

all the governments of the region on 9 September 1983. They noted with satisfaction the progress achieved so far towards such a solution, and that the revised draft Contadora Act for Peace and Cooperation in Central America is a fundamental stage in the negotiating process for the attainment of peace in the region. They called on the States concerned to continue to make every effort to bring the Contadora process rapidly to final fruition through the signature of a comprehensive agreement which would bring peace to the region. They were agreed on the necessity for a practical commitment to the implementation of any such agreement by all the States in the region and all other countries which have interests there, and on the necessity for the verification and control of that implementation.

7. The European countries expressed their willingness to support, within their capabilities and if requested, the efforts of those States to which it falls to implement the provisions of any agreement.

8. The Ministers discussed the international economic situation and, in particular, economic and trade relations and cooperation between the European Community and Central America.

9. The Ministers agreed that the current international economic situation should be regarded as particularly difficult. In this context, they underlined the problems concerning the external indebtedness of the developing countries and the wider economic, trade and social implications of continued indebtedness for those countries. Within this framework, the Central American Ministers stressed that, in present circumstances, debt servicing by the countries of Central America is even more burdensome given increased interest rates and deteriorating prices for those products which make up the bulk of their exports.

The Community Ministers and those of Portugal and Spain declared themselves ready to assist the countries of Central America, in the appropriate framework, in the pursuit of policies aimed at solving these problems.

10. The Ministers expressed their determination to cooperate in the appropriate international forums with a view to improving the present international economic situation.

11. An effective manner of contributing to the reduction of political tension in Central America would be to support the action intended to preserve the degree of economic interdependence existing between the countries of the region.

The Community Ministers recognized that the Central American region has a definite development potential through the process of integration and reaffirmed their willingness to support this

through the further development of relations between the two regions.

In this connection, the Ministers looked forward to the accession of Portugal and Spain to the European Community and welcomed the contribution which they will make to the further strengthening of cooperation between the two regions.

12. The European Ministers and those of the Central American isthmus declared themselves satisfied with the results already produced by their relations and agreed on the need to broaden and deepen these relations. They concentrated more particularly on the areas in which cooperation with the European Community has proved useful for the economic development of the group of Central American countries and where mutual cooperation should be strengthened (specific development projects, particularly agricultural and rural projects with a regional basis, regional integration, trade promotion and generalized preferences).

13. The European and Central American Ministers, in looking ahead to the future, in the perspective of the development of mutual cooperation, recognized the existence of solid ground for cooperation activities, on the basis of equity, respect and mutual benefit, notably along the lines of the following paragraphs.

14. The Community and Portugal and Spain and the group of Central American countries recognized the need to develop, extend and diversify their mutual trade to the fullest possible extent. In this connection the Ministers considered that the generalized system of preferences could be an appropriate means to encourage the growth of foreign trade and industrialization of the countries concerned. They agreed that the use of the system should be simplified and its benefits be extended.

The Community reaffirmed the importance it attaches to the fundamental objectives of the generalized preferences system and announced its intention, where the development and the application of the system is concerned, of taking into account the interest that will be shown by the Central American countries.

15. Taking account of the importance of economic development for the countries of the Central American region, the Community will do everything possible, within the context of its present and future programmes in support of developing countries, towards the development of the region. These actions should be identified by common agreement, based on the priorities and objectives of the region and should be multilateral in character. The Community declared itself willing to ex-

exploit to the full the institutional infrastructure existing in the region.

In addition to aid given on a bilateral basis by Member States of the Community to the countries of the region, the Community will provide technical and financial assistance to Central America, in particular for agricultural, agro-industrial and rural projects. With the aim of promoting regional economic integration and the development of intra-regional trade, it is the intention of the Community to give priority assistance to projects of a regional nature and to help the countries of Central America and their regional institutions through sharing with them the Community's specific experience acquired in matters of integration.

For its part, the group of Central American countries declared itself ready to present specific projects in priority fields, which take into account, *inter alia*, social welfare aspects.

By way of illustration, mention was made, with regard to projects, of the demands which were presented jointly by the countries of Central America to the international financial community in Brussels in September 1983.

The Central American Ministers emphasized the importance they attach to the reactivation of production and particularly of the production of goods traded within the Central American isthmus. For the purpose of the latter, financial support is required for the countries of the Central American isthmus, preferably through the Banco Centroamericano de Integración Económica (CABEI), so that that support will contribute to the reactivation of the industrial and agricultural sectors of the region.

It is the intention of the Community and of its Member States to give priority to the development of their assistance to regionally-oriented projects and to those of a social nature such as health programmes and those intended to relieve the situation of those who for one reason or another have been compelled to abandon their traditional homes.

16. The Ministers on the two sides considered that economic cooperation represented an area of interest for future relations between the Community and the group of Central American countries. In this context, they mentioned specifically the promotion of business contacts between the two regional groupings, cooperation between public and private national financing instruments in the two regions, as well as scientific, technical and basic training, especially in research fields. The Community Ministers took note of the possibility offered by the CABEI Board of Governors to open its membership to countries outside the region.

In view of the important role assumed by foreign investments in the economic development of Central American countries, the Ministers agreed that the promotion and protection of European investments in Central America are in their mutual interest. In this connection, they stressed the need for an improved climate for investments in the region by appropriate measures of encouraging private investments.

17. The Ministers of the European Community and those of Central America acknowledged the interest in strengthening and giving institutional form to their mutual relations. Acknowledging the importance of strengthening relations, they declared themselves ready to start discussions as soon as possible with a view to negotiating an inter-regional framework cooperation agreement. On the Community side, the agreement would be negotiated in accordance with its established procedures. Both sides considered that the conclusion of an agreement of this type would confirm the political will of both regions to extend and develop their relations and that it would also help to reinforce relations between the Community and Latin America as a whole.

18. The Central American Ministers expressed the view that the appropriate intergovernmental forum for approving the main lines of a regional position as a mechanism for negotiation and follow-up in the economic sphere is the Central American Economic Council, with the participation of a representative from the Government of Panama.

The negotiating body, under the aegis of the Central American Economic Council, will be an *ad hoc* group composed of delegates from every government. This body will act in coordination with the Group of Heads of Mission of the countries of the Central American isthmus (GRUCA), with headquarters in Brussels. The SIECA will support the mechanism for negotiation and follow-up and will seek the collaboration of other institutions connected with Central American integration and other regional and international bodies in accordance with the circumstances.

19. The Ministers expressed their conviction that this meeting constitutes a first step in a process which will effectively increase existing cooperation between Central America and Europe.

20. The Ministers participating in the Conference of San José paid tribute to the President of the Republic of Costa Rica on whose initiative the conference was held. They expressed their profound gratitude to the government and people of Costa Rica for the warm welcome and generous hospitality which has been extended to them and their delegations and voiced their appreciation of

the courteous and efficient organization of the conference.

21. The Minister for External Relations of Costa Rica thanked the European party warmly for their expressions of gratitude, and on behalf of the five Central American States thanked the European Community and the Ministers of its Member States, the Ministers of Portugal and Spain and the Ministers of the Contadora Group of States for coming to Central America and for their significant contribution to and constructive work at the conference, all of which factors would determine its success.

Address by Mr Peter Barry, Irish Foreign Minister and President of the Council

1.3.6. After referring to the historic and cultural links between Europe and Central America underlying cooperation between the two regions, the President of the Council reiterated the wish that a definitive solution could be found to the crisis affecting this region and peace restored. He once again expressed the Ten's conviction that only the efforts of the countries and peoples of the region itself, and not intervention from outside, could lead, through negotiation and dialogue, to the restoration of genuine peace.

'... Real and durable peace, in this region as elsewhere, must be built on a significant degree of social justice, on the involvement of the people, through open and fair electoral processes, in the business of government, on respect for the life and liberty of individuals and on the achievement of reconciliation between those elements of society which are at present in some countries divided from one another.

Peace also requires that each country concerned with the crisis fully respects the sovereign rights of each other country and abstains from interference with its affairs. ...

The process of negotiation among the States of the region on the implementation of those objectives has, with the powerful assistance of the Contadora countries, moved forward since September 1983, in particular on the basis of a draft 'Act for Peace and Cooperation' presented by those countries to the States of Central America.

The Contadora process represents, as I and my colleagues are convinced, the best hope for a last-

ing solution to the problems of Central America and a major opportunity to achieve such a solution.' ...

Analysing the cause of political tensions, Mr Barry said:

'Political tensions are heightened by weak economic situations, which in turn are often a cause of social instability. It is important to tackle the causes of the situations which we wish to remedy if we really want to find effective and lasting solutions. ...

The seriousness of the challenges facing us is bound up with the existence of imbalances which are unacceptable and, in the long run, intolerable. The full seriousness of their dramatic effects becomes apparent when we consider the scale of unemployment, which also affects the Community countries, and the intolerable level of debt servicing in the developing countries and more particularly in the countries of Latin America.'

He then outlined the support Europe could give Central America.

'The Community firmly supports efforts towards integration in Central America and means to give them every possible assistance. On the basis of our own experience, we are convinced that economic integration between developing countries too can make an essential contribution to their development and enable them more easily to attain greater economic and hence political independence.

Community aid is certainly inadequate in relation to the needs of the area, but it appears significant, nevertheless, in comparison with the financial resources that the Community makes available to other groups of countries in comparable conditions. As for the qualitative aspects, the Community has tried—whilst fully respecting the economic-policy options freely chosen by its partners—to give priority to operations in the field of agriculture and rural development aimed at strengthening their independence and food security.

The field of development cooperation is certainly the one which, in present conditions, is of prime importance in giving new impetus to the economies of the countries of Central America. In spite of present economic circumstances and despite the Community's difficult budgetary constraints, the Community will continue to make a significant financial contribution to the development of the economies of the region.'

Lastly, he referred to the institutional framework in which relations between the

Community and Central America would be placed:

'... Such willingness on the part of the Community to strengthen its links with Central America would not be complete if I did not say to you that we came to San José with the idea of making a positive response to the demand from various quarters that we should also institutionalize relations between our two groups of countries. A formal and permanent structure would provide an appropriate framework to make more effective the various forms of cooperation that, without any exclusion or discrimination, we wish to establish between our two regions.'

Address by Mr Edgard Pisani, Member of the Commission

1.3.7. 'Europe is represented here today by its 10 Member States as well as by the Community. Not only is it represented in its present form, but also in the form it is soon to take, as Spain and Portugal are in our midst. ...

The presence of 12 European Ministers and a European Commissioner will take on its true significance only if the countries of Central America adopt clearly and irrevocably a pact of the same type and spirit, and with the same democratic basis, as that adopted by the European countries themselves. For there can be no doubt that it is only if this Central American solidarity asserts and organizes itself that the danger of external intervention feared by all can really be removed. It is by progressively building up a system of mutual security and support that Central America will be able to render impossible, and above all pointless, any external intervention. ...

Moreover, it is when the common market of the five countries of Central America is revived and thriving politically, that the European Community will be able to demonstrate its support most naturally and start making its unique experience available. ...

None of us would deny that the Central American isthmus is, objectively speaking, a vital strategic zone. Everyone is aware that the two superpowers are anxious to make sure this area is a stronghold, whether for aggressive or security purposes. But the strategic interest of the area does not in itself justify preventing it from being itself or contesting the right of each of its members to enjoy, while respecting the others, its own vision of its destiny and its own national options. ... It is not certain that, in the present world situation, the Central American isthmus, looked at objectively, is inevitably a strategic point of East-West confrontation.

It might be wondered whether such a simplistic approach is in fact intended to safeguard certain situations and preserve interests which are threatened. ...

We can do nothing for you unless you make the necessary effort yourselves, but as soon as you do so we will be there to back you up. The Community institutions, in particular the Commission, are standing by.

First of all, the Community can help promote your countries' products both on its own market and on the world market. In spite of what people say about it, the Common Market remains the biggest importer in the world, because it is the most liberal ..., but you must be helped to gain a place which you do not yet have. ...

Should this idea be taken further? Should your products be granted more generous tariff facilities than apply to them at present? We do not think so. This is not a matter of principle, but the arrangements applied to you are already favourable, and any tariff improvements, if they are indeed possible, would not really improve trade, as the problem between yourselves and us is not basically about tariffs, but trade. ... Naturally, it will be through its firms that Europe will make its presence felt. We can encourage them and even design a specific guarantee system for private investment in this area. But development requires financial support of a special kind. ...

Europe knows what you expect of it and what contribution it can make towards greater equilibrium in the region. It also knows whence you hail, the idea which drives and unites you through the vicissitudes of history. This Central American identity which you are striving to assert today is your business, your responsibility. But today Europe declares itself willing to work alongside you in order to turn a necessity into a reality. ...'

Address by Mr Luis Monge, President of Costa Rica

1.3.8. '... For decades, we Latin Americans have complained that European democracies look toward Africa and toward the Far East. We do not criticize that they help other peoples also needful of understanding and solidarity. However, it is indeed distressing to feel that we are direct descendants of Western culture and to see that the eyes of democratic Europe linger for only a short time on the expansive physical and human geography of this continent.

Independence did not mean peace and liberty for most of our nations. But our peoples have been persevering and heroic in defending the values of

Western culture. Imprisonment, torture, exile and death have been the high price paid by Latin Americans for their adherence to the concept of Western democracy, always opposing any despotism regardless of its ideology.

This assemblage of member countries of the European Economic Community with the countries of Central America is of worldwide historical importance. It is a taking cognizance of the direct relationship existing between the fate of peace in the world and the destiny of peace on the Central American isthmus. We have interpreted the holding of this meeting as a sign that the democracies of Western Europe are now more keenly aware than in former times that they cannot ignore the struggles of our peoples to preserve democracy where it exists, to defend it where it is in jeopardy, and to conquer it where it does not exist. ...

An age-old violence, applied from the top down, condemned Central American majorities to poverty and generated economic and political underdevelopment. In order to overcome the violence applied from the top down, there came into being a violence from the bottom up. Our Central American brothers have been trapped between those two violences; between the crossfire of the two violences, the just and legitimate aspirations for the liberation of those martyred peoples have sometimes been extinguished and, more often than not, frustrated. ...

Violence and war are not a true solution for the crisis. On the contrary, they will impoverish us more and more, they will sink us deeper and deeper into chaos.

This is why we have advocated the departure from Central America of all foreign military and security factors, regardless of their nationality and regardless of the ideologic pretext to meddle into Central American affairs. We know that this is an idealistic stand vanquished by bleak reality. But, we repeat with a profound conviction, the irrationality of war does not lead to liberation and to democracy at the present historical juncture in Central America.

For these same reasons, we have given sincere support to the efforts of the Contadora Group. Let us recognize what the Contadora Group has been able to do for peace in Central America, under extremely complex circumstances. Let us not complain for what it has not been able to do, impeded by forces that are beyond its persuasive capabilities. Let us bear in mind that the Contadora Group cannot go any further than the Central American States themselves are willing to go.

In connection with this desired greater solidary presence of the democracies of Western Europe, it is fitting to offer clarification. We want them to help us to find peace, to build and strengthen democracy in Central America. It is not the intent of Costa Rica that such greater presence replace the solidarity that it is already receiving from other democratic friendly nations. And much less so would we make the serious mistake of causing any friction between the European democracies and other countries that have already shown their solidarity in our struggle to preserve the peace and the freedom we Costa Ricans enjoy. ...'



PART TWO
ACTIVITIES
IN SEPTEMBER 1984

1. Building the Community

Economic and monetary policy

Annual meetings of IMF and World Bank

2.1.1. On 22 and 23 September the Community countries' Ministers for Economic and Financial Affairs attended the annual meetings of the International Monetary Fund and the World Bank. The Community's position was stated by Mr Alan Dukes, the Irish Minister for Finance and current President of the Council. Mr François-Xavier Ortoli represented the Commission.

The participants expressed satisfaction at the economic recovery in the industrialized countries, led by the strong growth of the American economy, but were concerned at the relative weakness of economic growth in Europe and at the level of international interest rates, which was depriving the developing countries of the full benefits of their adjustment efforts.

It was agreed that the temporary enlarged access policy,¹ under which Member States are allowed to borrow from the IMF beyond their normal quotas, would be continued in 1985, though on a reduced basis. The annual limit for drawings was set at 95% or 115% of quota (instead of 102% or 125%), the three-year limit at 280% or 345% of quota (instead of 306% or 375%) and the cumulative limit at 408% or 450% (instead of 408% or 500%).

2.1.2. The Interim Committee of the Board of Governors of the IMF,² meeting on 23 September under the chairmanship of Mr De Clercq, the Belgian Minister for Finance, was unable to reach agreement on a new allocation—even modest—of special drawing rights for the period 1985-86, and it decided to keep the matter under consideration.

It was also decided that, at their meetings in the spring of 1985, the Interim Committee and the Development Committee would study in parallel, in a medium-term framework, issues relating to adjustment efforts and the prospects for improving balances of payments.

Economic Policy Committee

2.1.3. The Economic Policy Committee held its 148th meeting on 25 September in its 'budgets' composition. It examined the question of the three-year financial forecasts for the Community budget.

European Monetary System

Operation of the EMS

2.1.4. On 15 September the Council decided,³ on a proposal from the Commission⁴ and after consulting the Monetary Committee⁵ and the Board of Governors of the European Monetary Cooperation Fund, to revise the composition of the ECU in accordance with the resolution of the European Council of 5 December 1978 on the establishment of the European Monetary System (EMS),⁶ and in particular Section 2.3 thereof, which provides for periodic re-examination of the composition of the ECU and, if necessary, its revision. The revision was carried out taking into account underlying economic criteria and the need to ensure the smooth functioning of the markets. It also complies with the rule in the 1978 resolution that revisions should not, by themselves, modify the external value of the ECU. Nor does it affect the ECU central

¹ Bull. EC 9-1983, point 2.1.3.

² Bull. EC 4-1984, point 2.1.2.

³ OJ L 247, 16.9.1984.

⁴ COM(84) 535 final.

⁵ Point 2.1.5.

⁶ Bull. EC 12-1978, point 1.1.11.

rates of the various currencies participating in the exchange rate mechanism or bilateral parities within the EMS.

The Greek Government took this opportunity to request the inclusion of the drachma in the ECU, pursuant to the pro-

visions of the Act concerning the Conditions of Accession of the Hellenic Republic.¹ The Council agreed to this.

The amounts of Member States' currencies in the ECU were fixed using the following weighting coefficients:

	DM	FF	UKL	LIT	HFL	BFR	DKR	DR	IRL	LFR	Total coefficient
Coefficients	32.0	19.0	15.0	10.2	10.1	8.2	2.7	1.3	1.2	0.3	100.0

As a consequence, from 17 September the ECU is defined as the sum of the following amounts of Member States' currencies:

DM	0.719	BFR	3.71
FF	1.31	DKR	0.219
UKL	0.0878	DR	1.15
LIT	140	IRL	0.00871
HFL	0.256	LFR	0.14

From the same date, a notional central rate of DR 87.4813 for 1 ECU was set for the Greek drachma, while the notional central rate for sterling was altered slightly to UKL 0.585992 for 1 ECU.

Monetary Committee

2.1.5. The Monetary Committee held its 305th meeting in Brussels on 6 and 7 September, with Mr Camdessus in the chair. It considered the problems posed by a possible revision of the composition of the ECU and helped to prepare the ground for the Council's decision on the subject.² It also discussed the Commission's proposals on strengthening the EMS³ and examined international monetary relations.

Internal market and industrial affairs

Strengthening the internal market

A people's Europe

2.1.6. As a follow-up to the conclusions of the Fontainebleau European Council, on

24 September the Commission transmitted to the Council a communication entitled 'A people's Europe'.⁴

2.1.7. In a resolution passed on 13 September Parliament expressed its concern at the absence of any Council decision relating to the 'Single document' and the deferred payment of VAT.⁵

2.1.8. The formal adoption of 15 harmonization directives affecting various industries represents a major step in the direction of a genuine internal market.⁶

Free movement of goods

Removal of technical and administrative barriers to trade

Industrial products

2.1.9. In September the Council finally adopted 15 harmonization directives concerning various industries, which it had approved last April.⁷

These directives relate to pressure vessels (effective 26 March 1986), appliances using

¹ OJ L 291, 19.11.1979.

² Point 2.1.4.

³ Bull. EC 3-1982, points 1.4.1 to 1.4.4.

⁴ Point 1.1.1 *et seq.*

⁵ OJ C 274, 15.10.1984; point 2.4.9.

⁶ Point 2.1.9.

⁷ Bull. EC 4-1984, point 2.1.11.

gaseous fuels (effective once the separate directive has been adapted to technical progress), lifting and mechanical-handling appliances (26 September 1986), construction plant and equipment (26 March 1986),¹ electrical equipment used in human and veterinary medicine (26 September 1986) and lawnmowers (1 July 1987).¹

The adoption of this group of Community directives represents a further strengthening of the internal market, providing manufacturers with harmonized specifications which will enable them to exploit the potential of the Community market to the full. There are also benefits to the consumer in terms of environmental protection.¹

2.1.10. On 3 September the Council further reduced the maximum permissible sound levels for motor vehicles, originally laid down in the Directive of 6 February 1970.²

2.1.11. The Commission adopted a proposal to supplement the proposal made in May concerning the elimination of lead from petrol.³

2.1.12. With regard to motorcycles, on 12 September the Commission proposed to the Council a reduction in the maximum permissible sound level laid down in the Directive of 23 November 1978.

Foodstuffs

2.1.13. On 18 September the Council further amended its 1963 Directive concerning the preservatives authorized for use in foodstuffs intended for human consumption, extending the authorization to use thiabendazol from 16 September 1984 to 16 March 1985.⁴

2.1.14. On 24 September the Commission transmitted to the Council a proposal for a Directive on the approximation of the laws of the Member States relating to quick-frozen foodstuffs for human consumption.⁵ The Commission proposes that common rules be introduced covering manufacturing, storage, transport, distribution, retail

sale and labelling with a view to reducing the number of checks required, thereby speeding up access to the market. In this way it hopes to guarantee the Community consumer very-high-quality quick-frozen products.

2.1.15. In accordance with the Council Directive of 15 July 1980 relating to the exploitation and marketing of natural mineral waters,⁶ which entered into force on 17 July last,⁷ the Federal Republic of Germany, France and Italy have supplied the Commission with their respective lists of recognized natural mineral waters.⁸

2.1.16. The Scientific Committee for Food has prepared its opinion on sweeteners and the relevant assessments have already been made public. The Committee's report will be published in the near future.

Industry

Steel⁹

Forward programme

Fourth quarter

2.1.17. In September the Commission adopted the forward programme for steel for the fourth quarter of 1984,¹⁰ the ECSC Consultative Committee having delivered its opinion on 21 September.¹¹ It also adopted the production quotas for the same period.¹²

¹ Point 2.1.70.

² Point 2.1.71.

³ Point 2.1.67.

⁴ OJ L 256, 26.9.1984.

⁵ OJ C 267, 6.10.1984; COM(84) 489 final.

⁶ OJ L 229, 30.8.1980.

⁷ Bull. EC 7/8-1984, point 2.1.18.

⁸ OJ C 218, 18.8.1984.

⁹ International relations are dealt with in the 'Enlargement', 'Commercial policy' and 'Relations with industrialized countries' sections of the 'Enlargement and external relations' chapter.

¹⁰ OJ C 273, 13.10.1984.

¹¹ Point 2.4.24.

¹² Point 2.1.18.

On the whole, the Commission is expecting consumption to increase, mainly as a result of higher investments and a growth in external demand, as in the first quarter. It expects

the production of crude steel during the quarter to total 29 million tonnes. This is unlikely, however, to check the downward trend in employment in the industry.

Table 1 — *Crude steel supply and demand*

	Outturn						Forecast
	II/83	III/83	IV/83	I/84 ¹	II/84 ¹	III/84 ²	IV/84
Real consumption	25.47	22.09	24.80	27.20	27.01	23.50	26.50
Stock change	+ 0.20	+ 0.30	+ 1.00	+ 0.50	+ 0.50	+ 0.35	- 0.50
Imports	2.88	2.44	2.45	2.01	2.60	2.55	2.40
Exports	5.58	5.54	5.60	5.10	5.50	5.70	5.50
Production	28.37	25.49	28.90	30.78	30.41	27.00	29.00

¹ Provisional figures.

² Estimated.

An analysis of comparative trends by product category indicates that flat products other than reversing-mill plate should continue to benefit from the sustained level of tube production and rerolling activities and from the increased use of precoated flat products in light industry and for consumer goods. The conservative estimate for cold-rolled sheet reflects uncertain developments in the motor vehicles sector. Despite higher investments, there is likely to be only a slight improvement in the case of reversing-mill plate, sales being affected by poor prospects in the shipbuilding industry, tank farms, processing plants and public works. The production of beams and girders is also affected by several of these sectors. The situation as regards wire-drawing continues to be more satisfactory.

Because of seasonal factors, the level of exports will not be as high as it was in the previous quarter. Nevertheless, the outlook for the various markets is encouraging; in particular, there is a marked upturn in the American market.

The Commission has once again raised the minimum prices for flat products.¹ The prices of imported steel have not had an

adverse effect on Community prices in recent months and the tendency towards higher export prices persists, the dollar remaining a very strong currency. This should have a positive effect on the prices negotiated during the fourth quarter.

Crisis measures

Production quotas

2.1.18. With the extension of the system of monitoring and production quotas to the end of 1985,² the Commission fixed the provisional rates of abatement for the fourth quarter of 1984 on 19 September (Table 2).³ This was done on the basis of forecasts produced in collaboration with the undertakings concerned.

These rates, which are used to establish production quotas for the nine categories of rolled products covered by the system, reflect the Commission's caution in its assessment of the market.

¹ Point 2.1.19.

² OJ L 29, 1.2.1984.

³ OJ L 253, 21.9.1984.

Table 2 — *Rates of abatement for the establishment of production quotas for the fourth quarter of 1984*

	Production	Part of quotas which may be delivered in the common market
Ia Hot-rolled wide strip, including hoop and sheet	42	46
Ib Cold-rolled sheet	37	40
Ic Galvanized sheet	13	24
Id Other coated flat products	+ 39	+ 39
II Reversing-mill plate	45	51
III Heavy sections	51	58
IV Wire rod	35	37
V Reinforcing bars	45	48
VI Merchant bars	38	40

Minimum prices

2.1.19. Having consulted the Council and the ECSC Consultative Committee, on 26

September the Commission amended the minimum prices for hot- and cold-rolled flat products (Table 3).¹ The minimum prices for sections and beams remain unchanged.

Fixed for the first time on 31 December 1983² and adjusted upwards in April,³ minimum prices have helped to steady the market. They are still, however, below the target guide prices, which the Commission does not intend revising.⁴

The new prices apply to all deliveries of flat products within the Community market from 1 October. Provision is made for exemptions under certain conditions in relation to the renewal of long-term contracts. The timing of this price adjustment was dictated by market trends, production costs and currency variations observed since the beginning of the year.

¹ OJ L 260, 29.9.1984; COM(84) 487 final.

² OJ L 373, 31.12.1983; Bull. EC 12-1983, point 2.1.13.

³ OJ L 61, 2.3.1984.

⁴ OJ L 370, 29.12.1983; OJ C 116, 29.4.1983; Bull. EC 4-1983, point 2.1.24.

Table 3 — *Minimum prices from 1 October 1984*

	Guide prices	Minimum prices	
		until 30 September	from 1 October
Hot-rolled wide strip	380	336	353
Hot-rolled narrow strip	380	358	367
Narrow strip obtained by slitting hot-rolled wide strip	380	340	358
Hot-rolled sheet obtained by cutting hot-rolled wide strip	380	340	358
Reversing-mill plate	397	340	358
Cold-rolled sheet	459	433	452

(ECU per tonne)

2.1.20. On 27 September the ECSC Consultative Committee delivered its opinion, which the Commission had asked for in June,¹ on an amendment to the December 1983 Decision on price lists and conditions of sale for special steels.

Information technologies and telecommunications

Esprit programme

2.1.21. Five hundred experts from the Member States, Spain and Portugal took part in the first 'Esprit Technical Week', held in September and devoted to progress reports on the programme's pilot phase projects² and a discussion of the draft work plan for 1985.

Industrial innovation and the information market

Transnational measures to promote innovation

Fourth meeting of the Consultative Committee on Innovation and Technology Transfer

2.1.22. At its fourth³ meeting, held in Luxembourg on 21 September, the Consultative Committee on Innovation and Technology Transfer⁴ expressed itself in favour of doubling the budgetary resources set aside to finance a number of conferences, previously organized at national level, for the purposes of encouraging wider participation from the Community as a whole,⁵ and to support transnational cooperation between technology consultancy services for small firms.⁵ It also endorsed the promotion of exchange visits between persons working in the field of industrial-information transfer.

The Committee discussed the compilation of a comparative index of national and European standards, the implementation of

a study on the distribution of results of public-sector research in the Community, access to scientific and technical information from Japan, the publication of a call for proposals on the setting-up of a network of public and private export consultancies⁶ and an increase in the appropriations for setting up a Community technology-awareness scheme.

Exploitation of research results

2.1.23. During the third quarter of 1984, five patents of invention, including one European patent, were granted to Euratom, as represented by the Commission. Including the 13 patents granted since the beginning of the year, Euratom now holds more than 540 patents in 14 countries for some 230 inventions and processes.

Customs union

General legislation

Customs debt

2.1.24. On 12 September the Commission sent the Council a proposal for a Regulation on customs debt.⁷ The aim is to embody in a regulation the provisions of the Directive of 25 June 1979 on the harmonization of provisions laid down by law, regulation or administrative action relating to customs debt,⁸ incorporating drafting amendments and additions based on experience gained, in particular concerning irregular move-

¹ Bull. EC 6-1984, point 2.1.20.

² OJ L 369, 29.12.1982; Bull. EC 12-1982, point 2.1.19; Bull. EC 7/8-1983, point 2.1.24.

³ Bull. EC 6-1984, point 2.1.25.

⁴ OJ L 353, 15.12.1983; Bull. EC 10-1983, point 2.1.32.

⁵ Calls for proposals for such cooperation were issued in August: OJ C 210, 10.8.1984; see also Bull. EC 6-1984, point 2.1.25.

⁶ A call for proposals was issued in September: OJ C 255, 22.9.1984.

⁷ OJ C 261, 29.9.1984: COM(84) 395 final.

⁸ OJ L 179, 17.7.1979; Bull. EC 6-1979, point 2.1.31.

ments of goods covered by measures prohibiting or restricting imports or exports. Regulations are the instruments best suited to ensuring that Community rules are applied in a uniform manner.

2.1.25. The Economic and Social Committee endorsed the Commission's proposal on the customs treatment applicable to goods returned to the customs territory of the Community.¹

Customs procedures with economic impact

Inward processing

2.1.26. The Commission adopted two Directives on the application of inward processing arrangements.² The first, concerning standard rates of yield, amends and supplements a previous directive on this subject.³ The second extends the scope of the list issued in the Directive of 5 May 1983⁴ which sets out the compensating products to which, by way of derogation from the general rule for charges on imported goods, the items of charge pertaining to them may be applied.

Economic tariff matters

Tariff quotas

2.1.27. The Council adopted two Regulations in September opening, allocating and providing for the administration of Community tariff quotas for the following:

(i) aubergines falling within CCT sub-heading 07.01 T II originating in Cyprus (1984);⁵

(ii) certain wines having a registered designation of origin, falling within CCT sub-heading ex 22.05 C, originating in Tunisia (1984/85).⁵

Origin of goods

2.1.28. The EEC-Malta Association Council has introduced (Decision No 2/

84)⁶ a derogation from the rules of origin under the Association Agreement between the Community and Malta for intermediate frequency transformers manufactured in Malta. This derogation, which will last for two years, applies to only one of the criteria required in respect of tariff heading No 85.15, namely the requirement that not less than 50% by value of the products and parts used should be originating. The other conditions required continue to apply.

2.1.29. The ACP-EEC Customs Cooperation Committee extended (by Decision No 1/84)⁵ the derogation from the definition of the concept of 'originating products' applying to canned tuna from Mauritius, which was about to expire, until 28 February 1985, the date of expiry of the second Lomé Convention. The derogation covers 600 tonnes of canned tuna over this period.

Competition⁷

General rules applying to undertakings

Application of Articles 92 and 93 to public authorities' holdings in company capital

2.1.30. More and more often recently the Commission has had to rule on the compatibility of the acquisition of public authorities' holdings in company capital with the EEC Treaty rules on State aids.

¹ OJ C 87, 29.3.1984: Bull. EC 3-1984, point 2.1.37.

² OJ L 245, 14.9.1984.

³ OJ L 170, 9.7.1979: OJ L 334, 29.11.1983.

⁴ OJ L 127, 17.5.1983: OJ L 162, 22.6.1983.

⁵ OJ L 243, 13.9.1984.

⁶ OJ L 196, 26.6.1984.

⁷ The Directorate-General for Competition (DG IV) has been reorganized. The new organization plan is published in the September 1984 edition of the *Directory of the Commission of the European Communities*, available from the Office for Official Publications of the European Communities, L-2985 Luxembourg.

To prevent a major breach in State aid discipline which could imperil all the Community is doing in this connection, the Commission has felt it essential to spell out how this discipline applies in cases where the authorities acquire a participation in undertakings.

The Commission also felt it should have access to the information necessary to keep a proper watch on such acquisitions since it is frequently not apparent that they involve aid.

The Commission therefore sent Member States a paper¹ explaining its general approach to the acquisition of shareholdings by the public authorities and setting out Member States' obligations in the field.

This paper in no way prejudices the question whether such aids are actually compatible or incompatible with the discipline and rules applying to them under the Treaty.

Restrictive practices, mergers and dominant positions: specific cases

Permissible forms of cooperation

Joint buying agency for raw materials

2.1.31. On 21 September the Commission adopted a Decision² under Article 65 (2) of the ECSC Treaty renewing until 31 December 1994 its authorization—given on 22 January 1974³ and renewed on 17 June 1977⁴—of an agreement between United Kingdom private-sector steel undertakings concerning a joint buying agency for ferrous scrap and other steelmaking materials (Steelmaking Supplies Ltd).

The Commission took the view that the agreement still satisfied the tests of Article 65 (2) by enabling the companies concerned (which represent about 95% of UK private-sector steel production) to stand up better to the British Steel Corporation, which is the dominant buyer of these materials on the UK market and has strengthened its position further in recent years. It also took

account of the fact that the UK scrap market is heavily export-oriented: about 28% of total scrap supply was exported in 1982.

State aids

Industry aids

Textiles

Belgium

2.1.32. On 12 September the Commission decided that the Belgian Government's proposed aid scheme for the textile industry—in respect of which it had initiated the Article 93 (2) procedure in February⁵—did not satisfy the conditions for exemption under Article 92 (3) and accordingly prohibited its introduction.

Following scrutiny of the scheme and consideration of the comments from interested parties, the Commission concluded that the proposed scheme was incompatible with the rules of the common market.

The Commission took the view that a further extension of the 1982⁶ and 1983⁷ schemes was unwarranted: they had had excellent results, and the situation of the Belgian textile and clothing industry had improved greatly.

The general prohibition on State aids in the Treaty can be waived where assistance is designed to promote a major project of general European interest. Since the aids granted in 1982 and 1983 had largely had the desired effect, the test on which the derogation from the Treaty prohibition had been granted was no longer satisfied. Renewing the scheme as proposed for 1984 would serve Belgian national interests only, and that warranted no derogation from the

¹ Point 3.5.1.

² OJ L 268, 3.10.1984.

³ OJ L 52, 23.2.1974.

⁴ OJ L 173, 13.7.1977.

⁵ Bull. EC 2-1984, point 2.1.50.

⁶ Bull. EC 12-1981, point 2.1.46.

⁷ Bull. EC 2-1983, point 2.1.39.

provisions of Article 92 of the Treaty. Moreover, the new scheme would artificially lower the investment costs of companies in the industry and thus weaken the competitive position of textile and clothing manufacturers in the other Member States.

Newsprint

France

2.1.33. On 28 September the Commission decided¹ that a FF 200 million equity loan to a manufacturer of newsprint and coated paper in Upper Normandy—a loan in respect of which it had initiated the Article 93(2) procedure in 1982²—involved elements of aid within the meaning of Article 92 and did not qualify for exemption.

Having examined the comments of interested parties, the Commission considered that the aid—which had not been notified—was incompatible with the rules of the common market and should therefore be withdrawn. This decision is in keeping with the Commission's long-standing position³ that, pending a definitive solution, rescue aids may be granted only for a limited period in the form of loan guarantees or loans bearing normal commercial interest rates.⁴

2.1.34. The Commission also initiated the Article 93(2) procedure on 12 September in respect of a further FF 2 300 million granted by the French Government to the same firm. This assistance took the form of grants and interest-free loans and was not notified under Article 93(3).

Flat glass

Belgium

2.1.35. On 10 September the Commission initiated the Article 93(2) procedure in respect of a proposal, notified by the Belgian Government, to grant investment aid to a flat glass manufacturer at Auvélais. The investment, which mainly concerned the renovation of two flat glass floats, was intended to cut energy consumption and im-

prove production technology. The proposed assistance, an application of a general aid scheme, was to take the form of an interest subsidy and exemption from advance payment of property tax.

The Commission took the view that the renovation of a float was in principle replacement investment which became necessary every six to eight years and involved a cost that should be borne by the manufacturer. Furthermore, on the information supplied by the Belgian Government, it could not identify any aspects that might justify the grant of part of the assistance.

Shipbuilding

2.1.36. On 26 September the Economic and Social Committee delivered its opinion⁵ on the Commission's proposal⁶ for an extension until 31 December 1986 of the fifth Council Directive of 28 April 1981 on aid to shipbuilding.⁷

Financial institutions and taxation

Financial institutions

Insurance

2.1.37. On 28 September the Commission sent the Council a communication⁸ concerning proposals which it had presented in March 1983 on the conclusion of the Agreement between the Swiss Confederation and the Community and on the im-

¹ OJ L 273, 16.10.1984.

² OJ C 254, 29.9.1982.

³ Eighth Report on Competition Policy, points 227 to 230.

⁴ Eighth Report on Competition Policy, points 227 and 228.

⁵ Point 2.4.20.

⁶ OJ C 86, 28.3.1984; Bull. EC 2-1984, point 2.1.48.

⁷ OJ L 137, 23.5.1981; Bull. EC 4-1981, point 2.1.20; OJ L 371, 30.12.1982; Bull. EC 12-1982, point 2.1.45; Bull. EC 10-1982, point 2.1.26.

⁸ COM(84) 521 final.

plementation of the Agreement.¹ Setting out its position on the opinions of Parliament² and the Economic and Social Committee,³ the Commission indicated that the proposed Agreement was entirely in keeping with the brief given to it by the Council on 23 July 1974 and that there was therefore no need to enter into fresh negotiations with Switzerland.

Taxation

Indirect taxes

Capital duty on the raising of capital

2.1.38. On 20 September the Commission sent the Council a proposal for a Directive⁴ amending the Council Directive of 17 July 1969 concerning indirect taxes on the raising of capital (capital duty).⁵

The proposal allows Member States to exempt from capital duty or to charge at a single rate not exceeding 1% the transactions covered by the 1969 Directive and provides for mandatory exemption of transactions currently subject to the reduced rate. The proposal was drawn up with the aim of facilitating the contribution of risk capital to firms and reducing their tax burden, thus helping to revive investment.⁶

Turnover taxes

2.1.39. On 13 September Parliament adopted a resolution⁷ in which it noted the Council's failure to adopt the proposal for a 14th Directive on the deferred payment of value-added tax payable by firms subject to the tax in respect of goods imported from Member States.⁸

2.1.40. On 27 September the Economic and Social Committee gave its opinion⁹ on the proposal for a 20th Council Directive¹⁰ allowing a derogation from the sixth VAT Directive¹¹ whereby the Federal Republic of Germany would be authorized to grant,

from 1 July 1984 to 31 December 1988, special aid to German farmers limited to 5% of their sales, using VAT as the instrument.

Direct taxes

2.1.41. On 11 September the Commission sent the Council a proposal for a Directive on the harmonization of the laws of the Member States relating to tax arrangements for the carryover of losses of undertakings.¹² This question forms part of the much wider issue of the rules on the determination of business profits, i.e. the tax base.

As the Commission pointed out in its communication on tax and financial measures in favour of investment,⁶ presented to the Council on 29 April 1983, favourable rules on the carry-back or carry-forward of losses could help to improve the tax environment for firms, thereby facilitating investment and increasing their competitiveness at world level.

The proposal provides not only for the carry-forward of losses to subsequent financial years without any time limit, but also for the carry-back of losses to previous financial years, with a two-year time limit applying for budgetary reasons. This latter provision, which will generally result in tax being refunded, will help to improve the financial position of firms. Firms are moreover free to exclude exempted profits, profits taxed at reduced rates or indeed distributed profits from offsetting.

¹ OJ C 154, 13.6.1983; Bull. EC 3-1983, point 2.1.41.

² OJ C 127, 14.5.1984; Bull. EC 4-1984, point 2.1.52.

³ OJ C 358, 31.12.1983; Bull. EC 10-1983, point 2.1.52.

⁴ OJ C 267, 6.10.1984; COM(84) 403 final.

⁵ OJ L 249, 3.10.1969.

⁶ Bull. EC 4-1983, points 1.3.1 to 1.3.5.

⁷ Point 2.4.9; OJ C 274, 15.10.1984.

⁸ OJ C 203, 6.8.1982; Bull. EC 6-1982, point 2.1.57.

⁹ Point 2.4.21.

¹⁰ OJ C 214, 14.8.1984; Bull. EC 7/8-1984, point 2.1.83.

¹¹ OJ L 145, 13.6.1977.

¹² OJ C 253, 20.9.1984; COM(84) 404 final.

Employment, education and social policy

Social developments

2.1.42. At its September session the Economic and Social Committee adopted an opinion on social developments in the Community in 1983.¹

Employment

Employment and the labour market

2.1.43. In response to a request made at a joint Council meeting of the Ministers for Economic and Financial Affairs and for Employment and Social Affairs on 16 November 1982,² the Commission sent a communication on action to combat long-term unemployment³ to the Council and the Standing Committee on Employment on 14 September.

In this document the Commission states that the problem of unemployment has reached extremely serious proportions—in 1983 over 4.3 million people in the Community had been continuously registered as unemployed for one year or more. Of these, 2.1 million had been registered for two years or more. The Commission states that on present trends the expectation is that the level of long-term unemployment will remain as it is for much of this decade.

Accordingly, in a draft resolution the Commission proposes specific measures to overcome weaknesses in existing policies by: making greater efforts to create new job opportunities and to improve the flexibility and adaptability of the labour market; providing adequate and comparable information about long-term unemployment, to be used *inter alia* as a criterion for Social Fund interventions; ensuring that employment and social security policies interact more effectively so as to help prevent the

unemployed sinking into long-term unemployment; and providing adequate levels of income and social support for those who nevertheless remain unemployed for long periods.

2.1.44. On 13 September Parliament adopted two resolutions—one on the need to tackle as a matter of priority and in a new way the problem of unemployment, and one on the reorganization of working time.⁴

Sectoral aspects of employment policy

2.1.45. On 26 September the Economic and Social Committee delivered an opinion⁵ on the communication from the Commission to the Council concerning technological change and social adjustment.⁶

Financial instruments

European Social Fund

2.1.46. On 25 September the Commission sent the Council an opinion⁷ endorsing the new rules of procedure adopted by the Fund Committee in June.⁸

2.1.47. On 13 September the Commission approved a second batch of applications for assistance from the Fund for 1984. These applications, examined earlier by the Fund Committee, involve the following amounts for France:

¹ Point 2.4.16.

² Bull. EC 11-1982, points 1.2.1 to 1.2.6.

³ COM(84) 484 final.

⁴ OJ C 274, 15.10.1984; point 2.4.9.

⁵ Point 2.4.22.

⁶ Bull. EC 1-1984, points 1.3.1 to 1.3.5.

⁷ COM(84) 488 final.

⁸ Bull. EC 6-1984, point 2.1.50.

(ECU)

Item 6000 — Operations for people under 25 in less-favoured regions (French overseas departments)	43 250 990.89
Item 6001 — Operations for people under 25 in other areas of high long-term unemployment and/or areas undergoing industrial and sectoral restructuring	121 606 574.17
Item 6010 — Measures to promote employment in less-favoured regions	6 709 556.12
Item 6011 — Measures to promote employment in other areas of high long-term unemployment	28 728 680.26
Total Chapter 60	200 295 801.44

Education and vocational training

Teaching of foreign languages

2.1.48. The Commission has taken steps to follow up the conclusions reached by the Council and the Ministers for Education meeting within the Council on 4 June.¹ With a view to providing a suitable forum for the exchange of views on research, practical aspects and the administration of language teaching, the Commission supported the world congress of the International Association of Applied Linguistics and a symposium on the political aspects of learning foreign languages organized by the French Association of Modern Language Teachers. The results of these events have made a significant contribution to the Commission's work in this field.

Vocational training

2.1.49. Meeting in Berlin on 18-19 September, the Management Board of the European Centre for the Development of Vocational Training held wide-ranging discussions on the Centre's activities for 1985 with a view to drawing up an effective and consistent work programme, bearing in mind the Commission's new requirements for technical assistance and its experience in implementing the Community's action programmes on vocational training.

Health and safety

Public health

2.1.50. On 18 September the Commission transmitted to the Council a communi-

cation concerning cooperation at Community level on health-related problems.²

Health and safety at work

2.1.51. On 13 September the Commission transmitted to the Council a proposal for a Directive on the protection of workers by the proscription of specified agents and/or work activities.³ The proposal, which is the fourth⁴ implementing the framework Directive of 27 November 1980 on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work,⁵ deals mainly with the following agents: 2-naphthylamine and its salts, 4-aminobiphenyl and its salts and 4-nitrobiphenyl. The prohibition does not apply if the agents are present in a substance or preparation in the form of impurities or by-products or if they are the constituents of waste products, provided that their respective concentrations do not exceed 0.1% by weight.

The Member States are authorized to grant exemptions under certain conditions, e.g. where the agents are being produced and used solely for the purposes of research and analysis, on condition that the workers concerned are informed.

¹ Bull. EC 6-1984, point 2.1.53.

² Point 1.2.1 *et seq.*; COM(84) 502 final.

³ OJ C 270, 10.10.1984; COM(84) 456 final.

⁴ Lead: OJ L 247, 23.8.1982; Bull. EC 5-1982, point 2.1.51; Asbestos: OJ L 263, 24.9.1983; Bull. EC 9-1983, point 2.1.55; Noise: OJ C 289, 5.11.1982; Bull. EC 10-1982, point 2.1.45; OJ C 214, 14.8.1984; Bul. EC 7/8-1984, point 2.1.102.

⁵ OJ L 327, 3.12.1980; Bull. EC 11-1980, point 2.1.38.

2.1.52. On 13 September the Commission sent the Council the seventh progress report of the Advisory Committee on Safety, Hygiene and Health Protection at Work.¹

2.1.53. On 27 September the Economic and Social Committee delivered an own-initiative opinion calling for a Directive on industrial medical services with a view to limiting—but, above all, preventing—accidents at work and occupational diseases.²

2.1.54. On 26 September the Economic and Social Committee gave its opinion on the proposal for a Decision on the ratification before 30 June 1986 of the Torremolinos International Convention for the Safety of Fishing Vessels and application of its provisions by the Member States before it enters into force.³

Health and safety (Euratom)

2.1.55. The Council adopted two European health and safety Directives on 3 September:⁴

(i) The first lays down basic measures for the radiation protection of persons undergoing medical examinations or treatment.⁵ It gives details of the practical measures to be taken in order to provide such protection, taking account of the fact that, apart from natural background radiation, medical examinations and treatment constitute the main source of ionizing radiation to which the public is exposed. The Member States may now make use of mandatory instruments to improve the radiation protection of patients and of the general public, without in any way reducing the benefits derived from such radiation in terms of diagnosis, prevention and treatment.

(ii) The second Directive amends⁶ the Euratom Directive of 15 July 1980 laying down the basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation,⁷ adapting it to the latest recommendations of the International Commission on Radiological Protection. The new Directive also amends various limit

values laid down for the annual intake of radionuclides by inhalation and by ingestion, adding values for a number of radionuclides not included in the annexes to the 1980 Directive, but now used increasingly in research, medicine and industry.

2.1.56. The Commission delivered two opinions pursuant to Article 37 of the Euratom Treaty approving projects concerning the disposal of radioactive effluents at two German nuclear installations—the nuclear power station at Grohnde and the storage facility for fuel transport containers and temporary storage facility for low-activity wastes at Gorleben.

2.1.57. The Commission has published the proceedings of the second European scientific seminar on radiation protection optimization, which was held in Luxembourg on 8 and 9 November 1983.⁸ The papers discuss studies of practical applications of the optimization concept and the difficulties encountered.

Regional policy

Integrated Mediterranean programmes

2.1.58. On 6 September the Commission amended⁹ its proposal for a Regulation instituting integrated Mediterranean programmes.¹⁰ Having taken note of the opinions expressed by Parliament¹¹ and the Economic and Social Committee,¹² it has placed greater emphasis on measures to as-

¹ COM(84) 394 final.

² Point 2.4.17.

³ OJ C 183, 10.7.1984; Bull. EC 6-1984, point 2.1.59.

⁴ OJ L 265, 5.10.1984.

⁵ OJ C 350, 31.12.1980; Bull. EC 12-1980, point 2.1.58.

⁶ Bull. EC 10-1983, point 2.1.73.

⁷ OJ L 246, 17.9.1980; Bull. EC 7/8-1980, point 2.1.54.

⁸ Bull. EC 11-1983, point 2.1.91.

⁹ OJ C 280, 19.10.1984; COM(84) 499 final.

¹⁰ 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 2.1.76.

¹¹ OJ C 117, 30.4.1984; Bull. EC 3-1984, point 2.1.90.

¹² OJ C 23, 30.1.1984; Bull. EC 11-1983, point 2.4.24; OJ C 206, 6.8.1984; Bull. EC 5-1984, point 2.4.25.

sist the rural areas of the Mediterranean regions covered by the programmes.

Coordination and programmes

Regional development programmes

2.1.59. France has transmitted to the Commission its regional development programmes for the period 1984-88, which corresponds to that of the ninth French plan. Ireland and Denmark have transmitted this year's updatings of their regional development programmes.

2.1.60. The feasibility study on the possibilities of regionalizing public capital expenditure programmes in the United Kingdom, which was completed in September, has confirmed that most expenditure on infrastructure projects can be regionalized.

Financial instruments

European Regional Development Fund

Ninth annual report on the ERDF

2.1.61. On 28 September the Commission transmitted to the Council the ninth annual report on the activities of the European Regional Development Fund, covering 1983.¹ The report first describes the developments in Community regional policy in 1983, a year of transition, and then analyses the operations of the Fund, the main instrument of that policy.

In 1983, pending a Council decision on the amended proposal for recasting the ERDF Regulation²—finally adopted in June 1984³—ERDF assistance was more narrowly concentrated on the less-favoured regions, particularly those designated as priority regions. Specific regional development measures ('non-quota measures') accounted for only 0.3% of the appropriations committed in 1983, for the Council did not

adopt the second series of six measures, proposed by the Commission in November 1982,⁴ until January 1984.⁵

ERDF grants decided on by the Commission totalled 2 121 million ECU⁶ in 1983, an increase of 12% over 1982, and amounted to 8.7% of the Community budget, as compared with 4.9% in 1975, the year of its inception. Under the quota section, which accounted for an exceptional 99.7% of the Fund's resources in 1983, the Commission decided to grant 2 115 million ECU to 3 682 investment projects and studies.

ERDF grants

Quota section

2.1.62. On 19 and 24 September the Commission decided under Article 12 of the ERDF Regulation to grant 750 000 ECU to finance six studies closely connected with the Fund's operations. These studies concern the following areas of the United Kingdom:

- (i) three studies in Scotland: flood protection for the tourist area of the Highlands; aerial and topographical surveys for projected new roads in the Strathclyde region; conversion of buildings into workshops for small firms and the development of tourism in Scotland;
- (ii) one study in the South-West: underwater cable link for the Isles of Scilly;

¹ COM(84) 522 final.

² OJ C 360, 31.12.1983; Bull. EC 11-1983 points 1.1.1 to 1.1.7.

³ OJ L 169, 28.6.1984; Bull. EC 6-1984, points 1.3.1 to 1.3.11.

⁴ OJ C 15, 19.1.1983; Bull. EC 10-1983, points 1.1.12 to 1.1.16.

⁵ OJ L 27, 31.1.1984; Bull. EC 1-1984, point 2.1.56.

⁶ Grants under the quota section are denominated in national currencies. The amounts expressed in ECU do not reflect exchange-rate variations during the course of the year, since the conversion was made at the January 1983 rates. Aid granted under the non-quota section is denominated in ECU.

(iii) one study in the East Midlands: the development of the Wonderworld Theme-park at Corby;

(iv) one study in Wales: the development of a marina at Foryd.

2.1.63. On 10 September the Commission approved the second allocation of grants for 1984 from the European Regional Development Fund: 326.3 million ECU for 789 investment projects in most of the Member States costing a total of 2 431.3 million ECU.

The Fund Committee had delivered a favourable opinion on these projects on 20 June,¹ the Regional Policy Committee having been consulted on 5 June 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 4.

The total 326.3 million ECU breaks down as follows:

(i) 274.2 million ECU for 600 infrastructure projects, comprising 114.7 million ECU for 26 projects costing more than 10 million ECU each and 159.4 million ECU for 574 projects costing less than 10 million ECU each; the total cost of infrastructure investment projects assisted by the Fund amounts to 1 838.3 million ECU;

(ii) 52.0 million ECU for 189 industrial, craft sector and service sector projects, comprising 14.0 million ECU for 13 projects costing more than 10 million ECU each and 38.0 million ECU for 176 projects costing less than 10 million ECU each.

The total cost of industrial, craft sector and service sector projects assisted by the Fund amounts to 583.0 million ECU. These projects will create or preserve 15 063 jobs.

This second ERDF allocation for 1984 brings the number of projects financed since the Fund was set up to 22 993 and the total assistance granted to 10 028 million ECU.

¹ Bull. EC 6-1984, point 2.1.68.

² Bull. EC 6-1984, point 2.1.66.

Table 4 — ERDF grants: second 1984 allocation

	Number of grant decisions	Number of projects	Investment assisted (million ECU) ¹	Assistance granted (million ECU) ¹
Belgium	14	33	47.07	9.35
Denmark	6	69	24.12	7.99
Germany (FR)	23	51	240.76	12.63
Greece	5	14	10.00	3.96
France	19	65	107.07	9.41
Ireland	24	110	1 250.55	121.98
Italy	11	186	83.63	24.50
Luxembourg	—	—	—	—
Netherlands	—	—	—	—
United Kingdom	59	261	658.18	136.52
Total	161	789	2 421.37	326.34

¹ Converted at January 1984 rates.

Non-quota section

2.1.64. On 10 September the Commission decided¹ which steelmaking areas in the Netherlands 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:² the whole of the three Corop areas of IJmond, Alkmaar and district, and Kop van Noord-Holland. The Community's financial contribution to assist these areas has been set at 5 million ECU.

Environment and consumers**Environment***Prevention and reduction of pollution and nuisances***Freshwater and marine pollution***Protection of the North Sea*

2.1.65. At the invitation of the Government of the Federal Republic of Germany an international ministerial-level conference on the protection of the North Sea will be held at Bremen on 31 October and 1 November. It will deal with problems arising from pollution due to rivers, ships, drilling rigs and atmospheric fall-out.

The control of marine pollution due to shipping is one of the priorities in the Community's environmental protection programme. The Commission has also proposed a procedure to harmonize plans for combating oil pollution disasters.

Community Member States bordering the North Sea will attend the conference as of right, as will Sweden and Norway. The Commission will represent the Community.

2.1.66. In this context Parliament adopted a resolution on 13 September.³

Air pollution

2.1.67. On 26 September the Commission adopted, for transmission to the Council, a proposal⁴ which supplements the general proposal made by the Commission last May in respect of data relating to the octane rating of unleaded petrol to be placed on the market.⁵ The Commission proposes the introduction in the territory of the Community of unleaded petrol with a minimum octane rating at the pump of 85 (motor method) and 95 (research method). The Commission takes the view that because of differences in market structures the compulsory introduction of two grades of unleaded petrol (regular and premium) is not warranted in all Member States and has therefore laid down a quality standard for premium grade only, this being at present in more widespread use in the Community.

As regards colouring agents, the Commission proposes that premium leaded petrol should be coloured red and regular orange-yellow.

2.1.68. The Commission participated in the second session of the Executive Body of the 1979 Geneva Convention on Long-range Transboundary Air Pollution, held at Geneva from 25 to 28 September.⁶ The contracting parties discussed in particular strategies and policies aimed at reducing air pollution caused by sulphur compounds. They also examined the working programme of EMEP (the cooperative programme for the monitoring and evaluation of the long-range transmission of air pollutants in Europe); the effects of sulphur compounds and the other chief air pollutants on health and the environment; techniques for controlling sulphur emissions and oxides of nitrogen; and cost-benefit analysis of the control of sulphur emissions.

¹ OJ L 249, 18.9.1984.

² OJ L 27, 31.1.1984; Bull. EC 1-1984, point 2.1.54.

³ OJ C 274, 15.10.1984; point 2.4.9.

⁴ COM(84) 532 final.

⁵ OJ C 178, 6.7.1984; Bull. EC 5-1984, points 1.2.1 to 1.2.3.

⁶ OJ L 171, 27.6.1981; Bull. EC 6-1981, point 2.1.72.

A protocol to the Convention—relating to the long-term financing of the EMEP¹—was signed during the session.

2.1.69. On 13 September Parliament adopted a resolution expressing its concern at dioxin levels in gases given off by waste incineration plants and formaldehyde concentrations in enclosed spaces.²

Noise

2.1.70. On 17 September the Council finally adopted 15 harmonization directives relating to various branches of industry which it had approved last April.³ Notable among these directives are those limiting the noise emissions of construction plant and equipment and lawnmowers.

The framework Directive on construction plant and equipment⁴ lays down general Community rules and procedures, those to apply in each case being laid down by each specific directive in the light of each one's particular characteristics. These specific directives relate to pneumatic concrete-breakers and jackhammers,⁴ compressors,⁵ tower cranes,⁶ current generators for welding, and current generators for power supply.⁶ They are intended to protect the environment and improve the quality of life by laying down upper limits on noise emissions, which are to be reduced in two stages (18 months and 5 years respectively after notification of the directives); to lay down methods for measuring noise emissions; and to provide for the free movement of construction plant and equipment in the Community. The Member States must apply these directives in their entirety and by the same date: 26 March 1986.

The Directive on lawnmowers⁷ lays down upper limits on noise emissions to be applied not later than 1 July 1987. The Commission has been called upon to propose a further reduction in these upper limits and to include cylinder-type mowers, which at present are not within the scope of the Directive.

2.1.71. On 3 September the Council adopted a Directive⁸ making a further⁹ reduction in the maximum permissible sound level of motor vehicles laid down by the Directive of 6 February 1970.¹⁰ It applies to motor vehicles with at least four wheels and a maximum speed exceeding 25 km/h and is intended to give the public in urban areas better protection against noise.

2.1.72. The Commission sent to the Council on 12 September a proposal¹¹ for reducing the maximum permissible sound level of motor cycles as laid down in the Directive of 23 November 1978.¹²

Consumers

Physical protection

2.1.73. On 24 September the Commission sent to the Council a proposal for a Directive on quick-frozen foodstuffs for human consumption.¹³

Protection of consumers' economic and legal interests

Misleading advertising

2.1.74. On 10 September the Council formally adopted the Directive relating to the approximation of the laws, regulations and administrative provisions of the Member

¹ Bull. EC 1-1984, point 2.1.62; Bull. EC 5-1984, point 2.1.108.

² OJ C 274, 15.10.1984; point 2.4.9.

³ Bull. EC 4-1984, point 2.1.82.

⁴ OJ C 82, 14.4.1975; Bull. EC 12-1974, point 2115.

⁵ OJ C 94, 19.4.1978; OJ C 87, 3.4.1979.

⁶ OJ C 54, 8.3.1976; Bull. EC 12-1975, point 2117.

⁷ OJ C 86, 2.4.1979.

⁸ OJ L 238, 6.9.1984.

⁹ OJ L 131, 18.5.1981.

¹⁰ OJ L 42, 23.2.1970.

¹¹ OJ C 263, 2.10.1984; COM(84) 438 final.

¹² OJ L 349, 13.12.1978.

¹³ Point 2.1.14.

States concerning misleading advertising¹ which it had approved on 28 June.²

Agriculture

Council

2.1.75. At its meeting on 17 and 18 September the Council had a detailed discussion on the situation of and prospects for the wine market and measures to be adopted for a revision of the market organization, with particular reference to management of production on a permanent basis.³

The Council also took note of a statement by the Commission on the operation of the super-levy system in the milk sector, six months after its introduction.⁴

Hybrid maize

2.1.76. In April the Commission had asked the Council to authorize it to initiate consultations in GATT on imports into the Community of hybrid maize seed.⁵

As statistics for 1983/84 show a marked fall in these imports into the Community, the Commission has decided to withdraw its proposal.

Economic aspects of the common agricultural policy

Agri-monetary measures

2.1.77. On 20 September the Commission adopted transitional measures in readiness for the revaluation of the representative rate for the German mark on 1 January 1985,⁶ acting in accordance with Article 7 of Council Regulation (EEC) No 855/84 of 31 March 1984 on the calculation and dismantlement of the monetary compensatory amounts applying to certain agricultural products.⁷ The revaluation of the green rate and the corresponding fall in inter-

vention prices expressed in marks at the beginning of 1985 would have disturbed the markets and the intervention system—larger quantities being offered for intervention—particularly for cereals and sugar had transitional measures not been taken at this stage. This led the Commission to lay down the following provisions.

As regards cereals (with the exception of common wheat of bread-making quality, qualifying for special intervention measures), the Commission decided that a maximum of 2.5 million tonnes from this year's harvest in Germany could be bought in at the current DM intervention price until the end of the year. This quantity was fixed on the grounds that this is what would normally have been offered to intervention had there been no monetary adjustment. For quantities over and above this ceiling offered for intervention in Germany, the new DM intervention price will be paid.

Sugar, however, is seldom sold to intervention. The Commission therefore decided that any quantities offered before the end of the year would be taken in at the new DM buying-in price.

The new Regulation also adjusts the method of calculating minimum prices payable to growers by sugar manufacturers and potato starch manufacturers so that the manufacturers do not have to bear the entire burden of the new green rate applicable from 1 January 1985, since production of sugar and starch is far from being sold out by that date.

If the market situation so requires, the Commission will have to adopt additional transitional measures.

2.1.78. On 27 September the Economic and Social Committee adopted an opinion

¹ OJ L 250, 19.9.1984.

² Bull. EC 6-1984, point 1.4.2.

³ Point 2.4.10.

⁴ Point 2.1.83.

⁵ Bull. EC 4-1984, point 2.1.91.

⁶ OJ L 253, 21.9.1984.

⁷ OJ L 90, 1.4.1984; Bull. EC 3-1984, point 1.2.3.

on the proposal made by the Commission in July concerning VAT in connection with the dismantling of MCAs.¹

Countervailing charge on French ethyl alcohol

2.1.79. On 4 September the Commission introduced a countervailing charge on ethyl alcohol of agricultural origin produced in France and imported into other Member States in non-denatured form.² This measure is based on Article 46 of the EEC Treaty, the applicability of which is beyond doubt since the Court delivered a judgment to that effect on 21 February 1984.³

The countervailing charge in question was introduced on account of French rules having equivalent effect to a national market organization with a pricing system, which had led to the markets of other Member States being disturbed by French ethyl alcohol exports.

The charge was set at 0.04 ECU per % vol per hectolitre, having regard to the price for non-denatured French alcohol imported into other Member States and to an equilibrium price which, under conditions of fair competition, would be the normal price in the Community. This amount may be adjusted in the light of trade in and prices of the products in question.

Market organizations

Adjustment of basic regulations

Wine

2.1.80. The Commission sent the Council a series of four proposals on 12 September⁴ further to the provisions it had adopted in July⁵ aimed at improving management of production and curbing expenditure on the wine market in the Community. The proposals include structural measures designed to bring about a substantial reduction in wine-growing potential, measures to remove any incentive to produce wine for

which no commercial outlets are available, by reducing the current intervention prices, and measures aimed at curbing production of quality wines psr and, by fixing strict limits on yields, preventing such wine from ending up on the table wine market.

Specifically, the Commission's proposals provide for:

(i) an amendment to Regulation (EEC) No 337/79 on the common organization of the market in wine,⁶ introducing the principle of a freeze on table wine guide prices as long as the total volume of table wine distillation—which is a reflection of the surpluses—exceeds 10% of table wine production, a 10-year restriction on the right to replant and various measures concerning increasing the alcoholic strength (notably the introduction of a tax in areas where the use of sucrose is permitted;

(ii) a new amendment to Regulation (EEC) No 338/79 on quality wines produced in specified regions (quality wines psr),⁷ whereby—with effect from 1 September 1985—the recognition of new quality wines psr would be subject to authorization by the Commission and confined to wines for which there are good, lasting prospects of the entire production finding genuine outlets, and maximum yields per hectare would be fixed for all quality wines psr in the Community;

(iii) a derogation from the scheme introduced by Regulation (EEC) No 456/80,⁸ whereby the premium for the temporary abandonment of wine-growing would be suspended at the end of the 1984/85 wine-growing year to ensure that abandonment is permanent;

¹ Point 2.4.21.

² OJ L 238, 6.9.1984.

³ Case 337/82 *St Nikolaus Brennerei v HZA Krefeld* (not yet reported).

⁴ OJ C 259, 27.9.1984; COM(84) 515 final.

⁵ Bull. EC 7/8-1984, points 2.1.130 to 2.1.132.

⁶ OJ L 54, 5.3.1979.

⁷ OJ L 54, 5.3.1979; OJ L 309, 10.11.1983.

⁸ OJ L 57, 29.2.1980.

(iv) the granting, for the 1985/86 to 1989/90 wine years, of permanent abandonment premiums in respect of vineyards producing table wine, table grapes and grapes for drying.

2.1.81. No agreement was reached on these proposals at the Council meeting on 17 and 18 September,¹ or at the informal meeting which the Ministers for Agriculture held in Killarney, Ireland, from 23 to 26 September.

2.1.82. Following these wide-ranging discussions, the Commission decided, on 28 September,² to make an addition to its proposal for a Regulation amending Regulation (EEC) No 337/79.³

In particular, it proposed that a guarantee threshold be fixed for table wine production: the limit would be set at 100 million hectolitres for each of the next three wine years; if the threshold was exceeded, compulsory distillation would be automatically activated; the buying-in price of wine sent for distillation would be reduced from 60% to 50% of the guide price in order to strengthen the deterrent.

For wines from very-high-yield vineyards it is also proposed that only 33% of the guide price be paid for some of the quantities sent for distillation.

Milk

Implementation of Council decisions

2.1.83. At the Council meeting on 17 and 18 September the Commission reported on the progress made in the application of the 'super-levy' system for milk established by the Council in March.⁴

The Commission stated that the Member States were taking steps to apply the system in a satisfactory manner and that progress had been made towards the objective of reducing Community milk deliveries to the dairies in 1984/85 to the 1981 level plus 2%.

It was also noted during the Council discussions, however, that Member States were

encountering a number of practical difficulties; the Commission undertook to look into these and try to solve them.

2.1.83bis. In September, Parliament adopted three resolutions concerning the milk sector.⁵

Market trends

Processed fruit and vegetables

2.1.84. At the end of 1983/84 stocks of dried grapes were relatively low despite a high level of production (180 000 t).

It is tentatively estimated that 1984/85 production will be 20% down on 1983/84.

The aids for the current marketing year have been fixed in the light of the new rules adopted by the Council on 31 March.⁶

The minimum price payable to the producer remains unchanged at 133.17 ECU/100 kg, but it will be increased monthly from the second month after the beginning of the marketing year by an amount intended to take account of the storage costs which are now charged to the operators.

The processing aid has been increased from 54.44 to 75.55 ECU/100 kg. In the absence of a Council decision on the rules for the application of the minimum import price, this price was set for the current marketing year under the protective measures. It remains at the same level as last year, i.e. 112 ECU/100 kg. The countervailing charge has been reduced from 26.83 to 22.8 ECU.⁷

Prices and specific measures

Oils and fats

2.1.85. In view of the marked increase in rape and sunflower production, with the

¹ Point 2.1.75; point 2.4.10.

² OJ C 278, 18.10.1984; COM(84) 539 final.

³ Point 2.1.80.

⁴ OJ L 90, 1.4.1984; Bull. EC 3-1984, point 1.2.4.

⁵ OJ C 274, 15.10.1984, point 2.4.9.

⁶ OJ L 103, 16.4.1984.

⁷ OJ L 219, 16.8.1984; OJ L 211, 8.8.1984.

risk of more intervention buying-in, the Commission decided to make the time limit for payment for intervention buying-in 120 days for these products, as it is for most other sectors.

Beef/veal

2.1.86. On 5 September the Commission adopted a Regulation laying down detailed rules for certain sales of frozen beef held by the intervention agencies.¹ This Regulation introduces a more flexible sales procedure in the event of heavy demand. By another Regulation, adopted on 24 September,² the Commission added two technical clarifications, the main one concerning the granting of aids for the private storage of carcasses, half-carcasses, hindquarters and forequarters of beef.

Structures

Integrated Mediterranean programmes

2.1.87. On 6 September the Commission amended its proposal for a Regulation instituting integrated Mediterranean programmes.³

2.1.87*bis*. In September,⁴ Parliament approved the proposals for Directives and Decisions concerning the prolongation of the Directives on agricultural structures.⁵

Agricultural legislation

Veterinary and animal husbandry legislation

2.1.88. The Commission sent the Council a report on 11 September on microbiologic controls for the hygienic production of fresh meat.⁶ This was accompanied by a proposal for amending the 1964 Council Directive on health problems affecting intra-Community trade in fresh meat.⁷ The Commission proposes, among other things, that the veterinary inspection authority be empowered to carry out microbiological

controls where it considers them appropriate and that such controls be compulsory in establishments producing minced meat, meat cut in a similar manner and mechanically recovered meat.

Competition

2.1.89. Under Articles 92, 93 and 94 of the EEC Treaty, the Commission decided to make no comment on the introduction of proposed schemes notified by:

Germany

Saar-Mosel-Rüwer: aid for advertising wine;

Bavaria: investment in manure storage facilities which protect the environment;

Rhineland-Palatinate: variation of an existing scheme for advertising wine produced in the region.

Greece

Act No 1360/83 amending Act No 1262/82 concerning investment incentives for economic and regional development.

Aid for farmers in the Thessaloniki area whose glasshouses were damaged by storms and rain during December 1983.

France

Financing of objective and automatic pig carcass classification equipment in public and private slaughterhouses.

Italy

Two cases of application of Act No 675/77 providing for aids for the restructuring of

¹ OJ L 238, 6.9.1984.

² OJ L 255, 25.9.1984.

³ Point 2.1.58.

⁴ OJ C 274, 15.10.1984.

⁵ OJ C 189, 17.7.1984; Bull. EC 6-1984, point 2.1.100.

⁶ OJ C 255, 22.9.1984; COM(84) 439 final.

⁷ OJ L 121, 29.7.1964; OJ L 59, 5.3.1983.

facilities for livestock feed production and olive oil and seed oil refining.

2.1.90. Under the same review of new measures, the Commission decided to initiate the Article 93 (2) procedure in respect of the following aid schemes:

Germany

Aid for the storage of morello cherries.

Italy

Support measures for agriculture (Act No 194 of 4 June 1984), more precisely:

(i) subsidies for operating costs under Section 5 of the Act (funding of the provisions of the last sentence of Section 1 (a) of Act No 403/77);

(ii) subsidies towards the operating costs of national associations of cooperatives for the collection, processing, storage and collective sale of crop and livestock products, under Section 7 (funding of Section 5 (d) of Act No 403/77);

(iii) conversion of cooperatives' liabilities under Section 5 (funding of Section 1 (a) of Act No 403/77).

2.1.91. Acting under Article 93 (2) of the Treaty, the Commission also decided to adopt a final decision against the following provisions of Sicilian Regional Act No 86/82:

(i) subsidies for groups of fruit and vegetable growers already being financed by Community aids (Section 12);

(ii) aids for investment in the processing and marketing of agricultural products, with a ceiling on the aids authorized (Sections 18, 24 and 25);

(iii) capital subsidies and reduced-interest loans for cooperatives and associations thereof and wine cooperatives engaged in the harvesting, packing, processing and marketing of almonds, hazelnuts, citrus fruit, fruit and vegetables and vine products

in respect of debts incurred from previous investments (Sections 33 to 39).

2.1.92. The Commission decided to terminate the Article 93 (2) procedure in respect of other measures provided in the Sicilian statute mentioned above in the light of the explanations supplied by the Italian authorities; it took the view that these measures could be regarded as compatible with the common market.

European Agricultural Guidance and Guarantee Fund

1983 financial report

2.1.93. The Commission sent the Council the 13th financial report on the activities of the EAGGF in 1983 in two instalments — on 17¹ and 21 September.² The report deals with expenditure resulting from the common policy on agricultural markets and prices, the common policy on improving agricultural structures and the supply of agricultural products as Community food aid.

2.1.94. As far as the Guarantee Section is concerned, expenditure totalled 15 811.6 million ECU in 1983, compared with 12 405.6 million ECU in 1982. This total is net of the financial contribution of dairy farmers (527.4 million ECU), expenditure disallowed when the 1976 and 1977 accounts were cleared (108.1 million ECU), the transfer of some 1983 expenditure to 1984 (675 million ECU) and miscellaneous savings. Without these items, total expenditure would have been higher. In contrast with 1982, the original 1983 appropriations, of 14 087 million ECU, proved insufficient and 1 761 million ECU in supplementary appropriations had to be adopted, bringing total appropriations available to 15 848.1 million ECU, including fisheries (37.1 million ECU).

¹ COM(84) 486 final (Guidance Section).

² COM(84) 485 final (Guarantee Section and food aid).

Total expenditure in 1983 showed an increase of 27.5% over 1982. The increase was due to appreciably heavier Community costs for virtually all products, in particular milk products, cereals and rice, and beef/veal.

A breakdown of expenditure by economic type shows that export refunds in 1983 represented only 34.9% of total expenditure (compared with 40.7% in 1982), despite a 10% increase in absolute value mainly because of an increase in refund expenditure on cereals and beef/veal. Intervention, on the other hand, increased not only in absolute terms but also as a proportion of total expenditure, from 59.3% in 1982 to 65.1% in 1983. The main type of intervention remained price support, which accounted for 41.2% of total expenditure in 1983, followed by storage measures (18.2%).

Community food aid operations in 1983 cost a total of 364.5 million ECU, compared with 536.9 million ECU in 1982. The reason for the decrease was that deliveries in 1983 fell well short of those for the previous year; the 1983 programmes were not approved by the Council until July 1983, so actual deliveries could not begin until September. The bulk of Community food aid was accounted for by milk products (167.5 million ECU, as against 267.5 million ECU in 1982) and cereals and rice (143.5 million ECU, as against 172.8 million ECU in 1982).

2.1.95. The Guidance Section has in recent years steadily increased both the number of measures financed and annual expenditure, though the appropriations allocated to it make a much smaller total than guarantee spending.

However, for 1983, actual commitments came close to 1 000 million ECU — an increase of over 25% on 1982.

The breakdown of aid granted for the various categories of measure according to structural objective shows that not only did expenditure increase but also that a greater proportion of budget appropriations were utilized than in 1982.

Among the 'direct' measures, the scheme for the improvement of marketing and processing structures for agricultural products was once again in 1983, as in previous years, that involving the heaviest commitment of appropriations: 249 million ECU was assigned to this measure, enabling 611 individual projects to be financed. For the three direct measures to assist agriculture in the Mediterranean regions, the appropriations committed totalled 146 million ECU, divided among 166 special projects and programmes.

Among the measures involving reimbursement by the Community ('indirect' measures), the Directive on the modernization of farms gave rise to expenditure of 149.8 million ECU, as compared with 86.8 million ECU in 1982. This measure has moved into second place in financial terms, then, but this is because the 1983 figures include two years' reimbursement to the United Kingdom.

Expenditure on various measures in the wine sector, aimed in particular at restructuring and conversion, amounted to 48.5 million ECU in 1983, while expenditure on premiums for the non-marketing of milk and milk products and for the conversion of dairy herds to beef production totalled 61 million ECU.

EAGGF Guarantee Section

2.1.96. On 21 September the Commission adopted a Regulation¹ amending its Regulation laying down detailed rules for the application of the quota system and its Regulation on 'communications' in the sugar sector.²

The amending Regulation was adopted in connection with the 1984 supplementary budget³ and in view of its financial implications for farmers. So that payments can be made to the Community budget for 1984,

¹ OJ L 254, 22.9.1984.

² OJ L 158, 9.6.1982; OJ L 51, 22.2.1984; OJ L 88, 6.4.1983.

³ Point 2.3.2.

the Regulation lays down that the balance of sugar production levies is to be established by Member States by 1 November instead of 15 December and that these balances are payable by the producers before 15 December instead of 15 January. The gross increase in Community revenue resulting from this measure is estimated at 234 million ECU.

Fisheries

Council

2.1.97. At a Council meeting on 10 September¹ the Ministers reached agreement on a modification of TACs and quotas for the North Sea stock of sprat and the Clyde stock of herring and on two amendments to Regulation (EEC) No 171/83 of 25 January 1983 laying down technical measures for the conservation of resources.² They endorsed as to principle the conclusion of a new EEC/USA Fisheries Agreement³ and authorized the Commission to negotiate a fisheries agreement with Madagascar.⁴

Resources

Internal aspects

Community measures

TACs and quotas for 1984

2.1.98. On 10 September the Council approved a fifth amendment⁵ to Regulation (EEC) No 320/84 on TACs and quotas for 1984⁶ as regards catches of herring from the Clyde stock and sprat-fishing in the North Sea.

This amendment, which was formally adopted on 18 September,⁷ provided for a modest increase in the TAC for herring in

Division VIa, resulting in a rise in the quota allocated to the United Kingdom.

However, for sprat-fishing, the TAC was cut sharply for Division IIa (EC zone) and IV, in line with scientific opinions recommending a reduction of catches. For the first time, the Community share of this TAC was broken down into quotas, allocated mainly to Denmark and the United Kingdom.

Technical measures

2.1.99. On 18 September the Council adopted a Regulation⁷ amending Regulation (EEC) No 171/83 of 25 January 1983 on technical conservation measures.⁸

The amendment increases the rate of by-catches of white fish during fishing for Norway pout in the period from 1 October 1984 to 31 May 1985 and tightens up the rules on mackerel-fishing in ICES Division VII from 1 January next.

Prohibition measures

2.1.100. On the basis of information received from the national authorities concerning the exhaustion of certain quotas, on 6 September the Commission banned vessels flying the flag of the Federal Republic of Germany from fishing for saithe in Division IIa (EC zone) IIIa, IIIb, c, d (EC zone) and IV⁹ and on 21 September vessels flying the flag of the Netherlands from fishing for cod in Division IIIa (Skagerrak).¹⁰

¹ Point 2.4.10.

² Points 2.1.98 and 2.1.99.

³ Point 2.1.102.

⁴ Point 2.1.104.

⁵ Bull. EC 7/8-1984, points 2.1.145 and 2.1.146.

⁶ OJ L 37, 8.2.1984; Bull. EC 1-1984, points 2.1.85 and 2.1.86.

⁷ OJ L 253, 21.9.1984.

⁸ OJ L 24, 27.1.1983.

⁹ OJ L 239; 7.9.1984.

¹⁰ OJ L 254, 22.9.1984.

National measures for the protection of local stocks

2.1.101. On the basis of Article 19 of Regulation (EEC) No 171/83 of 25 January 1983,¹ the Commission found that certain local measures adopted before 25 January 1985 by the following Member State were compatible with Community law and in conformity with the common fisheries policy:

Denmark

Provisions of the Salt-water Fisheries Act of 26 May 1965 and of 14 orders made under the Act.

External aspects

Bilateral relations

United States

2.1.102. After Parliament had delivered its opinion,² the Council approved on 10 September—and formally adopted on 21 September—a Regulation³ on the conclusion of a new fisheries agreement between the Community and the United States to replace the 1977 agreement, which was due to expire on 30 September.⁴

Faeroe Islands

2.1.103. At its September part-session Parliament delivered its opinion² on the proposal to conclude an agreement between the Community, Denmark and the Faeroe Islands on salmon fishing in the North Atlantic.⁵

Madagascar

2.1.104. On 10 September the Council authorized the Commission at the latter's re-

quest,⁶ to open negotiations on a fisheries agreement with Madagascar.

Multilateral relations

2.1.105. The Commission represented the Community at meetings held by:

(i) the International Baltic Sea Fishery Commission and the Northwest Atlantic Fisheries Organization, during which certain catch possibilities were fixed for Community vessels in the areas covered by these organizations;

(ii) the Commission and Scientific Committee of the Convention on the Conservation of Antarctic Marine Living Resources (Hobart, Tasmania, 3 to 14 September);

(iii) the General Fisheries Council for the Mediterranean (Rome, 17 to 21 September);

(iv) the OECD Fisheries Committee (Paris, 17 to 20 September).

Markets and structures

Market organization

2.1.106. On 12 September the Commission placed before the Council a proposal⁷ to amend Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fisheries products.⁸ The Commission is seeking to have the permanent suspension of customs duties on salted and dried cod replaced by an appropriate system of annual quotas.

¹ OJ L 24, 27.1.1983.

² OJ C 274, 15.10.1984.

³ OJ L 272, 13.10.1984.

⁴ Bull. EC 7/8-1984, point 2.1.154.

⁵ OJ C 214, 14.8.1984; Bull. EC 7/8-1984, point 2.1.158.

⁶ Bull. EC 5-1984, point 2.1.154; Bull. EC 6-1984, point 2.1.121.

⁷ OJ C 267, 6.10.1984; COM(84) 483 final.

⁸ OJ L 379, 31.12.1981; Bull. EC 12-1981, point 2.1.140.

Transport

Inland transport

Infrastructure

Infrastructure investment

2.1.107. On 10 September the Commission submitted to the Council a list of projects¹ for funding in 1985 under the multiannual transport infrastructure programme for 1983-87.² Agreement had been reached in May on support measures for 1983-84,³ but the relevant Regulation has not yet been formally adopted pending decisions on other proposals (Community quota, weights and dimensions of vehicles).

These projects meet the requirements laid down in the memorandum of 8 May.⁴ They have already been authorized by the Council and have been grouped by rail, road and inland waterway routes in order to ensure that the various actions effectively complement each other.

Approximation of structures

Technical aspects

2.1.108. On 28 September, following a request made by the Council at the transport meeting in May,⁵ the Commission put up a report on 'vehicle weights and dimensions: drive axle weights and related problems'.⁶

Social conditions

2.1.109. On the basis of results obtained from checks carried out by the Member States on roads and at business premises, the Commission laid a report⁷ before the Council on 12 September on adherence to the social provisions in road transport in 1981.⁸ To ensure that these rules are more fully implemented by road hauliers the Commission proposed in March that the

1969 and 1970 Regulations should be made simpler and more flexible.⁹

Summer time

2.1.110. On 26 September the Economic and Social Committee endorsed the proposal for a third Directive on summer-time arrangements.¹⁰

Energy

Formulating and implementing a Community energy policy

Energy pricing

2.1.111. On 20 September the Commission presented a report to the Council on the application of the Community's energy-pricing principles in the Member States.¹¹ The report constitutes a new stage in the Commission's efforts to ensure that energy pricing conforms with the Community's energy policy objectives.¹² Thus, prices should guarantee the financial viability of the supply undertakings, and tariffs for different categories of consumer should reflect supply costs.

The report summarizes the results of surveys of pricing practices in the gas and electricity industries conducted in response to a request made by the Council at the

¹ OJ C 263, 2.10.1984; COM(84) 459 final.

² OJ C 36, 10.2.1984; Bull. EC 7/8-1983, point 2.1.175; OJ C 90, 11.4.1984; Bull. EC 3-1984, point 2.1.158.

³ Bull. EC 5-1984, point 2.1.162.

⁴ Bull. EC 5-1984, point 2.1.163.

⁵ Bull. EC 5-1984, point 2.1.167.

⁶ COM(84) 523 final.

⁷ COM(84) 431 final.

⁸ OJ L 77, 29.3.1969; OJ C 73, 17.3.1979 (consolidated version).

⁹ OJ C 100, 12.4.1984; Bull. EC 3-1984, point 2.1.168.

¹⁰ OJ C 179, 7.7.1984; Bull. EC 6-1984, point 2.1.131.

¹¹ COM(84) 490 final.

¹² Bull. EC 10-1982, point 2.1.119.

meeting held on 16 March 1982.¹ It highlights unresolved problems such as the pursuit of non-energy objectives, price discrimination between consumers, lack of transparency, intra-Community trade, and the effect of taxation on prices.

The Commission will bring forward proposals at a later date in the light of discussions held by the Council on certain specific problems.

Specific problems

Solid fuels

Solid fuels policy

2.1.112. On 10 September the Commission amended² its proposal for a Council Regulation concerning financial support by the Community for industries producing solid fuels,³ as it undertook to do in May.⁴

The revised proposals involve omitting the section on aid for destocking, reducing budget appropriations from 300 million to 200 million ECU per annum, and setting up an Advisory Committee made up of representatives of the Member States to examine projects ahead of a Commission decision on granting aid.

Measures taken by the Member States in support of the coal industry

2.1.113. After consulting the Council⁵ as required by the Commission Decision of 25 February 1976,⁶ the Commission authorized Germany, Belgium, France and the United Kingdom—by Decision of 6 September⁷—to grant aids to their coalmining industries during 1983. France was also authorized to grant additional aids in respect of 1982.

Nuclear safety

2.1.114. On 13 September Parliament, referring to the recent collision in the North Sea in which a cargo vessel carrying dangerous and radioactive substances was sunk, adopted a resolution on the transport of radioactive substances and other environmental issues.⁸

Research and development

Development of the common policy

International cooperation

COST projects

2.1.115. On 18 September the Commission asked the Council to approve the conclusion of an EEC-COST concertation agreement between the Community and some of the countries participating in European cooperation in the field of scientific and technical research (COST).⁹

This agreement covers five concerted-action projects concerned with the environment;

- (i) physico-chemical behaviour of atmospheric pollutants (COST 611);
- (ii) organic micropollutants in the aquatic environment (COST 641);
- (iii) treatment and use of organic sludges and liquid agricultural wastes (COST 681);
- (iv) benthic coastal ecosystems (COST 647);

¹ Bull. EC 3-1982, point 2.1.110.

² COM(84) 469 final.

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

⁴ Bull. EC 5-1984, point 2.1.177.

⁵ Bull. EC 3-1984, point 2.1.180.

⁶ OJ L 63, 11.3.1976.

⁷ OJ L 255, 25.9.1984.

⁸ Point 2.4.9; OJ C 274, 15.10.1984.

⁹ COM(84) 514 final.

(v) air pollution effects on terrestrial and aquatic ecosystems (COST 612).

Agreement on reactor safety

2.1.116. The Commission authorized the conclusion of an agreement on cooperation in nuclear safety research between the United States Nuclear Regulatory Commission and Euratom.

It will replace a similar agreement signed in 1979 that expired on 18 March 1984.

Conference of Research Ministers in the Council of Europe

2.1.117. A conference attended by the Research Ministers of the 21 member countries of the Council of Europe was held in Paris on 17 September. The Commission was represented by Mr Étienne Davignon, who has special responsibility for research.

The meeting underlined the need to establish a European scientific and technical research community and recommended measures to encourage mobility among European research scientists (on similar lines to the Community's programme for stimulating scientific and technical potential) and to develop a scientific and technical cooperation network in Europe.

Scientific and technical objectives

Promoting industrial competitiveness

Engineering ceramics

2.1.118. Much of the research effort in recent years to find structural materials capable of withstanding ever-higher temperatures has focused on the development of engineering ceramics. These new ceramics are able to withstand high corrosion and wear levels often found in industry.

The programme on high-temperature materials is exploring various possible compositions for ceramics to improve their ability to withstand mechanical and thermal stresses of a kind occurring during energy generation and conversion in engines, heat exchangers, etc.

The programme will also endeavour to clarify principles for the fabrication of ceramics and to develop methods for predicting their service life.

Technical coal research

2.1.119. The Council having given its assent and the ECSC Consultative Committee having been consulted, the Commission decided on 5 September, acting under Article 55 of the ECSC Treaty, to allocate 19 million ECU to technical coal research—18 888 400 ECU going to 46 research projects (26 on mining techniques and 20 on the use and upgrading of coal) and 111 600 ECU to disseminating the results.

Improving the management of energy resources

Nuclear fusion energy

2.1.120. Significant progress was made at the 10th international conference on plasma physics and controlled nuclear fusion research which was held in London from 12 to 19 September.

Discussion centered largely on the JET (Joint European Torus),¹ which has surpassed its expected operating performance without additional heating: currents of up to 3.7 million amperes have been passed through gaseous hydrogen and deuterium solutions producing plasmas of up to 40 million degrees.

Research on the Asdex tokamak of the Euratom-IPP association has yielded new

¹ Bull. EC 4-1984, point 1.4.1 *et seq.*

information on discharge phenomena during intensive heating at high density and in the boundary layer. During research on the Euratom-CEA association's TFR tokamak, energy and particle diffusion in a plasma subjected to high-capacity ancillary heating have been analysed. Continued research on plasma heating by radiofrequency, especially in the associated laboratories of Culham, Frascati and Grenoble, has led to an improved understanding of the physical mechanisms underlying this heating method.

Nuclear fission energy

2.1.121. Under the cooperation agreement between Euratom and Atomic Energy of Canada Limited on research into the storage of radioactive waste in crystalline geological formations, the fourth annual meeting of experts was held at Ispra on 12-14 September. Progress made in the disposal of high-level waste in granite formations was examined.

2. Enlargement and external relations

Enlargement and bilateral relations with applicant countries

2.2.1. On 13 September Parliament adopted a resolution on the enlargement of the Community to include Portugal and Spain.¹

EEC-Portugal and EEC-Spain financial cooperation

2.2.2. Following its recommendation to the European Investment Bank on 18 June² and the decision taken by the Bank's Board of Governors on 10 August, the Council on 17 September adopted a definitive decision on the extension of financial cooperation between the Bank and the applicant countries for the period from 1 July until the end of 1985. The loans made available amount to 150 million ECU for Portugal and 250 million ECU for Spain.

Portugal

Accession negotiations

2.2.3. The 21st and 22nd ministerial-level negotiating meetings were held in Brussels on 3 and 18 September.

At the first of the two meetings, the Community made statements putting forward or giving further details of its position on institutions, patents and social affairs, and a few specific points concerning the customs union and external relations.

At the second, Portugal made two major statements in reply to the Community statements on agriculture and fisheries. With regard to the latter, Portugal agreed to the main points of the proposals made in May and June concerning access to waters and resources.³ In addition, Portugal made statements regarding the institutions, the European Investment Bank, right of establishment, inclusion of the escudo in the ECU, and on certain matters concerning the customs union and external relations.

Spain

Accession negotiations

2.2.4. Two ministerial-level negotiating meetings on the accession of Spain to the Community were held in September.

¹ Point 2.4.9; OJ C 274, 15.10.1984.

² Bull. EC 6-1984, point 2.2.2.

³ Bull. EC 5-1984, point 2.2.2; Bull. EC 6-1984, point 2.2.4.

At the 23rd meeting, on 3 September, the Community made statements on external relations (the Community's financial and social cooperation policy towards countries enjoying preferential treatment) and institutional questions (qualified majorities required). The Spanish statements were on agriculture (general aspects of the transitional period), the customs union and free movement of industrial goods (tariff dismantling), and the ECSC (restructuring of the Spanish steel industry).

At the 24th meeting, on 18 September, the Community made a statement on the ECSC (proposals on the restructuring of the Spanish steel industry and transitional arrangements)¹ and on the customs union and free movement of industrial goods (fixing of initial tariff quotas).

The Spanish delegation made statements on institutional matters (in reply to the Community's last two statements), the European Investment Bank (financial aspects) and secondary legislation (acceptance by Spain of Commission documents on technical conclusions).

Commercial policy

Implementing the common commercial policy

Commercial policy instruments

A new instrument

2.2.5. On 17 September the Council formally adopted a Regulation concerning a

new commercial policy instrument,² to which it had given its agreement on 9 April.³ Formal adoption of the Regulation was linked to that of 15 directives on technical harmonization of industrial products.⁴

Easing of restrictive measures

2.2.6. Under the Council Regulation of 14 November 1983 on import arrangements for products originating in State-trading countries and not liberalized at Community level,⁵ the Commission decided to open a quota for the following:

*Italy — German Democratic Republic: synthetic organic dyestuffs.*⁶

Trade protection

2.2.7. The trade protection measures taken in September are shown in Table 5.

¹ COM(84) 509 final.

² OJ L 252, 20.9.1984.

³ Bull. EC 4-1984, points 2.2.3 and 2.2.4.

⁴ Point 2.1.9.

⁵ OJ L 346, 8.12.1983.

⁶ OJ C 263, 2.10.1984.

Table 5

Council	Commission
	<p><i>Anti-dumping proceedings</i></p> <p><i>Provisional anti-dumping duty on imports of:</i></p> <p>(i) oxalic acid originating in Brazil OJ L 239, 7.9.1984. (initiation of proceeding: OJ C 67, 8.3.1984)</p>

Council	Commission
	<p>(ii) artificial corundum originating in China or Czechoslovakia OJ L 255, 25.9.1984 (initiation of proceeding: OJ C 261, 30.9.1983)</p> <p>(iii) pentaerythritol originating in Canada OJ L 254, 22.9.1984 (extension of proceeding: OJ C 72, 13.3.1984)</p> <p><i>Notice of reopening</i> of proceeding concerning imports of: certain polyester yarn originating in the United States OJ C 257, 25.9.1984 (amendment to Regulation: OJ L 50, 23.1.1983)</p> <p><i>Notice of initiation</i> of proceeding concerning imports of:</p> <p>(i) roller chains for bicycles originating in the Soviet Union or China OJ C 235, 5.9.1984</p> <p>(ii) certain titanium 'mill products' originating in Japan or the United States OJ C 237, 7.9.1984</p> <p><i>Acceptance of undertakings</i> given in connection with anti-dumping proceeding concerning imports of:</p> <p>(i) oxalic acid originating in the German Democratic Republic and termination of proceeding OJ L 239, 7.9.1984 (initiation of proceeding: OJ C 67, 8.3.1984)</p> <p>(ii) pentaerythritol originating in Sweden and termination of proceeding OJ L 254, 22.9.1984 (extension of proceeding: OJ C 72, 13.3.1984)</p> <p>(iii) asbestos-cement corrugated sheets originating in the German Democratic Republic or Czechoslovakia and termination of proceeding OJ L 259, 28.9.1984 (initiation of proceeding: OJ C 55, 28.2.1984)</p> <p><i>Termination</i> of proceeding concerning imports of:</p> <p>(i) oxalic acid originating in Spain OJ L 239, 7.9.1984 (initiation of proceeding: OJ C 67, 8.3.1984)</p> <p>(ii) artificial corundum originating in Spain or Yugoslavia OJ L 255, 25.9.1984 (initiation of proceeding: OJ C 261, 30.9.1983)</p>

Sectoral commercial policy matters

Iron and steel products

Steel: external measures

1985 arrangements

2.2.8. On 17 September the Commission sent the Council a communication¹ proposing the prolongation to cover 1985² of the arrangements governing imports of iron and steel products into the Community which entered into force in 1978.³

The Commission considers that maintenance to the end of 1985 of the internal element of the anti-crisis measures, on which a Council decision was taken in July 1983,⁴ should, in order to be effective, be balanced over the same period by an external element.

However, because of the relative improvement of the market and the slight increase in Community consumption, the Commission has proposed easing the measures, including:

- (i) a revision of quantities to match the apparent Community consumption forecast for 1985;
- (ii) regarding the 'triple clause', abolition of the provision introduced this year limiting imports in either half year to 55% of the annual amount;
- (iii) exclusion of semi-finished products from the external measures in order to increase the Community industry's competitiveness.

Management of arrangements

2.2.9. The Commission held consultations with Norway to analyse the two parties' positions in the world iron and steel market and to examine trade, especially the break-down of products. It also arranged consultations with Czechoslovakia and Romania to clarify various problems concerning

quantity and price of supplies from these countries.

Steel Arrangement with the United States

2.2.10. After learning of decisions taken by the US Administration concerning imports of iron and steel products into the United States, the Commission expressed, in its statement of 19 September,⁵ its satisfaction with the continuation of the 1982 Arrangement.

Textile products

GATT Textile Committee

2.2.11. The GATT Textile Committee met in Geneva on 4 and 5 September to discuss the new US regulations concerning rules of origin and import procedures announced at the beginning of August. The Community representative expressed his concern over the regulations, which in his view would place excessive constraints on trade, and called for bilateral consultations as soon as possible.

The members of the Committee, apart from the United States, unanimously requested that the measures be withdrawn or at least deferred.

Agreements and arrangements with non-member countries

2.2.12. Agreement was reached in consultations with China, in Brussels on 13 and 14 September, on a number of requests from China for changes to quotas for this year. China undertook to consult the Community in advance, in order to avoid a recurrence of the difficulties experienced last year and this year over the management of certain

¹ COM(84) 516 final.

² Bull. EC 10-1983, point 2.2.11.

³ Twelfth General Report, point 453.

⁴ Bull. EC 7/8-1983, point 2.1.16.

⁵ Point 2.2.16.

quotas. It was also agreed to exchange information on the application of provisions of the agreement which are beneficial to Community industry.¹

MFA countries

2.2.13. Consultations with Bangladesh were held in Dhaka from 15 to 18 September with a view to reaching agreement on the introduction of quantitative limits on Bangladesh's exports of shirts to France and the United Kingdom. The two sides were unable to agree at this stage.

Mediterranean preferential countries

2.2.14. On 18 September Mr Davignon informed the Council of the progress in talks between the Community and Portugal concerning Portugal's requests that no account be taken of exports of textiles exceeding the quantities agreed in the voluntary restraint arrangement and that the quantities be increased for 1985.

Relations with industrialized countries

United States

Steel Arrangement

2.2.15. On 18 September the President of the United States rejected the remedy recommended by the United States International Trade Commission² that protectionist measures should be applied to all countries that export steel to the United States, on the grounds that such action would not be in the national economic interest. He directed the United States Trade Representative to take vigorous action against unfair trade practices, enforce existing arrangements, and negotiate 'surge control' arrangements with countries whose exports had increased significantly. Lastly, he announced that a stabilization framework would be set up in order to limit import

penetration to approximately 18.5% of the US market.

2.2.16. The Commission made the following statement concerning the action determined by the President.

'The President of the United States has decided on a number of measures concerning imports of steel products into the United States. As a result of these decisions, the Arrangement concluded in October 1982 between the United States and the Community is maintained unchanged.³ The Commission is pleased to note that this important factor in relations between the United States and the Community is being safeguarded.

At the same time, the United States authorities have informed the Commission that they would like to initiate discussions in order to conclude an arrangement on exports of tubes from the Community to the United States.

As agreed by the Council, the Commission will enter into discussions with the United States authorities on this matter as soon as possible.'

Wine

2.2.17. The Commission publicly expressed its concern over the Wine Equity Bill now before Congress, which concerns imports of wine into the United States. This bill—which has already been approved by the Senate—constitutes a serious threat to Community exports of wine, the main agricultural product exported by the Community to the United States.

The Commission contested the bill's compatibility with GATT rules, specifically its 'sectoral reciprocity' approach, whereby the United States would impose charges on imported wine equal in amount to the duties which the supplier countries levy on their imports of US wines. This runs counter to the concept of overall reciprocity which forms the very basis of the multilateral free-trade system. The same is true of the extension of the definition of 'domestic industry',

¹ Thirteenth General Report, point 503; Bull. EC 3-1984, point 2.2.13; Bull. EC 6-1984, point 2.2.14.

² Bull. EC 7/8-1984, point 2.2.15.

³ OJ L 307, 1.11.1982; OJ L 215, 5.8.1983; Bull. EC 10-1982, point 1.3.1 *et seq.*

which would enable producers of a raw material (in this case, grape producers) to lodge anti-dumping/anti-subsidy complaints against imports of a finished product.

The Commission feels that such action would increase pressure in the Community for protectionist measures against US exports to the Community.

In a press release issued on 28 September the Commission stated that if it was faced with such measures, it would propose to the Council that it should take immediate action to offset the injury suffered. Given the size of the United States trade surplus with the Community, the agricultural products affected would be not only the staple commodities, but items such as citrus fruit, raisins and walnuts.

Hybrid maize

2.2.18. On 6 September the Commission decided to withdraw the request it had made to the Council in April for authorization to open consultations under GATT concerning imports of hybrid maize into the Community.¹

European Free Trade Association

2.2.19. Senior officials from the EFTA countries and the Commission met in Brussels on 21 September to identify the first practical measures that could be considered in the sphere of EEC-EFTA trade relations. This meeting forms part of the efforts to attain the objectives laid down in the Joint Declaration made in Luxembourg on 9 April this year.²

Sweden

2.2.20. In September Mr Pisani, the Member of the Commission with special responsibility for development, paid a visit to Sweden, where he had talks with Mr Olof Palme, the Prime Minister, and the government authorities responsible for development, concerning the policies at present ap-

plied by Sweden and the Community and also prospects for cooperation, notably in Africa.

Such cooperation will be by country (Ethiopia, Tanzania, Mozambique, Zambia) or region (Southern African Development Co-ordination Conference) and will cover certain themes (desert creep, research and evaluation). It could take the form of informal meetings between Community and EFTA ministers responsible for development cooperation.

New Zealand

2.2.21. Mr M.K. Moore, New Zealand's new Minister for Overseas Trade, visited the Commission on 19 and 20 September. He had talks with Mr Haferkamp, Mr Natali, Mr Dalsager and Mr Andriessen. The main topic was the state of the world market in milk products following the Commission's decision to grant refunds on exports of intervention butter to the Middle East and the USSR.³ The deliberations within GATT, particularly concerning agriculture, were also discussed.

The talks were followed by meetings between Commission and New Zealand officials on sheepmeat and cooperation with regard to milk products.

Relations with other countries and regions

Mediterranean countries

Yugoslavia

2.2.22. On 27 September the Economic and Social Committee adopted an own-initiative opinion on relations between the Community and Yugoslavia.⁴

¹ Point 2.1.76.

² Bull. EC 4-1984, point 1.2.1.

³ Bull. EC 7/8-1984, point 2.1.135.

⁴ Point 2.4.18.

Countries of the Gulf and the Arabian Peninsula

Yemen

2.2.23. The Commission requested¹ the Council to approve the conclusion of the cooperation agreement between the Community and Yemen, the negotiations on which were completed in May.²

Asia

Association of South-East Asian Nations (Asean)

2.2.24. Following the accession of Brunei Darussalam to Asean on 7 January,³ the Member States of the Association requested that the EEC-Asean Cooperation Agreement should be extended to their sixth member. The Commission therefore asked the Council on 21 September for a brief to negotiate an additional protocol.⁴ The Council authorized the opening of negotiations on 3 October.

Latin America

Central America

2.2.25. Testifying to Europe's interest in efforts to stabilize the situation in Central America, the Foreign Ministers of the Member States of the Community and also of Spain and Portugal took part in a conference with the Ministers from the Central American countries and the countries in the Contadora Group in San José, Costa Rica, on 28 and 29 September.⁵

State-trading countries

China

2.2.26. On the basis of the brief it had received from the Council,⁶ from 13 to 19

September the Commission negotiated the terms of a commercial and economic cooperation agreement to replace the 1978 trade agreement, which had expired.⁷ The trade section of the new agreement largely takes over the provisions of the previous one. The cooperation section specifies the objectives of this cooperation and the spheres it covers (no spheres of mutual interest are actually excluded), and the methods and forms of cooperation (joint ventures, transfer of technology, contacts between undertakings, technical assistance, regular exchange of information, etc.); provision is made for the promotion and protection of investment, and for setting up a Joint Cooperation Committee.

As for financial cooperation, the Community stated that it was 'prepared, within the context of its development aid activities, within the means at its disposal and in accordance with its rules, to continue its development activities in China'.

The new agreement is to run for an initial period of five years and can subsequently be renewed automatically year by year. It was initialled on 26 September, when Mr Wilhelm Haferkamp visited Peking for the first session of high-level ministerial consultations.⁸ Both sides said the agreement was yet another illustration of the excellent relations between the Community and China, and would further cement the economic links and cooperation between them.

Development

Negotiations for a new ACP-EEC Convention

2.2.27. In the course of the month the negotiations aimed at the signing of a new

¹ OJ C 258, 26.9.1984; COM(84) 416 final.

² Bull. EC 5-1984, point 2.2.25.

³ Asean now comprises Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore and Thailand.

⁴ COM(84) 504 final.

⁵ Points 1.3.1 to 1.3.8.

⁶ Bull. EC 7/8-1984, point 2.2.30.

⁷ OJ L 123, 11.5.1978; Bull. EC 6-1984, point 1.7.1 *et seq.*

⁸ To be reported in the October issue of this Bulletin.

ACP-EEC Convention proceeded at a swift pace. The main achievement was to narrow the gap—in the drafting group—between the many proposals made by the ACP countries and the Community's own texts. A number of meetings of the negotiating group were also held on the outstanding issues, notably rules of origin and investment. The Community also devoted considerable efforts to the finalizing of its own positions.

2.2.28. On 28 September the progress made on the negotiations was examined by a plenary meeting of the negotiating group, and the remaining points outstanding were singled out, namely Sysmin, Stabex, investment, certain articles relating to financial and technical cooperation and trade, and also the following general aspects: structure and duration of the Convention, the basic articles, human rights and policy dialogue. Apart from these remaining problems, negotiations have been concluded on a large number of topics, such as agricultural cooperation, mining and energy, regional, social and cultural cooperation, and industry.

Commodities and world agreements

Tropical timber

2.2.29. The Community and its Member States signed the International Tropical Timber Agreement, 1983, in June.¹ The Agreement is scheduled to enter into force on 1 October, but for this to be possible it will have to be ratified, accepted or approved by 30 September at the latest.

In view of the delay to which this procedure is likely to be subject in some of the Member States, the Commission recommended on 25 September that the Council give notification of provisional application of the Agreement by the Community and its Member States from 1 October.²

Food aid

Annual programmes

2.2.30. On 13 September the Commission, acting under the 1982 Council Regulation on food-aid policy and management,³ proposed that the Council lay down the implementing rules needed for food-aid operations (eligible countries and agencies, payment of transport costs, arrangements for purchase of products) and determine the total quantity of products to be made available in 1985 to certain developing countries and international and non-governmental organizations.⁴

Emergency aid

2.2.31. On 4 September the Commission decided to grant emergency aid amounting to 1 million ECU for victims of the continuing drought in Mozambique. The aid is to be used to purchase and transport about 1 000 tonnes of seed (maize, beans, sorghum and vegetables).

2.2.32. As a result of Typhoons Maring and Nitang, which hit the Philippines in late August and early September, causing many deaths and large-scale damage, the Commission decided on 26 September to grant emergency aid of 500 000 ECU to finance health, medical and food operations, to be handled by 'Médecins sans frontières'.

Trade promotion

ACP States and OCTs

Trade fairs

2.2.33. In September the Commission arranged, under the fifth EDF regional cooperation programme, for the ACP States to take part in three international trade events.

¹ Bull. EC 6-1984, point 2.2.45.

² COM(84) 524 final.

³ OJ L 352, 14.12.1982; Bull. EC 12-1982, point 2.2.36.

⁴ OJ C 264, 3.10.1984; COM(84) 481 final.

Stands were organized to exhibit and sell the countries' main products at the Overseas Import Fair in Berlin, the Fiera di Levante in Bari, and the International Leather Week in Paris.

Mining cooperation

Sysmin

2.2.34. On 25 September the EDF Committee delivered a favourable opinion on the Commission's proposals concerning a 3 million ECU advance for Guyana's bauxite mining industry. This amount is intended to help Guyana take interim measures (mainly the acquisition of spare parts) pending completion of the appraisal of the rehabilitation programme to which Sysmin (special financing facility for mining) will contribute, probably through cofinancing with other donors.

The EDF Committee also endorsed a decision in principle to provide Sysmin financing for Rwanda (tin producer).

Financial and technical cooperation

ACP States and OCTs

2.2.35. In August and September the Commission decided to allocate 3 970 000 ECU from the fifth EDF for the financing of emergency aid, including 3 million ECU for the famine victims in Ethiopia.

Non-associated developing countries

2.2.36. On 27 September the Commission adopted the report on the implementation of financial and technical assistance to non-associated developing countries in 1983, from which it emerges that the aid did help the rural poor in the developing countries, whose needs are most acute, and that advantage has been taken of past experience in the elaboration of subsequent programmes, notably in the preparations and preliminary studies for projects.¹

2.2.37. Since the 1984 guidelines proved well matched to objectives, the Commission proposed that they should be maintained for 1985, the geographical breakdown included.²

Cooperation via non-governmental organizations

2.2.38. With regard to projects cofinanced in the developing countries for the period from 1 January to 30 September 1984, the Commission committed an amount of 16.3 million ECU for 135 projects presented by 81 NGOs.

The Commission contributed a total of 2 195 280 ECU to 45 campaigns to increase awareness of development issues in the European public.

Institutional relations

ACP-EEC

Joint Committee and Consultative Assembly

2.2.39. Unlike the Berlin and Brazzaville meetings, the September meetings of the ACP-EEC Joint Committee and Consultative Assembly, which took place in Luxembourg, were held in an atmosphere of calm.³ The members of the European Parliament, who were relatively well acquainted with the negotiating issues, proved very selective in their support for the ACP States' requests, with the exception, that is, of the Communist and Rainbow Groups. The ACP States, on the other hand, tried, without dramatizing the debate, to get some of their negotiating positions accepted by means of amendments to the resolutions.

Attention was focused on the main areas in which agreement has not yet been reached:

¹ COM(84) 525 final.

² COM(84) 526 final.

³ The minutes of the Consultative Assembly meeting are published in OJ C 282, 22.10.1984.

commercial policy (completely free access, rules of origin and safeguard clause), volume of financial aid available under the sixth EDF, policy dialogue, Stabex, and private investment.

The ACP States of course brought up the question of sugar, concentrating on the 300 000 tonnes which Portugal wishes to continue to import from the ACP States following accession.

Among the other topics discussed were:

- (i) environment: the parliamentarians noted increased awareness of the problem on the ACP side, though criticized the paucity of means specifically earmarked for this area; they noted with satisfaction, however, the relevant provisions in Lomé III;
- (ii) fisheries: the Brazzaville resolution was adopted without much debate;
- (iii) fact-finding mission in southern Africa.

In addition to the general resolution on the basis of the 1983 annual report of the ACP-EEC Council of Ministers, the resolutions adopted concerned the following: the environment and development; fisheries; conclusions of the fact-finding team which went to southern Africa; consultation of the economic and social sectors in the ACP States and the Community;¹ the freeing of Nelson Mandela; the situation in Chad; the ACP States' debt situation; the campaign against drought and desert creep.

The next Joint Committee meeting will be held in Bujumbura, Burundi, from 28 January to 2 February 1985.

Consultation of the economic and social sectors in the ACP States and the Community

2.2.40. The eighth annual meeting for this purpose was held in Brussels in September. The final statement was sent to the Joint Committee and adopted in Luxembourg as a resolution of the ACP-EEC Consultative Assembly.² The Assembly noted that consultation and the concept of participation by ACP and Community social and economic sectors in cooperation were now ac-

cepted principles; it requested that consultations be continued and that an operational link be sought between the programming of official assistance and private initiative.

There were two topics on the agenda: progress on the negotiations for a new Lomé Convention; ACP-EEC industrial cooperation.

The participants noted with satisfaction the role which the economic and social sectors were to play in the future Convention. There was a broad consensus on the need to give priority to the agri-food industries as the second logical stage in rural and agricultural development. The importance of appropriate training and conditions conducive to investment in an ACP country was also stressed.

International organizations and conferences

United Nations

General Assembly

Opening of the 39th session

2.2.41. The 39th session of the United Nations General Assembly opened in New York on 18 September. Mr Barry, President of the Council, spoke for the Community and its Member States in the general debate on 25 September.³ He stressed the Ten's commitment to the United Nations Charter, to the rights of peoples to security and independence, to human rights and to dialogue in international relations—since dialogue and cooperation were also the key to more equitable and more even development and to economic progress for all.

¹ Point 2.2.40.

² Point 2.2.39.

³ Mr Barry's address is reproduced at point 3.4.1.

In the part of his speech dealing more specifically with Community matters, Mr Barry said that it was essential for the benefits of the economic recovery to be spread widely—in developing countries as well as in the industrialized world. In the North and the South alike, an attack must be made on the problem of underemployment. Different countries and areas were steadily becoming more interdependent: policies pursued in one place had repercussions elsewhere. The problems of development had to be tackled in an integrated way and over the longer term. On indebtedness, Mr Barry indicated that all countries had responsibilities; however, there was a link between adjustment and development, and the efforts of developing countries to adjust their economies deserved the support of the international community.

Convention on the Law of the Sea

2.2.42. The Convention on the Law of the Sea provides that 'an international organization may sign this Convention if a majority of its member States are signatories to the Convention. At the time of signature an international organization shall make a declaration specifying the matters governed by this Convention in respect of which competence has been transferred to the organization by its member States which are signatories, as well as the nature and extent of such competence.'¹

On 20 September the Commission sent the Council a communication in which it requested the Member States which had not already done so to sign the Convention on the Law of the Sea by 9 December, the deadline for signing. Five Member States (Denmark, France, Greece, Ireland and the Netherlands) have already signed. In the same communication the Commission recommended that the Council resume its preparatory work on the definition of the Community's competence.

International Monetary Fund and World Bank

2.2.43. The Community attended the annual meetings of the Boards of Governors

of the IMF and the World Bank, which were held on 22 and 23 September.²

General Agreement on Tariffs and Trade

Group on Quantitative Restrictions and Other Non-Tariff Measures

2.2.44. The Group on Quantitative Restrictions and Other Non-Tariff Measures held a further meeting in Geneva on 27 September.³ The main topic of discussion was the draft report drawn up by the GATT Secretariat in preparation for the November session of the Contracting Parties.

It was agreed that the Secretariat should prepare a revised version of the draft for the final meeting of the Group in October.

Government Procurement Committee

2.2.45. The Government Procurement Committee met again in Geneva on 18 and 19 September.⁴ The discussions mainly concerned the improvement of the Code, though several delegations also made statements on broadening its scope.

Renegotiation of the Code will continue at the next meeting of the Committee in November.

Textiles Committee

2.2.46. The GATT Textiles Committee met in Geneva on 4 and 5 September.⁵

Organization for Economic Cooperation and Development

Executive Committee

2.2.47. The OECD's Executive Committee met in special session on 13 and 14 September.

¹ Bull. EC 5-1982, point 2.2.23.

² Points 2.1.1 and 2.1.2.

³ Bull. EC 6-1984, point 2.2.69.

⁴ Bull. EC 6-1984, point 2.2.70.

⁵ Point 2.2.11.

The topics discussed included:

- (i) recent developments in the economic situation, in particular the contrast between the strong US recovery and weaknesses in the European economy;
- (ii) the problems of indebtedness and the conditions for a possible dialogue with the developing countries most heavily in debt;
- (iii) the move towards bilateralism in international trade and the possibility of progress on the question of new multilateral trade negotiations;
- (iv) relations with the developing countries in the context of forthcoming international meetings.

Diplomatic relations

2.2.48. The President of the Council and the President of the Commission received

the following ambassadors, who presented their letters of credence as Heads of Mission to the European Communities, to take effect on 4 September:

HE Mr Miguel J. Berthet (Eastern Republic of Uruguay) and HE Mr Bitwell Robinson Kuwani (Republic of Zambia);

and to take effect on 18 September:

HE Mr Jesús Ela Abeme (Republic of Equatorial Guinea), HE Mr Fernando Gerbasi (Republic of Venezuela), HE Mr Sipho Peter Nkambule (Kingdom of Swaziland), HE Mr Chung Sup Shin (Republic of Korea), HE Mr Ronald Listeri Kensmil (Republic of Suriname) and HE Mr Ruall Cardinal Harris (Barbados).

3. Financing Community activities

Budgets

General budget

Supplementary and amending budget No 1/1984 and the general budget for 1985

2.3.1. Because of the intricate links between the various budget issues (supplementary and amending budget No 1/1984, the general budget for 1985, the problems of providing adequate revenue for these two budgets, new own resources and budget discipline) and differences of opinion between the Member States, the Council was

unable to adopt the supplementary and amending budget and the general budget in September.¹

At the beginning of the month, the Commission, basing itself this time on Articles 175 of the EEC Treaty and 148 of the Euratom Treaty (failure to act), once again asked the Council to ensure that the Community was in a position to meet its financial obligations.²

¹ Although the compromise reached on 2 October leaves certain problems unsolved, it enabled the draft budgets to be adopted and the general budget for 1985 to be sent to Parliament by 5 October, the deadline laid down in the Treaty.

² Bull. EC 7/8-1984, point 2.3.7.

2.3.2. On 6 and 7 September the Council, picking up where it had left off in July,¹ did reach agreement on the amounts to be entered in draft supplementary and amending budget No 1/1984 and on how the required revenue should be made available (repayable advances to be settled by an intergovernmental agreement).²

Expenditure was set at 1 861 million ECU, the Council having rejected the Commission's proposal to allocate 150 million ECU to finance a programme for the reduction of agricultural stock. It estimated the savings that could be made in areas other than EAGGF during the year at 500 million ECU and made no change to the estimates of revenue from customs duties and agricultural and sugar levies (which had been reduced by the Commission). Following the amendment of the basic sugar Regulation on 21 September,³ the Council entered 222 million ECU as the balances of the sugar and isoglucose production levies for 1983/84.

Extra revenue required to cover the deficit in 1984 is thus estimated at 1 003 million ECU.

In reply, the Commission stated that it could not in any way endorse the figure of 500 million ECU forecast in the Council's draft supplementary budget as a surplus available from the current financial year. The Commission confirmed the estimate in its preliminary draft that receipts from agricultural and sugar levies and customs duties would be 560 million ECU less than previously envisaged, together with its statement that management economies of 350 million ECU could be found in certain areas.⁴ The amendments to the Commission's preliminary draft made by the Council will lead to the carrying over of a substantial deficit as a charge on the 1985 budget, for which no provision has been made.

The Council also reached agreement on the overall size of the draft general budget for 1985, which will remain within the 1% VAT limit.

But draft supplementary and amending budget No 1/1984 and the draft general budget for 1985 were not formally adopted because insufficient progress had been made on the question of budget discipline and doubts remained about how resources could be found to cover both a supplementary and amending budget in 1985—which will certainly be required to finance the common agricultural policy since appropriations for EAGGF Guarantee Section operation were cut so that the 1% VAT limit could be respected—and financial compensation for the United Kingdom for 1984, which is to be paid from the 1985 budget. A further problem was the date on which the new own resources system should come into effect. One Member State declared that it would not submit the decision on new own resources for ratification until it could also present the act of accession of the applicant countries.

2.3.3. On 17 and 18 September the Foreign Ministers discussed these questions. They took note of the work done by the Ministers for Economic and Financial Affairs on budget discipline, but were unable to clear the main political stumbling block, namely the question of when the new own resources system takes effect and the possibility of these resources being available before the end of 1985.

Own resources

2.3.4. On 27 September the Economic and Social Committee approved⁵ the amended proposal for a Decision on the Communities' system of own resources.⁶

¹ Bull. EC 7/8-1984, point 2.3.2.

² Bull. EC 7/8-1984, point 2.3.3.

³ OJ L 254, 22.9.1984; point 2.1.96.

⁴ Bull. EC 4-1984, point 1.1.4.

⁵ Point 2.4.19.

⁶ OJ C 193, 21.7.1984; Bull. EC 7/8-1984, point 2.3.9.

Financial operations

ECSC

Loans raised

2.3.5. In September the Commission made a 50 million ECU public issue for a term of 10 years placed at par with an interest rate of 11.25%. The Commission also made a number of private placings in marks and Swiss francs for the equivalent of 31.2 million ECU.

Loans paid out

2.3.6. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission made loans in September amounting to 102.75 million ECU, broken down as follows:

Industrial loans

2.3.7. Industrial loans (Article 54) totalling 102.38 million ECU were paid out during this period to finance the following projects:

United Kingdom

Investors in Industry, plc, London: project to promote the consumption of Community coal.

France

Groupeement d'Intérêt Économique ELSA: construction of an electrogalvanizing plant at Florange-Sainte-Agathe;

Sollac, Paris: modernization of flat rolling mills;

Ugine Acier, Paris: construction of a 110-tonne direct-oxygen converter and continuous casting plant at the L'Ardoise factory.

Subsidized housing

2.3.8. Loans for the building of subsidized housing totalled 370 000 ECU, of which 360 000 ECU was for steelworkers and 10 000 ECU was for mineworkers.

Euratom

Loans raised

2.3.9. In September the Commission raised LFR 600 million with a 12-year public issue. Carrying a coupon of 10.25%, it was issued at par.

4. Political and institutional matters

European political cooperation

2.4.1. On 1 September the Foreign Ministers meeting in Dublin adopted statements on terrorism and diplomatic immunity and on South Africa.

Terrorism and diplomatic immunity

'At their meeting on 11 September, the Foreign Ministers of the Ten considered the increasingly serious problem of international terrorism and the abuse of diplomatic immunity and how the Ten should respond to this phenomenon.

Confirming that the guiding principle of the Ten is to make no concessions under duress to those who practise terrorism, the Ministers agreed a set of measures designed to strengthen existing cooperation.

They declared their readiness to consider common action if one member of the Ten were to suffer a serious terrorist attack involving abuse of diplomatic immunity.'

South Africa

1. The Ten discussed the recent events in South Africa, in particular the elections to the Coloured and Indian assemblies, the arrests and detentions of leading figures involved in the boycott, and the violence and rioting in the black townships.

2. In so far as South Africa's new constitution is concerned, the Ten recall that the international community has expressed its views on this in discussion of UN Security Council Resolution 554 of 17 August.

3. The Ten considered that the recent violence and rioting in black townships, such as Sharpeville, reflected, *inter alia*, the frustration of black South Africans at their deliberate exclusion from South Africa's political life and at the denial of adequate political means through which to express their grievances. The Ten have consistently called for an end to apartheid and for constitutional arrangements in South Africa which will include all South Africans fully and equally in the political process. The recent events underline once again the need for early progress in this direction if further conflict and violence are to be averted.

4. The Ten are also concerned at the arrest and detention of those involved in the boycott, in particular the leaders of the United Democratic Front

and the Azanian People's Organization. They agreed that they should express this concern to the South African authorities and seek the immediate release of those detained without charge.

5. These negative developments are in contrast to more positive developments in relations between South Africa and its neighbours.'

2.4.2. The Ministers also expressed grave concern at the acts of violence and repression in Chile which followed in the wake of the recent political demonstrations aimed at the re-establishment of democracy in that country.

They observed that these acts had resulted in at least nine deaths in the previous few days and once more demonstrated the need for genuine and sustained efforts by the Chilean authorities to restore democratic conditions.

On the 11th anniversary of the coming to power of the present regime, the Ten felt that need to be more pressing than ever.

Hong Kong

2.4.3. On 25 September the Foreign Ministers meeting in New York adopted the following statement on the agreement reached between the United Kingdom and the People's Republic of China on the future of Hong Kong.

'The European Community welcomes the initialing of the agreement about the future of Hong Kong between the Governments of the United Kingdom and the People's Republic of China. This is an impressive achievement which augurs well for the future of Hong Kong as a prosperous and stable community. As a result of this agreement, the Community looks forward to maintaining a close and fruitful relationship both with the People's Republic of China and with the future Hong Kong Special Administrative Region on the basis of its continuing participation in international economic arrangements.'

European policy and relations between the institutions

European policy

Ad hoc Committee on Institutional Affairs

2.4.4. At its first meeting, held on 28 September, the *ad hoc* Committee on Insti-

tutional Affairs¹ decided how its activities were to be organized. The procedure for dialogue with Parliament and the possible participation of Spanish and Portuguese representatives remain to be settled.

At the end of the meeting the Committee entrusted Mr Maurice Faure with the task of drafting an initial report setting out the political basis for the Committee's thinking.

Ad hoc Committee on a People's Europe

2.4.5. The *ad hoc* Committee on a People's Europe, which the Fontainebleau European Council decided to set up² for the purpose of strengthening and promoting the Community's identity and image at home and abroad, is now being formed. It is to consist of representatives of the Heads of State or Government; certain appointments are still to be made.

On 12 September the Commission adopted, for the Committee's use, a communication detailing progress made towards completing the internal market.³

Relations between the institutions

2.4.6. On 13 September Parliament passed a resolution on the appointment of Members of the new Commission.⁴

Institutions and organs of the Communities

Parliament⁵

Strasbourg: 11 to 13 September

2.4.7. Parliament's September part-session was very much of a 'curtain raiser', with a relatively light agenda. The only debates of any political importance were both on issues still shrouded in uncertainty,

namely the budget situation and the enlargement negotiations.

Opinions and resolutions

2.4.8. Parliament gave opinions on a number of Commission proposals, including:

- (i) a Directive and three Decisions extending instruments on agricultural structures;⁶
- (ii) a Regulation on the conclusion of the Agreement between the EEC, on the one hand, and the Government of Denmark and the Home Government of the Faeroe Islands, on the other, establishing measures for salmon fishing in the North Atlantic;⁷
- (iii) a Regulation on the conclusion of an Agreement between the United States and the Community concerning fisheries off the coasts of the United States.

2.4.9. Parliament also passed resolutions concerning:

- (i) the Council's failure to reach a decision to introduce the 'Single document' and the 'Rules on the deferred payment of VAT': the House urged the Council to adopt these two proposals, noting that the Council's inaction was causing grave disquiet among exporters and carriers in the Community;
- (ii) reorganization of working time: calling upon the Council to lose no time in adopting the Commission's draft resolutions concerning employment of young people and unemployment among women,⁸ Parliament asked the Commission to conduct a survey on 'the organization of working time in Europe' and to

¹ Bull. EC 7/8-1984, point 2.4.4.

² Bull. EC 6-1984, point 1.1.9 (paragraph 6).

³ Point 1.1.1 *et seq.*

⁴ Point 2.4.9; OJ C 274, 15.10.1984.

⁵ 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 274, 15.10.1984, and the reports of the proceedings are contained in OJ Annex 2-316.

⁶ OJ C 189, 17.7.1984; Bull. EC 6-1984, point 2.1.100.

⁷ OJ C 214, 14.8.1984; Bull. EC 7/8-1984, point 2.1.158.

⁸ OJ C 149, 8.6.1983; Bull. EC 4-1983, point 1.1.11 *et seq.*; OJ C 65, 6.3.1984; Bull. EC 2-1984, point 2.1.73.

support forthwith all trade union and management efforts to reorganize and reduce working time without compromising the Community's international competitiveness; the House also pointed to the relevant resolutions it had passed in 1983 and 1984;¹

(iii) a new priority approach to the problem of unemployment: Parliament affirmed that the problem of unemployment constituted the major priority for the Community institutions;

(iv) the environment—in particular, the accident involving the *Mont Louis*: pointing out that so far only a single, recent, political agreement had been reached on improving the rules governing the transfrontier shipment of hazardous wastes² the House urged the Commission and the Member States, at the forthcoming North Sea Conference in Bremen, to make every effort to ensure the safety of ocean shipping; the Commission was asked to submit as a matter of priority proposals for Council Regulations to regulate effectively the carriage of dangerous and radioactive substances and wastes; the governments of the Member States were urged to comply strictly with minimum conditions;

(v) the transport of radioactive substances, dioxin residues in waste incineration plants, and formaldehyde: the House asked the Commission to submit a report on these three matters of current concern, specifying the dangers involved, existing legislation in the Member States and the measures proposed or contemplated by the Commission at Community level;

(vi) dairy quotas: believing that it had a duty to monitor dairy quotas, Parliament called on the Commission to report each month on their implementation in each Member State;

(vii) collection of the levy provided for by the Regulation laying down the production quotas in the dairy sector: the Commission was urged to allow more time—until the end of the 1984/85 dairy year—for the collection of the levy to enable producers to adjust their output to the quota rules;

(viii) measures to encourage butter sales: Parliament was glad that the Commission had taken steps to promote exports of Community butter and had extended the range of potential buyers; the Commission was asked to mount a Christmas butter operation and to authorize the sale of cut-price butter to small and medium-sized bakeries;

(ix) enlargement of the Community to include Spain and Portugal: recalling the undertaking given at the Fontainebleau Summit to enable the two applicant countries to accede to the Community on 1 January 1986,³ the House took the view that political will must prevail and the negotiations must be brought to a speedy conclusion, provided that the outstanding issues—among them fisheries—were settled 'in a clearly defined, unambiguous manner in order to avoid the necessity of resolving these critical questions in post-accession negotiations';

(x) the appointment of a new Commission: Parliament called on the governments of the Member States to authorize the President-elect of the Commission to proceed with all the necessary consultations and submit his proposals for the full composition of the Commission they would have to appoint; the House would only accept a Commission which consulted Parliament on its policies and 'in which experience and ability rather than nationality determine the allocation of portfolios'.

Council

2.4.10. The Council held five meetings in September. Table 6 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.

¹ OJ C 135, 24.5.1983; Bull. EC 4-1983, points 1.1.2 to 1.1.10; OJ C 77, 19.3.1984; Bull. EC 2-1984, point 2.4.14; OJ C 117, 30.4.1984; Bull. EC 3-1984, point 2.4.20.

² Bull. EC 6-1984, points 1.4.1 and 1.4.2.

³ Bull. EC 6-1984, point 1.1.9 (paragraph 2).

Table 6 — Council meetings in September 1984

Number, place and date of meeting	Subject	President	Commission	Main items of business
945th Brussels 6 and 7 September (continuation of meeting of 20 July)	Budget	Mr O'Keefe	Mr Tugendhat	Draft supplementary and amending budget No 1/84 and draft general budget for 1985 ¹
947th Brussels 3 September	Foreign affairs	Mr Barry	Mr Thorn Mr Natali Mr Davignon	Spanish accession ² Portuguese accession ²
948th Brussels 10 September	Fisheries	Mr O'Toole	Mr Contogeorgis	Conservation measures ³ TACs and quotas ³ Relations with the United States ³ Relations with certain non-member countries ³
949th Brussels 17 and 18 September	Foreign affairs	Mr Barry	Mr Thorn Mr Ortoli Mr Natali Mr Davignon Mr Tugendhat Mr Pisani	Spanish accession ² Portuguese accession ² ACP-EEC negotiations Implementing conclusions of Fontainebleau European Council; budgetary matters ¹ Steel industry: external aspects ⁴ Removal of technical barriers to trade ⁵ New commercial instrument ⁴
950th Brussels 17 and 18 September	Agriculture	Mr Deasy	Mr Dalsager	Wine ⁶ General rules concerning wine distillation and by-products of wine-making Sugar Milk and milk products Structures Preservatives for use in foodstuffs ⁵

¹ Financing Community activities.² Enlargement and bilateral relations with applicant countries.³ Fisheries.⁴ Commercial policy.⁵ Internal market and industrial affairs.⁶ Agriculture.

Commission

Activities

2.4.11. During September the Commission was mainly concerned with two major issues — enlargement, particularly the agricultural side (olive oil, Community rules governing wine), and budget matters (own resources and budgetary discipline, and adoption of the draft supplementary budget for 1984 and the draft budget for 1985).

Decisions, communications and proposals

2.4.12. Acting on the conclusions of the Fontainebleau European Council in June that aimed to give the Community a new enhanced image at home and abroad, the Commission sent the Council a communication entitled 'A people's Europe'.¹ A communication was adopted on Community-level cooperation on public health,² a paper intended for a meeting of Ministers of Health which the Council Presidency is planning to convene by the end of the year. The Commission also approved a communication to the Council and the Standing Committee on Employment on combating long-term unemployment, which was backed by a draft Council resolution.

A report went to the Council on application in the Member States of the Community's energy pricing principles.

To back up its proposal for a Directive on the lead content of petrol³ the Commission sent the Council particulars concerning the octane rating of lead-free petrol and colouring agents for leaded petrol.

The Commission approved a proposal for a Council Directive on the approximation of Member States' laws relating to quick-frozen foodstuffs for human consumption.

With the aim of facilitating the injection of risk capital into companies and lightening their tax burden, the Commission sent the Council a proposal for a Directive on indirect taxes on the raising of capital (capital duty). A proposal for a Council Directive on the harmonization of Member States' laws governing tax arrangements for carry-over of losses was also put forward.

¹ Point 1.1.1 *et seq.*

² Point 1.2.1 *et seq.*

³ Bull. EC 5-1984, point 1.2.1 *et seq.*

Court of Justice ¹

2.4.13. New cases

Case	Subject	Basis
ECSC — Steel 224/84—Alphasteel Ltd v Commission ¹	Individual Commission Decision of 30 July notifying production quotas for the third quarter of 1984	Article 33 ECSC
225/84—Badische Stahlwerke AG v Commission ²	Individual Commission Decision of 30 July notifying an adjustment of the production quotas initially announced for the third quarter of 1984	Article 33 ECSC

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
230/84—Stahlwerke Peine-Salzgitter AG v Commission ³	Individual Commission Decision of 27 July imposing a penalty payment following an infringement of Article 47 of the ECSC Treaty	Article 33 ECSC
Free movement of goods		
215/84—Ministère public et parties civiles v Hericot	Must Articles 3(f), 5, 30, 85 and 86 of the EEC Treaty be interpreted as meaning that a Member State may not, by law or regulation, institute a system of minimum prices for the retail sale of regular and premium-grade petrol?	Article 177 EEC
Customs union		
223/84—Telefunken Fernseh und Rundfunk GmbH, Hannover v Oberfinanzdirektion München	Interpretation of CCT subheading 92.13 D with reference to the classification of timer/tuners for television sets	Article 177 EEC
227/84—Texas Instruments Deutschland GmbH, Freising v HZA München-Mitte	Does Council Regulation (EEC) No 2841/79 infringe the general principle of equal treatment by making the suspension of customs duties payable on electronic memories (Eproms) dependent on their exterior dimensions?	Article 177 EEC
Competition		
226/84—BL plc v Commission ⁴	Annulment of the Commission Decision of 2 July finding that the applicant had infringed Article 86 of the EEC Treaty, among other things by charging an excessive amount for issuing a certificate of conformity for a variant of the Metro car. Cancellation or reduction of the amount of the fine	Article 173 EEC
234/84—Belgium v Commission	Decision of 17 April 1984 finding that aid granted by the Belgian Government to a firm manufacturing equipment for the food industry was incompatible with Article 92 of the EEC Treaty	Article 173 EEC
Equal treatment for men and women		
222/84—M. Johnston v Chief Constable of the Royal Ulster Constabulary ⁵	Interpretation of Article 224 of the EEC Treaty and of Directive 76/207/EEC (equal treatment for men and women) with reference to the carrying of arms by female members of the police force	Article 177 EEC
Agriculture		
208/84—Vonk's Kaas Inkoop en Productie Holland BV v Het Produktschap voor Zuivel	Interpretation of Articles 12 and 38 to 46 of the EEC Treaty and validity of Regulations (EEC) No 1245/83, No 3281/83 and No 270/84 — granting of monetary compensatory amounts on exports of lower-value cheeses	Article 177 EEC

Case	Subject	Basis
Fisheries		
207/84—Rederij L. de Boer en Z ⁿ BV v Het Produktschap voor Vis en Visprodukten	Interpretation of Council Regulation (EEC) No 3796/81 on the common organization of the market in fishery products and of Council Regulation (EEC) No 170/83 establishing a Community system for the conservation and management of fishery resources	Article 177 EEC
Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters		
220/84—AS-Autoteile GmbH v P. Malhé	Interpretation of Article 16(5) of the Convention — jurisdiction of German courts	
221/84—F. Berghoefer GmbH & Co. KG v ASA SA	Interpretation of Article 17 of the Convention — validity of an oral agreement on jurisdiction	
Infringements		
233/84—Commission v Greece ⁶	Articles 52, 221 and 7 of the EEC Treaty — discrimination in the mining industry	Article 169 EEC
235/84—Commission v Italy ¹	Council Directive 77/187/EEC — safeguarding of employees' rights in the event of transfers of undertakings	Article 169 EEC
237/84—Commission v Belgium ⁷	Council Directive 77/187/EEC — safeguarding of employees' rights in the event of transfers of undertakings	Article 169 EEC

Disputes between the Community and its staff

v Commission: 229/84,⁸ 231/84⁷

v Court of Auditors: 228/84⁸

¹ OJ C 273, 13.10.1984.

² OJ C 259, 27.9.1984.

³ OJ C 284, 23.10.1984.

⁴ OJ C 277, 17.10.1984.

⁵ OJ C 265, 4.10.1984.

⁶ OJ C 281, 20.10.1984.

⁷ OJ C 276, 16.10.1984.

⁸ OJ C 271, 11.10.1984.

2.4.14. Judgments

Date and case	Held
Free movement of goods 19.9.1984, 94/83—Criminal proceedings against A. Heijn BV ¹	Articles 30 and 36 of the EEC Treaty do not prevent a Member State from prohibiting the importation of apples from another Member State on account of the presence in or on those

Date and case	Held
	apples of a quantity of vinchlozoline greater than that authorized by the legislation of the first Member State, even though the maximum permitted vinchlozoline content laid down in that Member State differs from that laid down for other kinds of food and drink
Equal treatment for men and women	
18.9.1984, 23/83—W.G.M. Liefing v Directie van het Academisch Ziekenhuis bij de Universiteit van Amsterdam ¹	A social security scheme for Dutch civil servants is incompatible with the principle of equal pay for men and women
Agriculture	
25.9.1984, 117/83—Karl Könecke GmbH & Co. KG v Bundesanstalt für Landwirtschaftliche Marktordnung (BALM) ²	Certain provisions of Community law relating to agriculture do not authorize national intervention agencies, after the expiry of the storage period, to recover deposits which have been wrongly released or to impose on traders pecuniary penalties equal to the amount of the deposits so released. This gap cannot be filled by national law
27.9.1984, 38/83—Verwerkingsindustrie Vreeland BV v Hoofdprodukschap voor Akkerbouwprodukten ³	There is no right to cancel the advance fixing of export refunds in the event of changes in the values of the currencies making up the ECU
Infringements	
18.9.1984, 221/83—Commission v Italy ¹	<p>1. By not adopting, within the prescribed period, the provisions needed to comply with Council Directive 78/1026/EEC, Italy has failed to fulfil its obligations under the EEC Treaty</p> <p>2. By not ensuring the full implementation of Council Directive 78/1027/EEC and by failing to provide for compulsory instruction in the subjects referred to as 'animal ethology and protection' and 'food hygiene and technology' as part of its curriculum for the training of veterinary surgeons, Italy has failed to fulfil its obligations under the EEC Treaty</p>

Disputes between the Community and its staff

v Commission

27.9.1984, 235/83³ — Application dismissed¹ OJ C 271, 11.10.1984.² OJ C 277, 17.10.1984.³ OJ C 281, 20.10.1984.

Economic and Social Committee

219th plenary session

2.4.15. The Economic and Social Committee held its 219th plenary session in Brussels on 26 and 27 September with Mr François Ceyrac in the chair.

The Committee adopted three own-initiative opinions on the social situation in the Community, occupational medicine and relations between the Community and Yugoslavia; it also delivered opinions on a number of major proposals, notably on the future system for own resources.

Opinions

Social situation in the Community

2.4.16. As so many amendments were tabled in July on the draft own-initiative opinion on the social situation in the Community at mid-1984, the Committee had to postpone adoption of the opinion until the September session. By 85 votes to 34 with 10 abstentions the Committee endorsed an economic and social policy which put priority on employment and supported and restructured investment and consumption to help economic recovery. It accordingly proposed a multiannual Community social action programme geared to harmonizing Member States' employment measures, proper arrangements for social protection during the transition period needed to provide the jobs required by the new technologies, access to Community aid and credit facilities, with clearer information at Community level on social and employment trends.

At Community level, support for local efforts, the cooperatives, training and retraining schemes, accident prevention, occupational and social medicine, retirement, part-time work and temporary work policies, the reduction of working hours, workers' rights to be informed, consulted and

associated with decisions involving their company's future, were all fields in which special efforts must be made.

The members of the Employers' Group, who either voted against or abstained, issued a minority statement to the effect that a social action programme would be of only very limited help in improving employment. They were worried because the opinion insisted on maximum State intervention and guidance; they held that economic recovery and by the same token jobs would come from market-oriented entrepreneurship. They also believed that working conditions and pay were matters to be settled not at Community level but nationally, by negotiation between management and labour.

Occupational medicine

2.4.17. By 75 votes to 8 with 2 abstentions the Committee, in an own-initiative opinion on occupational medicine, asked for a Directive to be prepared that would protect all workers through company precautions against industrial accidents and occupational disease.

Community relations with Yugoslavia

2.4.18. The third own-initiative opinion, adopted *nem. con.* with 3 abstentions, was on Community relations with Yugoslavia. The Committee called for more forceful cooperation between the two sides and urged the Commission to secure guarantees from the Yugoslavs that they would refrain from dumping and other practices which could dislocate trade. The Committee also wanted to see improvements in tourist facilities and services (the Community could assist the training of managers), EIB loans granted for road and rail investments in Yugoslavia and support for Yugoslav projects in the areas of energy and raw material processing.

Future system of own resources

2.4.19. In its opinion on the future system of own resources,¹ adopted by 87 votes

¹ OJ C 193, 21.7.1984; Bull. EC 7/8-1984, point 2.3.9.

to 11 with 7 abstentions, the Committee approved the new ceiling of 1.4% of own resources but had misgivings about the terms agreed at Fontainebleau.

While supporting the principle of lightening the burden on one of the Member States, the Committee was still worried about possible interpretations of the Summit conclusions, and felt that Europe's leaders must display great political wisdom. Members were also concerned at the way in which the decision-making process laid down by the Treaties was gradually sliding towards intergovernmental agreements and regretted that this decision had been reached outside the institutional machinery. Some members also feared that the Fontainebleau compromise deviated from the principle of financial solidarity and implied acceptance of the principle of 'fair returns'. The Committee reiterated that any future policy must be inspired by financial solidarity and a fair sharing of the burdens and that the real solution lay in an even-handed development of common policies, some of which had so far been only roughed out. Finally, the Committee believed that the 1.4% ceiling was only a short-term measure since a reappraisal would have to be made as soon as the proportion of VAT paid by a Member State had reached it (because of the rebate allowed to certain Member States, the real rate would not be the same for each one of them during a budget year).

Other opinions with discussion

2.4.20. By a large majority with only 9 votes against the Committee adopted its opinion on a proposal for a fifth Directive extending the 1981 Directive on aid to shipbuilding.¹ The Committee held that extending this Directive could only be regarded as an emergency measure and called for selective cuts in the number of production units rather than lowering the output of each one. A European shipping policy should be established, and efforts should concentrate on encouraging Community owners to place orders with European

yards, financing, standardizing ships' components and fittings, safety inspections and social measures. The Committee hoped that the industry might be sustained by means of international shipping agreements with non-member countries.

2.4.21. The Committee also adopted opinions on the proposal for a Regulation on the designations used in the marketing of milk and milk products² and on the proposal for a 20th VAT Directive authorizing the Federal Republic of Germany to grant, through the use of VAT, special aid to German farmers as compensation against the dismantling of MCAs.³ On the latter the Committee held that the proposal should stipulate that the effect of the compensation must in no circumstances exceed the effect of the dismantling and should apply only to products genuinely affected. The Committee also felt that the implementing rules adopted should be submitted to the Commission for its opinion and that the Commission should ensure that this measure did not result in any fresh distortion of competition.

Opinions without discussion

2.4.22. The Committee adopted opinions without discussion on:

- (i) customs treatment applicable to goods returned to the customs territory of the Community;⁴
- (ii) the communication on technological change and social adjustment;⁵
- (iii) the financing of health inspections and controls of fresh meat;⁶
- (iv) ratification of the Torremolinos International Convention on the Safety of Fishing Vessels;⁷

¹ OJ C 86, 28.3.1984; Bull. EC 2-1984, point 2.1.48.

² OJ C 111, 26.4.1984; Bull. EC 4-1984, point 2.1.98.

³ OJ C 214, 14.8.1984; Bull. EC 7/8-1984, point 2.1.117.

⁴ OJ C 87, 29.3.1984; Bull. EC 3-1984, point 2.1.37.

⁵ Bull. EC 1-1984, points 1.3.1 to 1.3.5.

⁶ OJ C 168, 28.6.1984; Bull. EC 6-1984, point 2.1.104.

⁷ OJ C 183, 10.7.1984; Bull. EC 6-1984, point 2.1.59.

(v) summer-time arrangements.¹

ECSC Consultative Committee

244th meeting

2.4.23. The ECSC Consultative Committee held its 244th meeting in La Baule, France, on 20 and 21 September with Mr Audiat in the chair.

The Committee delivered opinions on the revised report on the solid fuels outlook for 1984, the implementing rules of the coking coal and coke scheme for the steel industry, the forward programme for steel for the fourth quarter, the adjustment of minimum prices, and changes in the price lists and conditions of sale for special steels. Finally, it considered a draft resolution on the social aspects of the energy and steel policies and held an exchange of views on ECSC budgetary matters.

Forward programme for steel — fourth quarter

2.4.24. The Committee largely endorsed the Commission's report² but noted differences between the Member States. It was pointed out that the Federal Republic of Germany was under heavy pressure from imports but that traditional trade flows should be preserved. The Committee would consider the whole problem of imports from non-member countries in October.

Some thought was also given to the problem of scrap metal.

Minimum prices

2.4.25. Members of the users' group were in favour of an increase in minimum prices³ smaller than that proposed by the Commission (15 ECU rather than 20 ECU per tonne) and did not want to see it applied until 1 January (instead of 1 October). The producers naturally took a different view,

contending that prices should as far as possible reflect costs.

The Commission representative reminded the meeting that the Commission was not determining prices but simply setting a floor price and that it was guided by its concern to rescue the Community steel industry.

Solid fuels market

2.4.26. While approving the Commission's paper on solid fuels⁴ the Committee pointed to the very gloomy outlook for this sector, which was largely due to the cost of Community coal and the price of imported coal. Members also spoke of risks inherent in replacing coal by nuclear fuel and by gas in medium-capacity power stations, as well as the need for greater price transparency between coal and other energy sources.

Social aspects of energy and steel policies

2.4.27. On 21 September the Committee unanimously passed a resolution on the social aspects of energy and steel policy,⁵ as a follow-up to its resolution of February 1983.⁶ The Committee urged the Commission to try once again to persuade the budgetary authority to endow the ECSC budget with the resources needed to finance the social side of the coal and steel policies between 1984 and 1986. Members insisted that the best possible use be made of the resources of the Regional and Social Funds and called for coordination between the Community lending instruments for financing job-creating projects in the regions hit by restructuring.

¹ OJ C 179, 7.7.1984; Bull. EC 6-1984, point 2.1.131.

² Point 2.1.17.

³ Point 2.1.19.

⁴ OJ C 157, 18.6.1984; Bull. EC 3-1984, point 2.1.178; Bull. EC 7/8-1984, point 2.1.172.

⁵ OJ C 279, 19.10.1984.

⁶ OJ C 72, 17.3.1983; Bull. EC 2-1983, point 2.4.33.

European Investment Bank

Operations in September

2.4.28. Loans announced by the European Investment Bank in September for investments within the Community totalled 152.5 million ECU¹—145.7 million in France and 6.8 million in Greece. Of the total lent in France, 82.3 million ECU was provided from the resources of the new Community borrowing and lending instrument (NCI).² Outside the Community the Bank lent 8 million ECU for investments to rehabilitate small industrial firms in Madagascar.

Community

France

2.4.29. As part of the Community's efforts on behalf of small business, FF 1 000 million was granted (565 million from NCI resources for investments *outside* areas receiving regional development premiums and 435 million from the Bank's own resources for projects *in* areas eligible for premiums).

A sum of FF 600 million was granted, in the form of two global loans, to the Crédit d'Équipement des PME, the main agency for financing the development of small and medium-sized enterprises in France (EIB: FF 270 million, NCI: FF 330 million).

This brings to FF 1 070 million the total received by CEPME from the Bank's own resources for small and medium-scale investments since March 1982. FF 800 million has already gone to finance over 760 such investments (creating about 4 500 jobs) in the hotel trade and the food, rubber processing, plastics, metalwork, printing and timber industries.

The most recent of these global loans (FF 300 million), granted at the end of December 1983, has provided funds for 332 small firms (Total investment: almost FF 900 million; some 1 700 jobs created and

more than 15 000 maintained), mainly in the tourist trade (64 firms, FF 74.25 million), metal products and mechanical engineering (66 firms, FF 47.14 million), foodstuffs (36 firms, FF 37.86 million), the timber industry (36 firms, FF 31.13 million), building and civil engineering (30 firms, FF 21.14 million), paper pulp and printing (20 firms, FF 19.47 million). These firms were located mainly in Brittany, Languedoc-Roussillon, Aquitaine, Pays de la Loire and Midi-Pyrénées.

Since November 1982 CEPME has also received FF 900 million from NCI resources, onlent to more than 1 100 small firms (creating over 5 300 jobs). All in all, then, more than 1 400 businesses were provided with finance for investments totalling over FF 2 400 million, creating some 5 400 jobs, mainly in Ile de France, Rhône-Alpes and Provence-Côte d'Azur.

The most recent global loan from NCI resources (FF 400 million last June) has been onlent to 521 firms (total investment: almost FF 1 200 million, creating nearly 2 500 and maintaining over 26 000 jobs), mainly in metal products and mechanical engineering (163 firms, FF 114.84 million), paper pulp and printing (65 firms, FF 56.32 million), the timber industry (50 firms, FF 34.39 million), rubber processing and plastics (33 firms, FF 25.63 million), foodstuffs (35 firms, FF 25.6 million), electrical engineering and electronics (23 firms, FF 24.86 million), building and civil engineering (37 firms, FF 23.62 million), chemicals (18 firms, FF 14.78 million).

At the same time, continuing to cooperate with the Sociétés de Développement Régional (SDRs) in financing small-scale industry, the EIB granted FF 400 million (NCI: FF 235 million; EIB: FF 165 million), broken down as follows:

¹ The conversion rates at 29 June used by the EIB in statistics for the third quarter were 1 ECU = BFR 45.49, DKR 8.20, DM 2.24, DR 88.58, FF 6.86, HFL 2.52, IRL 0.73, LIT 1 376, LFR 45.49, UKL 0.59, USD 0.80.

² OJ L 298, 20.10.1978; Bull. EC 10-1979, point 2.1.10.

SDR	million FF	
	EIB resources ¹	NCI resources ²
Bretagne	20	.
Centrest (Bourgogne-Franche Comté)		40
Champex (Champagne-Ardenne)		15
Corse	7.5	
Expanso (Sud-Ouest)	20	10
Lordex (Lorraine)	20	10
Méditerranée		15
Nord-Pas-de-Calais	25	10
Normandie		20
Picardie		25
Sade (Alsace)		30
Sodecco (Centre-Centre-Ouest)	25	10
Sodero (Ouest)	15	10
Sodler (Languedoc-Roussillon)	15	
Sud-Est		40
Tofinso (Sud-Ouest)	17.5	.

¹ For small and medium-scale investments *within* eligible areas.

² For small and medium-scale investments *outside* eligible areas.

FF 400 million had already been granted to the same SDRs, with the same breakdown, in May; these funds were used to carry out more than 270 small and medium-scale projects (total investment: over FF 1 700 million, expected to create 2 700 jobs). Particulars of the number of projects financed and investment involved, by SDR, are as follows:

EIB resources (eligible areas)

Bretagne FF 20 million — 14 projects — total investment FF 75.27 million;

Corse FF 7.5 million — 3 projects — total investment FF 41.8 million;

Expanso FF 20 million — 12 projects — total investment FF 102.91 million;

Lordex FF 20 million — 7 projects — total investment FF 96.93 million;

Nord-Pas-de-Calais FF 25 million — 11 projects — total investment FF 139.85 million;

Sodecco FF 25 million — 23 projects — total investment FF 60.99 million;

Sodero FF 15 million — 9 projects — total investment FF 78.0 million;

Tofinso FF 9 million — 10 projects — total investment FF 29.03 million;

Sodler FF 15 million — 6 projects — total investment FF 63.24 million.

NCI resources (outside eligible areas)

Centrest FF 40 million — 33 projects — total investment FF 130.77 million;

Champex FF 15 million — 21 projects — total investment FF 36.56 million;

Expanso FF 10 million — 7 projects — total investment FF 41.01 million;

Lordex FF 10 million — 6 projects — total investment FF 63.85 million;

Méditerranée FF 15 million — 7 projects — total investment FF 43.21 million;

Nord-Pas-de-Calais FF 10 million — 3 projects — total investment FF 125.4 million;

Normandie FF 13 million — 20 projects — total investment FF 83.94 million;

Picardie FF 25 million — 17 projects — total investment FF 69.21 million;

Sade FF 30 million — 16 projects — total investment FF 94.83 million;

Sud-Est FF 40 million — 36 projects — total investment FF 303.09 million;

Sodero FF 10 million — 8 projects — total investment FF 52.67 million;

Sodecco FF 10 million — 10 projects — total investment FF 22.49 million.

An initial series of loans (totalling FF 285 million, of which FF 125 million from the NCI) had already been granted to 7 SDRs (Picardie, Bretagne, Expanso, Sodecco, Centrest, Sud-Est and Normandie) in November 1983. More than 200 small and medium-scale projects were assisted (estimated total investment: over FF 1 100 million, expected to create more than 1 500 jobs).

Since 1983, then, the 16 SDRs have received almost FF 1 100 million from the EIB and the NCI, of which some 700 million was lent to finance nearly 500 small and medium-scale investments.

Greece

2.4.30. DR 600 million was provided to help finance improvements and extensions to airport facilities on the Greek islands (Limnos, Mitilini, Thira, Kefallinia, Skiathos, Kithira and Mikonos), at Iraklio and Khania in Crete and at Kastoria in Western Macedonia.

The works involve construction or extension of eight passenger terminals, construction of three buildings for airport firefighting services, improvements to runways at four airports and to taxiways or apron areas at two others, and the installation of an instrument landing system at Limnos airport. Improved facilities will increase the operational capacity of these airports, enabling easier access to the regions and the handling of greater passenger traffic. This will assist both the development of the regions and the promotion of tourism, as Greece's mountain ranges and island chains make internal communications difficult by other means of transport.

The improvements will also help to make certain tourist areas more accessible to international traffic by obviating the need to pass through Athens. Direct flights to Iraklio, Khania, Limnos, Mitilini, Kefallinia

and Mikonos would ease the congestion at Athens airport, especially at the height of the tourist season.

Outside the Community

2.4.31. Under the second Lomé Convention the EIB announced a loan of 8 million ECU funded from risk capital resources provided for under the Convention and managed by the EIB, to help finance rehabilitation of small and medium-sized industrial, agro-industrial and mining concerns in Madagascar.

The funds were made available to Bankin'Ny Indostria (BNI), the country's leading bank, established in 1976 with the main remit of promoting industry and craft trades in Madagascar. BNI, in whose capital the State has a majority holding, will draw on the funds to finance rehabilitation schemes involving export-oriented or import-substitution concerns and focusing on the acquisition or replacement of plant and machinery, re-establishment of production capacities and the rebuilding of stocks of spare parts vital for resuming or continuing production activities.



PART THREE
DOCUMENTATION

1. ECU

Values in national currencies of one ECU

28 September 1984 ¹	
Belgian franc and Luxembourg franc (convertible)	45.3114
Belgian franc and Luxembourg franc (financial)	45.6882
German mark	2.23453
Dutch guilder	2.51939
Pound sterling	0.592711
Danish krone	8.08762
French franc	6.85877
Italian lira	1 387.72
Irish pound	0.720910
Greek drachma	92.1597
United States dollar	0.738933
Swiss franc	1.84659
Spanish peseta	125.227
Swedish krona	6.33820
Norwegian krone	6.46751
Canadian dollar	0.972362
Portuguese escudo	118.229
Austrian schilling	15.7023
Finnish mark	4.65010
Japanese yen	181.075
Australian dollar	0.886436
New Zealand dollar	1.50926

¹ OJ C 261, 29.9.1984.

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

September 1984	
National currency	Value in national currency of one ECU
Belgian franc and Luxembourg franc	44.9008 ¹
	46.4118 ²
Danish krone	8.23400 ¹
	8.41499 ²
German mark	2.57524 ³
	2.52875 ⁴
	2.54273 ⁵
	2.51457 ⁶
Greek drachma	77.2479 ¹
	90.5281 ²
French franc	6.93793 ⁵
	6.77297 ⁶
	6.49211 ³
	7.10590 ⁷
Irish pound	6.86866 ²
	0.725690 ¹
Italian lira	0.750110 ²
	1 341.00 ¹
Dutch guilder	1 432.00 ²
	2.75563 ³
	2.72149 ⁴
	2.73327 ⁵
Pound sterling	2.70981 ²
	0.618655

¹ For pigmeat and seeds.

² For other products.

³ For seeds.

⁴ For cereals and durum wheat.

⁵ For milk and milk products.

⁶ For pigmeat.

⁷ For wine.

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 4-1984

Point 2.1.85

Commission Directive of 25 April 1984 adapting to technical progress for the sixth time the Council Directive of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labeling of dangerous substances
OJ L 251, 19.9.1984

Bull. EC 5-1984

Point 2.1.101

Grants from the European Regional Development Fund for 1984 (first allocation)
OJ C 245, 13.9.1984

Point 2.1.102

Commission Decision of 30 May 1984 concerning the zones referred to in Article 2(3) of the Council Regulation of 7 October 1980 instituting a specific Community regional development measure contributing to overcoming constraints on the development of new economic activities in certain zones

adversely affected by restructuring of the steel industry
OJ L 249, 18.9.1984

Bull. EC 6-1984

Point 2.1.35

Commission Decision of 27 June 1984 on the proposal by the French Government to grant regional aid to a textile undertaking at La Chapelle-Saint-Luc, Aube, France
OJ L 241, 11.9.1984

Bull. EC 7/8-1984

Point 2.1.74

Commission Decision of 27 June 1984 on a proposed aid by the Netherlands Government in respect of certain investments to be carried out by an oil company at its refinery in Borsele

Commission Decision of 27 June 1984 on a proposed aid by the Netherlands Government in respect of certain investments to be carried out by an oil company at its refinery in the area of Rotterdam-Europoort
OJ L 230, 28.8.1984

Point 2.1.154

Proposal for a Council Regulation on the conclusion of an Agreement between the Government of the United States of America and the European Economic Community concerning fisheries off the coasts of the United States
OJ C 257, 25.9.1984

3. Infringement procedures

3.3.1. No infringement procedures were initiated in September for failure to implement directives.

Reasoned opinions

3.3.2. In September the Commission delivered 13 reasoned opinions in the following cases:

Customs union

- (i) Charge for price control of imported products (Greece)
- (ii) Exemption from customs duties for equipment intended for the armed forces (Federal Republic of Germany)

Internal market and industrial affairs

- (i) Inspection measures for disposable syringes (France)
- (ii) Ban on importing and offering for sale imitation pearls coated in substances containing lead salts (France)
- (iii) Obstacles to the sale of barbecue equipment manufactured in the Federal Republic of Germany (France)

Agriculture

- (i) Restrictions on the marketing of fractionated concentrated butter (Italy)

Taxation and financial institutions

- (i) Differential taxation of wines (France)
- (ii) Special tax on vehicles of more than 16 fiscal horsepower (France)

(iii) 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 assessment¹ (United Kingdom, Ireland)

(iv) Taxation of vehicles with a cubic capacity greater than 2 500 cc (Italy)

(v) Failure to inform the Commission of measures to incorporate into national law the following directives (Ireland):

- Council Directive of 5 March 1979 coordinating the conditions for the admission of securities to official stock-exchange listing²
- Council Directive of 17 March 1980 coordinating the requirements for the drawing up, scrutiny and distribution of the listing particulars to be published for the admission of securities to official stock-exchange listing³
- Council Directive of 15 February 1982 on information to be published on a regular basis by companies the shares of which have been admitted to official stock-exchange listing⁴

Budget

Interest for late payment (United Kingdom)

¹ OJ L 145, 13.6.1977.

² OJ L 66, 16.3.1979.

³ OJ L 100, 17.4.1980.

⁴ OJ L 48, 20.2.1982.

4. The Community at the United Nations

Extracts from the address given on behalf of the Community and the Member States by Mr Peter Barry, President of the Council, to the United Nations General Assembly on 25 September

3.4.1. '... The United Nations is now almost 40 years old. The European Community is younger than that by 10 years. Both Organizations were born out of the same experience—the agony and destruction of the Second World War—and both have one essential aim in common — to prevent the recurrence of war. Surveying the international situation over the past 40 years we can take satisfaction from the fact that the continent of Europe has escaped another large-scale war and that the world has avoided global conflict which in a nuclear age would have disastrous consequences for the future of mankind. But our satisfaction must be tempered by the realization that even though global war has been averted, millions have perished in regional conflicts and civil strife; millions more continue to suffer under tyrannical and repressive regimes; and in a wealthy, scientifically advanced and resourceful world millions of our fellow men are subjected to poverty, malnutrition and disease. Beyond these injustices are the growth in nuclear and conventional armaments; the lack of success in arms control; and the state of the political relations between the super powers. None the less there are hopeful signs, notably the forthcoming meeting between the President of the United States and the Deputy Prime Minister and Foreign Minister of the Soviet Union. In this connection also the Ten were encouraged by the tone and content of the address given to this Assembly yesterday by President Reagan.

Despite these encouraging signs the international community and the Ten must remain concerned at the persistence of negative trends in international life. For this reason they will persevere in their efforts to halt and reverse them.

The principles underlying the Ten's approach to international issues are clear. They may be simply stated.

First, we are committed to promoting the purposes and upholding the principles enshrined in the Charter of the United Nations. In recent years the international community has been subjected to a series of crises which has tested the will and capacity of this organization to keep the peace and deter aggression. Moreover, there has been deadlock on a number of international and regional issues of fundamental importance. The United Na-

tions has not responded to these challenges as well as it might; and Member States have not sought to use the Organization as they should. For their part the Ten will continue to promote the UN which, because of its universal character, is a unique forum for the resolution of conflict. We will continue to support also the endeavours of the Secretary-General to increase the relevance of the Organization and to improve its functioning.

A second set of principles, linked to the first, derives from our commitment to the rule of law and to dialogue in international relations. The European Community is itself constructed on these principles and the Ten wish to see them applied more thoroughly and effectively in all areas of international life. In this connection we believe that a renewal and deepening of political dialogue between East and West is an urgent necessity — urgent and necessary because of the awesome level of military forces; urgent and necessary also to prevent miscalculation or misunderstanding in sensitive areas of the world escalating into an international crisis. We are ready to extend our dialogue and cooperation with all States and regional groups.

Third, the Ten recognize and respect the right of all States to security, independence and the determination of their own destiny. These principles, which have informed the work of the United Nations since its foundation, are central to the Ten's approach to international issues. We believe that all States should be permitted to develop their human and natural resources free from external threat, in accordance with their own history and traditions, and without interference in their internal affairs.

Fourth, the Ten believe in the fundamental importance of human rights and in the need for States to respect, in deed as well as in word, internationally agreed human rights standards. I shall have more to say about human rights later in my statement but at this point I wish to emphasize that the principle of non-interference in internal affairs should not, indeed cannot, be invoked by States to ignore or reject international concern at human rights abuses on their territory.

Fifth, the European Community and its 10 Member States are committed to the promotion of the economic and social advancement of all peoples, to working for the elimination of poverty, hunger and disease throughout the world, and to the alleviation of the plight of displaced persons. We believe that dialogue, cooperation and partnership hold the key to the promotion of more equitable and more even development which would also

contribute significantly to economic progress for all.

The principles I have just outlined underpin and give coherence to the work of the Ten on the major issues facing the world today.

East-West relations

Nowhere is the need for dialogue and cooperation more evident than in the area of East-West relations. These relations have continued to undergo considerable strain in the past year. The Ten regret this. Earlier this year they declared their determination to maintain and intensify their contribution to the improvement of relations between East and West. They appealed to the Soviet Union to cooperate in progress towards genuine *détente* on the basis of a balance of forces, of respect for the interests of all States, of the faithful implementation of the Helsinki Final Act in all its aspects including effective abstention from the threat or use of force. They recall in this connection their position on the continued military build-up by the Soviet Union and on the question of Afghanistan.

The Ten have sought to keep open all possible channels of dialogue with a view to contributing to an improvement in East-West relations. Despite the difficulties, the Ten will persist in their efforts to return these relations to a more stable and predictable basis. They will continue to work for a lessening of mistrust and to seek constructive and comprehensive political dialogue with the Soviet Union and its allies in Central and Eastern Europe. They will seek wherever possible to build on existing cooperation with each of these countries. But to bear fruit the efforts of the Ten to improve East-West relations will require to be reciprocated in the same spirit.

As European countries, the Ten attach great weight to the CSCE process as a forum for contacts and negotiation which gives all participating States, large and small, possibilities for contributing to a dialogue on matters of vital importance to them. The CSCE process this year has acquired a new dimension in the Stockholm Conference on Confidence and Security-Building Measures and Disarmament in Europe. Full implementation of the Helsinki and Madrid provisions by all States participating in the CSCE process would significantly assist the restoration of confidence in East-West relations. It is disturbing to note, one year after the conclusion of the Madrid meeting, and with a CSCE experts' meeting on respect for human rights and fundamental freedoms due to take place in the first part of next year, an increase in the disregard by some participating States for the provisions agreed to at Helsinki and Madrid in these areas, including freedom of religion.

It has been a consistent wish of the Ten to return to a more normal relationship with Poland as actual developments there permit. In this regard the Ten welcomed the Polish Government's amnesty decision in July last. The Ten hope that the Polish authorities, in a spirit of national reconciliation and tolerance, will follow this decision with further measures designed to meet the aspirations of the Polish people for dialogue and reform, and that all of the provisions of the Helsinki Final Act and the Madrid Concluding Document, including those on trade-union freedom, will be implemented by Poland.

Disarmament and arms control

For the 10 members of the European Community the achievement of balanced and verifiable arms control and disarmament agreements, as well as the full implementation of such agreements, is a matter of the highest importance. We shall continue to work for such results and to lend support to the efforts of others to achieve them.

The problems of achieving effective agreements on arms control and disarmament are difficult at any time. The pursuit of such agreements is made all the more difficult in a climate of mistrust and strain in political relations. None the less, there is no alternative to determined and painstaking pursuit at the negotiating table of concrete results in the form of substantial, balanced and verifiable arms control and disarmament agreements. In the field of disarmament, statements of good intentions are not enough, and declaratory undertakings are a poor substitute for specific, concrete and verifiable measures. When one takes account of the continuing growth in armaments, certain potentially destabilizing technological advances in weaponry, and the grave social and economic consequences of the arms race, it is evident that all countries, including the nuclear powers, should have a strong common interest in the negotiation of effective measures of arms control and disarmament resulting in stability at lower levels of forces. The Ten profoundly regret the suspension of the negotiations between the United States and the Soviet Union on intercontinental strategic nuclear weapons and intermediate nuclear forces. We consider that these vitally important negotiations should resume and be pursued actively with a view to reducing nuclear weapons to the lowest possible level.

Measures to curb and reverse the nuclear arms race should be complemented by efforts to maintain and improve the effectiveness of the non-proliferation regime, which has served the international community well since it was instituted in the 1960s. In this context those members of the

Ten which are parties to the Non-Proliferation Treaty will work actively for the successful outcome of the Third NPT Review Conference in 1985.

The danger of an arms race in outer space is a matter of deep concern to the membership of this Organization. Given the pressing need for agreement on steps to avert this danger, the Ten can only regret that bilateral talks between the leading space powers, the Soviet Union and the United States have not yet taken place. They hope that such talks will commence without delay. In parallel, multilateral consideration by the Conference on Disarmament of questions relating to the prevention of an arms race in outer space is also desirable.

At the same time, we must take full account of other aspects of the disarmament equation; conventional disarmament and arms control is also necessary if the common desire for peace and stability is to be satisfied. The continent in which we Europeans live contains the highest concentration of conventional weaponry and forces in the world. This is one of the main reasons why the Ten, in conformity with the mandate agreed for the Conference on Confidence and Security-Building Measures and Disarmament in Europe, which began work in January last, are seeking negotiated agreement in a first stage on a set of militarily significant and verifiable confidence and security-building measures. These measures would be designed to diminish the risk of military confrontation in Europe, and thereby pave the way to a second stage of the Conference where the participating States would continue their efforts for security and disarmament in Europe in particular by controlled reductions of armaments.

Those members of the Ten participating in the Vienna negotiations on mutual and balanced force reductions consider that the submission last April of a new proposal which seeks to resolve some of the most basic issues of these negotiations should permit real progress to be made towards agreement on conventional force reductions.

The Ten will continue to support realistic and concrete disarmament efforts at the sole multilateral negotiating body—the Geneva Conference on Disarmament. We attach particular importance to the successful conclusion of negotiations taking place at the Conference on a convention to prohibit chemical weapons. Member States of the European Community have contributed actively to this work. In this connection, we welcome positive developments which have taken place this year; the United States has tabled a draft Convention to outlaw these weapons and the Soviet Union has accepted the principle of on-site inspection of destruction of

stocks of chemical weapons. Although important differences remain to be resolved the Ten hope that it will be possible to move towards the conclusion at an early date of a convention to eliminate chemical weapons.

The importance of the relationship between disarmament and development has been underlined in the deliberations of the United Nations Disarmament Commission this year. The Commission agreed that the world economy, and particularly that of developing countries, would benefit from appropriate international action that takes into account the close relationship of disarmament and development. The Ten hope that it will prove possible to reach a broad measure of agreement at this session of the General Assembly on how the important question of giving concrete expression to the relationship should be pursued.

Middle East

The Ten have an historic concern for, and interest in, peace and stability in the Middle East. We have spoken out consistently on the problems of the area and how they might be resolved in a fair and durable way. Individually and collectively we have contributed to attempts to make and keep peace in the Middle East.

It is appropriate here, at the headquarters of the United Nations Organization, to note its involvement in the area over the years and the experience and expertise that it has developed. The UN has a vital role to play in establishing and maintaining peace in the Middle East. The Ten will continue to encourage and assist the activities of the UN to this end.

Conflict and tension continue in three areas in particular: between Israel and the Arab States; in Lebanon; and in the Gulf. Each dispute has brought its own toll of human suffering and destruction; each also poses wider threats in the region and to international peace and harmony. The international community, notably through the UN Security Council, has at various times set down guidelines for the solution of these problems in part or in whole. What is needed now is movement by the parties concerned in each case, with the support and assistance of the international community to negotiate peaceful solutions in accordance with the guidelines.

With regard to the Arab-Israeli conflict, Resolutions 242 and 338 of the Security Council set down fundamental principles for a settlement of that conflict. The Ten believe that in essence such a settlement must further take account of both the right to existence and security of all States in the Middle East, including Israel, and the right of the

Palestinian people to self-determination with all that this implies.

A negotiated settlement requires the continuing and independent expression of the will of the Palestinian people; the Ten have repeatedly said that the PLO should be associated with the negotiations. The resolution of the problems between Israel and its neighbours should be based on the principles, widely accepted in the international community, of non-recourse to the use of force and the inadmissibility of the acquisition of territory by force. For the Ten, this means that, in accordance with Resolutions 242 and 338 of the Security Council, Israel must put an end to the territorial occupation which it has maintained since the conflict of 1967.

For some time now, because of events on both sides and developments elsewhere, there has been a hiatus in attempts to find a settlement of the Arab-Israeli conflict. The Ten regret this. Each year that passes without a solution makes its achievement more difficult. Attitudes of hostility become more entrenched and the problems arising from the long occupation become more serious. Outside parties, including the Ten, can play a part in facilitating negotiations and can assist and support constructive steps by the sides. A number of proposals have been set forth, and remain on the table, which could be helpful for a comprehensive settlement. But it cannot be escaped that the parties themselves—Israel, the Arab States and the Palestinians—must sooner or later grasp the nettle and come to terms with each other's existence and legitimate rights. The Ten urge those involved to take steps in this direction. We believe that a start could be made with the renunciation by all parties of the threat or use of force and with the abandonment by Israel of the policy of establishing settlements in the occupied territories contrary to international law.

The Ten regard the progress which has been made towards reconciliation in Lebanon under the Government of Prime Minister Karame as encouraging and worthy of support. But violence nevertheless continues to flare up and fundamental problems remain to be addressed if the goal of an independent, sovereign country enjoying territorial integrity, affirmed so many times by the UN and endorsed by the Ten, is to be achieved.

Israel remains in occupation of a considerable part of the country, which is a cause of a great deal of human suffering and economic disruption in Lebanon. In the view of the Ten Israel should withdraw its troops in accordance with the call of the Security Council. In this connection we note that in his address to the Knesset the new Prime Minister of Israel said that one of the main objec-

tives of the new government is an early return of Israeli forces from Lebanon. The Ten also believe that other foreign forces on Lebanese soil whose presence is not authorized by the government should also be withdrawn. The Ten, some of whom contribute to observer and peace-keeping operations in Lebanon, reaffirm their willingness to assist that country towards peace and normality. They take this opportunity to express their appreciation of the work of Unifil, aimed at carrying out its mandate, and its efforts to maintain stable conditions and protect the population in its area of operations. They support the renewal in October of Unifil's mandate and hope that the conditions will be created which will allow the Force fully to carry out its tasks.

The Ten are concerned at the continuation of conflict between Iran and Iraq and the resultant increased tension in the Gulf area. There has been great loss of life on both sides among combatants and the civilian populations. Enormous material damage has been done. Shipping in the Gulf, including traffic to and from States not parties to the conflict, has been subjected to attacks. Of particular concern was the report in March of this year by an expert team dispatched by the Secretary-General which ascertained that chemical weapons had been used in areas inspected in Iran. The Ten condemn without qualification any use of chemical weapons and earnestly hope that they will not be used again in this or any other conflict. We call on both sides to comply with the principles and provisions of humanitarian international law in armed conflicts. We have underlined to Iran and Iraq the importance we attach to freedom of navigation and commerce in international waters and we recall that the Security Council has more than once addressed this question.

More positively it is noted with satisfaction that the undertaking by Iran and Iraq not to attack purely civilian targets is holding up well. We compliment the Secretary-General on bringing this about and on his work and that of the observer teams in maintaining it. A certain willingness to compromise and thus spare the civilian population from further suffering is an encouraging sign. One of the possibilities offered by the UN has been utilized. The Ten urge both sides to extend this process, leading to a general cessation of military activities in accordance with the relevant Security Council resolutions and numerous appeals of the international community. Negotiation could then begin aimed at finding a peaceful solution, honourable for both sides. Many intermediaries have offered their good offices in this area. The Ten hope that these efforts and those of the UN Secretary-General will be continued and intensified and they are ready to support them.

Cyprus

The situation in Cyprus remains an important matter of international concern. The Ten once again express their unconditional support for the independence, sovereignty, territorial integrity and unity of Cyprus in accordance with relevant UN resolutions. In particular, they reiterate their rejection of the declaration of 15 November 1983 purporting to establish an independent State within Cyprus. They deplore the fact that neither this declaration nor the subsequent purported exchange of ambassadors between Turkey and the Turkish Cypriot leadership has been withdrawn, in disregard of Security Council Resolutions 541 and 550.

The Ten attach particular importance to the mission of good offices of the Secretary-General and they call on all concerned to cooperate fully with the Secretary-General in his current efforts to bring about constructive dialogue aimed at a just and lasting solution to the problems of Cyprus.

Afghanistan

It is now almost five years since the Soviet military intervention in Afghanistan. It remains a source of great concern to the whole world and continues seriously to affect the stability of the region. The Ten remain deeply concerned at the continuing occupation of that traditionally neutral and non-aligned country and at the violation of its independence. Despite repeated calls from the international community to respect the UN Charter and UN resolutions the Soviet Union refuses to heed the appeals to withdraw its troops, which is the key requirement for any satisfactory political solution. The Ten regret that the Soviet Union has shown no willingness to make a positive contribution to a settlement based on successive UN resolutions but has instead intensified its military efforts against the resistance forces which have resulted in many civilian casualties and further suffering and destruction in a country already ravaged by war.

The Ten are also deeply concerned that Pakistani civilians and Afghan refugees have been killed in attacks on Pakistani territory from within Afghanistan and they deplore these violations of Pakistan's border.

There can be no military victory in Afghanistan. There can only be a political solution which will ensure the immediate withdrawal of Soviet troops, the restoration of Afghanistan's independence and non-aligned status and the right of the Afghan people to self-determination. In this regard the plight of the refugees must not be forgotten. The exodus of more than a fifth of the Afghan popu-

lation driven from their homeland and forced to seek shelter in neighbouring countries is a tragedy of immense proportions. Any solution must enable the refugees to return home in safety and honour.

The Ten are committed to supporting any initiative which aims at a lasting and principled solution based on successive UN resolutions to the problem of Afghanistan and recall their proposal of June 1981 in this regard. We continue to follow with interest the efforts of the UN Secretary-General's representative in his search for a political settlement within the UN framework and we regret that these efforts have not to date met with significant success.

Kampuchea

The Vietnamese occupation of Kampuchea continues to threaten the peace and stability of the South-East Asia region. The failure over the last five years to make any progress towards a comprehensive political settlement, which would bring an end to the suffering of the Kampuchean people, lies in Vietnam's refusal to comply with the relevant UN resolutions. The Ten consider that the basis for a just and lasting solution is contained in the declaration of the International Conference on Kampuchea which calls for total withdrawal of Vietnamese troops, the right of the Kampuchean people to choose freely their own destiny, respect for the independence, neutrality and non-alignment of Kampuchea, and the commitment of all States not to interfere in its internal affairs.

The Ten are prepared to support all constructive efforts to bring about a peaceful settlement to the problem of Kampuchea. This cannot be achieved without the participation and cooperation of all those concerned with the conflict. We believe that a solution can be reached which accommodates the legitimate security concerns of all the States of the region.

Korea

The unresolved Korean question still constitutes a potential danger for the peace and stability of the region. The Ten reiterate their belief that a peaceful reunification of Korea should be pursued by means of dialogue and negotiations, based on the communiqué of 1972 between the South and the North. The Ten believe that the Korean people should have their place among the countries represented at the United Nations.

Latin America

The Ten hope that democracy and full respect for human rights will be established throughout Latin

America. They welcome the movement towards democracy in South America which has been especially noteworthy over the past year. This progress has been achieved at a time of great economic difficulties. They particularly welcome the restoration of democracy in Argentina following the elections of October 1983 and the achievements of the government of President Alfonsín in consolidating democracy in that country. Elections have also taken place elsewhere in South America and these have served to strengthen the democratic process. Our hope is that those remaining countries in South America where democracy has not yet been restored will in the near future follow a similar evolution.

The Ten welcome the recent steps towards national reconciliation in Colombia and are following with interest the process of democratization in Uruguay where elections are scheduled for November of this year. I regret that, on the other hand, the repeated appeals of the international community to the Chilean authorities to take meaningful steps to restore democracy to their country continue to fall on deaf ears. Violent incidents continue. These have their origin in the denial of democratic freedoms to a people which has a long experience of democratic government.

The Ten continue to be deeply disturbed by the situation in Central America, especially in certain countries where murder and other atrocities are perpetrated, particularly on the civilian population, by the armed forces and by irregular armed bands, and where social and economic injustice continues to undermine the political consensus which is a condition of peaceful stability. The Ten have on many occasions expressed their full support for the efforts of the Contadora Group to achieve a peaceful solution to the problems of the region. I wish to reiterate our support for these efforts, which are based on respect for the independence of sovereign States, the right of States to freedom from outside interference, the inviolability of frontiers, the establishment of democratic conditions and the strict observance of human rights.

The Ten are convinced that the problems of Central America cannot be solved by armed force but only through a political settlement springing from the region itself. The Contadora initiative offers a clear opportunity for such a settlement, and the Ten urge all those in positions of political responsibility in Central America to work towards a final settlement on the basis of the Contadora proposals. In this connection the Ten consider that the elaboration of the Contadora Act is a significant and hopeful development.

The Ten note recent developments which have brought some degree of hope to the Central Amer-

ican region such as the statements made after his election by President Duarte of his intention to promote respect for human rights in El Salvador, as well as the forthcoming elections in Nicaragua, which it is hoped will lead to the establishment and consolidation of a genuine democracy in that country.

The Ten look forward to the meeting in San José, Costa Rica, later this week of the Foreign Ministers of the Ten, Central America, the Contadora countries, and Spain and Portugal. This meeting will mark the commencement of an intensified political and economic dialogue between the Ten and Central America.

Africa

The Ten are deeply concerned at the many problems confronting the African continent.

In South Africa the black majority continues to suffer the injustices and indignity of apartheid with no real prospect of change in its political status. South Africa's new constitution fails to meet the aspirations of black South Africans for equal treatment and the demands of the international community for justice. The black majority is completely excluded from the political process and only a small number of coloureds and Indians were prepared to participate in the recent elections. The sense of alienation and frustration of the black population was demonstrated by the violence which surrounded those elections. There is an urgent need for an early move towards the full and equal involvement of all citizens in the political process if further conflict and violence are to be averted. The Ten will continue to press for constitutional arrangements founded on the principle of equality and acceptable to all the citizens of South Africa.

During the past year, the South African Government has continued to implement its homelands policy. Families and entire communities have been forcibly removed from the homes which they have owned and developed over many generations. In the process many South Africans through their removal to the Bantustans have been rendered exiles in their own land and deprived of the livelihood they once possessed.

The Ten have individually and collectively expressed their abhorrence of and opposition to South Africa's actions. We reject the homelands policy, as all other aspects of apartheid, and we shall continue our pressure on South Africa to abandon the apartheid system.

The Ten have noted with satisfaction the agreement between Angola and South Africa reached in

Lusaka on 16 February on the strengthening and monitoring of the military disengagement in Southern Angola. They have also noted the Nkomati accord between Mozambique and South Africa. They have commended the efforts of all parties concerned to bring about increased security and stability in the region. They stand ready to welcome other positive moves. However, genuine and lasting peace must be founded on justice and guaranteed by the removal of the fundamental causes of conflict. The recent agreements can have only limited impact if they are not accompanied by early and substantial progress in the elimination of racial discrimination and by independence for Namibia.

The Ten hope that the southern African agreements will contribute to a climate of mutual confidence which would facilitate the implementation of Security Council Resolution 435. We regret deeply that our hopes for an early settlement remain unfulfilled and that South Africa continues its illegal occupation of Namibia. The Ten do not accept that the UN plan should be delayed or set aside for extraneous reasons or for arrangements inconsistent with Resolution 435. We shall continue to work for the immediate implementation of Resolution 435 because it alone embodies a universally accepted framework for a peaceful transition to independence in a manner which is guaranteed by this Organization to be free and fair.

The European Community and its Member States will also continue their aid to the Namibian people particularly through their support for the United Nations Institute for Namibia. They reaffirm their readiness to assist in the development of a free and independent Namibia.

The Ten hope that peaceful solutions can be found to the situation in the Horn of Africa. They believe that such solutions should be based on the principles of the UN Charter and of the Organization of African Unity.

Throughout Africa, the Ten continue to cooperate with governments, regional organizations and the Organization of African Unity in their efforts to promote stability and economic and social advancement. The OAU plays an important role in the promotion of peace on the continent and the Ten support in particular its efforts to find peaceful solutions to the problems of Chad and Western Sahara.

The problems caused by the severe drought which has struck large parts of Africa, together with the connected problem of desertification and other factors, have contributed to the deterioration of the continent's economy and its ability to produce food. The European Community and its members

are conscious of the necessity to assist the victims of this calamity and they shall continue to provide substantial emergency and development assistance to alleviate its effects. The Ten endorse the efforts of the international community to alleviate the situation of the 4 million refugees in Africa. Their sufferings evoke our concern as do the many problems which confront those States which give them shelter. The Ten and the Commission of the European Communities have already stated at the Second International Conference on Assistance to Refugees in Africa that they will continue to provide assistance to African economies to help their economic and social structures to cater effectively for refugees and returnees. They will also continue to support and encourage international cooperation to prevent the political conflicts and economic distress which are among the primary causes of refugee flows. The problem of refugees is of course a world-wide phenomenon. The Ten expect fruitful results from the work of the group of governmental experts on international cooperation to avert new flows of refugees.

Human rights

I referred at the outset to the Ten's commitment to human dignity and to the defence of human rights as a principle underlying the Ten's approach to international issues. Many of the political problems I have just described derive from failure to recognize the dignity and worth of the human person and to uphold the rights and freedoms set out in the UN Charter, in the Universal Declaration of Human Rights, in the Human Rights Covenants, and in other international human rights agreements. Our task as the Ten and the task of the United Nations is to ensure that States adhere to their obligations to promote and protect all categories of human rights—civil and political as well as economic, social and cultural. The Ten believe that all these rights form an integral part of a global system for the protection of the individual. They are indivisible and interrelated and must all be defended. The promotion and protection of one category of rights can never excuse a State from promoting and protecting other rights or exempt it from its obligations in this regard.

Unfortunately, the obligations entered into by States are too often broken. Numerous reports and surveys testify to the continuation of torture, political imprisonment, disappearances, arbitrary arrests, summary executions and racial and religious discrimination as instruments of State policy. The failure to match our aspirations with achievement weakens the human rights system so carefully and painstakingly developed over the past 40 years and calls into question the seriousness of our commitment. It is difficult to imagine the

impact on those who suffer injustice and repression of the feeling that the world is indifferent to their plight and has abandoned them to their fate. For their part the Ten will continue to speak out against violations of human rights whenever they occur, to work for the protection of the victims, and to promote international agreement on standards and procedures.

In this connection the Ten welcome the progress which has been made on the Draft Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment. We look forward to the adoption of the Convention at this session of the General Assembly. Effective measures to enforce the prohibition on torture are necessary. Torture and other forms of ill-treatment affront the principles of the Universal Declaration and undermine the primary aim of international cooperation on human rights—the achievement by each human being of a life of freedom and dignity.

While the Ten are convinced that international cooperation contains the greatest potential to eradicate abuses of human rights they are also conscious of the important role played by individuals and groups. It is a matter of grave concern that the most serious abuses are often inflicted on those who actively work to expose violations and remedy injustice. The Ten believe that the international community has a special duty to protect those who risk their life, health and liberty in defence of the rights and freedoms agreed by all.

International economic questions

The beginning of this decade saw the worst recession since the 1930s. Recently, there has been a recovery which has been strongest in some of the larger industrialized countries and particularly in the United States. The effects of this recovery are now beginning to be spread more widely. Last year there was a resumption of growth in world trade which has apparently been accelerating further in 1984. However, uncertainty remains concerning the likely evolution of the international economic situation.

Nevertheless considerable progress has been made in reducing rates of inflation in almost all the industrialized countries. Despite the uncertainty I have mentioned the prospects seem generally favourable. In addition, significant progress has been made recently in adjusting fiscal and external imbalances in many countries, both developed and developing. Many non-oil-producing developing countries have achieved a remarkable adjustment in their balance-of-payments positions.

As was noted in the communiqué of the London Economic Summit, a continuation of the recovery

requires unremitting efforts. We need to spread the benefits of the recovery widely, both in the industrialized countries, as well as to the developing countries, especially the poorer countries who stand to gain considerably from a sustained growth in the world economy. Progress has been made in laying foundations for sustained growth, but in the future we shall need to work for greater financial stability, notably in interest rates and exchange rates, and to make further efforts to liberalize trade and to combat protectionism. The very high level of real interest rates is a matter of particular concern. This directly affects economic activity, distorting exchange rates and capital flows and exacerbating indebtedness problems. To ensure the continuation of a strong and sustained recovery it is essential that interest rates internationally come down to more acceptable levels. At the same time it will be essential to ensure adequate transfer of resources to developing countries.

In assessing the economic outlook no one can afford to be complacent. There are sizeable disparities in fiscal policy and growth performance among industrialized countries. There is growing imbalance in the current-account positions of some major countries. There is the weakness of growth in many developing countries and the associated decline in their real per capita incomes. And there is the still precarious financial position of many heavily indebted countries.

The debt problems of developing countries have rightly been the focus of attention at a number of recent international gatherings. These are problems of crucial importance. Progress has been made but developing country indebtedness is likely to be prominent on the international economic agenda for some time to come. It is clear that progress towards resolving debt difficulties depends to a large extent on the evolution of interest rates and the rate of expansion of exports of the developing countries, and on the evolution of some other variables. All countries should work to create the conditions in which the key variables can move in the right direction, and here we should not overlook the importance of appropriate economic policies in the debtor countries. We do of course recognize that there is a link between adjustment and development, and the efforts of developing countries to adjust their economies should be supported by the international community.

The very high level of unemployment in developed and developing countries is a major source of concern. This is so particularly in Europe where we are undergoing a difficult period of structural adjustment. We must urgently tackle the lack of employment opportunities for the millions of people who are willing and anxious to obtain employment. In the Community and worldwide

we must devise a consistent strategy which, while resisting inflationary pressures, aims to reduce the massive unemployment problem. Medium-term projections, on the basis of present policies, indicate that we in the European Community can expect no significant reduction in unemployment for some time to come. The costs of sustained unemployment at present levels are enormous not just in terms of lost output and incomes but also in terms of their detrimental effects on attitudes in our societies.

In all these problems we are bound to recognize the increasing degree of interdependence between different countries and areas in the world economy and the consequences of economic policies pursued by individual countries or groups of countries for developments in other parts of the world. At the same time we should be aware of the inter-relationships of different policy areas, which all too often in the past have been considered separately. Given the uncertain economic environment in which we are operating, it is important that we retain flexibility in our economic policies and that we be prepared to act to counter any threat to world recovery.

In the Community we feel that the problems of development should be tackled in an integrated way and over the longer term. It is against this background and in this spirit that the Community has approached the various issues raised during the year in the framework of the North/South dialogue. Many of the issues considered still remain unresolved and are on the agenda of this General Assembly. In this connection the Community recalls its position in favour of global negotiations, which should of course be on a basis acceptable to all.

The review and appraisal of the international development strategy for the third development decade is another issue for the General Assembly. Despite considerable efforts in the framework of Unctad, at Ecosoc and here in New York, this important exercise is not yet complete. The recent economic recession has held back progress towards the growth and development for which we all hoped and planned in 1980. The review should allow us to take advantage of the improving economic climate and give a new impetus to the implementation of the strategy for the remainder of the decade. On behalf of the Community may I say that we, for our part, firmly hold to our commitments made in the context of the international development strategy. In particular, we reaffirm our commitments to maintain and where possible increase the levels of official development assistance, especially in favour of the least developed countries.

I have already spoken of the concern of the European Community at the terrible problems of Africa, in particular sub-Saharan Africa, where drought and desertification have exacerbated an already difficult situation. I would like to underline that in recent years more than 50% of the total aid received by African countries, that is over USD 5 000 million a year, came from the Community and its Member States. We heartily welcome the growing determination of African countries themselves to further engage in concrete efforts to come to grips with the various problems besetting their economic and social development.

We regret that it was not possible to reach agreement at Ecosoc on a declaration drawing attention to Africa's problems. We have confidence, however, that this General Assembly will successfully conclude the negotiations on the declaration. We believe that such a declaration will be a signal to the world of the concern of the international community at the plight of Africa, and will encourage action to alleviate that plight.

We recall that at the meeting of the World Bank a few days ago the Committee for Development expressed strong support for the proposed action programme contained in the Bank's report, emphasizing that its implementation will require the concerted and sustained efforts of African governments, bilateral donors and international organizations.

At the fourth General Conference of Unido the world community considered the relatively limited progress of industrialization in the developing countries since the second General Conference of Unido in 1975. In the Community's view, faster progress in industrialization worldwide is necessary, and the benefits of industrial growth should be spread more widely among the developing countries. We regret that it was not possible to reach agreement on the *chapeau* text at Unido IV although we were near to achieving a consensus. We are pleased that the conference provided an opportunity for a thorough examination of problems facing the developing countries in their efforts to industrialize. It concluded with a consensus agreement on nine resolutions aimed at helping the developing countries to overcome these problems and at defining the role of Unido.

We in the Community welcome the opportunity to give further consideration to the two resolutions which were not agreed and which are transmitted to this General Assembly. We hope it will be possible to achieve consensus agreement on them. We believe it appropriate that on the eve of the conversion of Unido to a specialized agency the industrialization of developing countries should

continue to be in the forefront of our attention here.

The effect of demographic patterns, in particular the rapid growth of the world's population, on development and the utilization of resources continue to be cause for concern. The second half of the 20th century stands out in history for its unprecedented population growth. Growth rates are still very high in many developing countries. Even though the global rates have now begun to decline, the result, combined with the rapid growth of previous decades, will be a doubling of the world population over the course of the next 50 years, which will add to the difficulties of overcoming the obstacles to economic and social development. This will necessitate increased international attention now and in the years to come to the problems of improving the balance of resources between the peoples of the world. The International Population Conference was held in Mexico City in August against this background. In reviewing and refining the world population plan of action, the Mexico Conference provided, in its recommendations adopted by consensus, many useful guidelines to governments in both developed and developing countries.

For the Community's own part, and in the context of strengthening our links with the developing countries, our efforts have been largely devoted this year to negotiating a third ACP-EEC convention. As in the case of its predecessors, Lomé III will cover a whole range of trade and aid provisions with over 60 African, Caribbean and Pacific countries. We take pride that this cooperation convention represents an unprecedented effort to create a new model for relations between North and South, encompassing almost half of the international community, including most of the poorest nations. The negotiations have now entered their final stage and it is envisaged that the new agreement will be signed in December in Lomé, the capital of Togo. We do not claim that this convention will provide definitive solutions to all the development problems of the African, Caribbean and Pacific countries. It is however a contribution, based on a number of fundamental principles, which should enable both the Community and the ACP countries to continue to build the kind of cooperation that will be beneficial to both sides. The objectives of the convention make that clear. We have agreed that we will support and promote the efforts of the ACP States to achieve self-determined, self-reliant and self-maintained development. Our efforts take account of local needs and local resources. Development must be encouraged from within and not imposed from without.

Finally, I would like to refer briefly to the Convention on the Law of the Sea. The Community and

its Member States believe that this Convention constitutes a major effort in the codification and progressive development of international law in various fields.

This Convention has been signed up to now by five Member States of the Community. Some concern persists with respect to the deep sea-bed mining regime of the Convention and should be dealt with in such a manner as to make the Convention universally acceptable. In fact we attach great importance to the work of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea.

I hope that the Convention will become a useful instrument for the promotion of cooperation and stable relations between all countries in this field.

Concluding remarks

The Ten appreciate the importance of the Non-Aligned Movement to which over two-thirds of this Assembly now belongs. The Movement exercises a considerable influence on international affairs. We believe that genuine non-alignment can contribute significantly to international stability and to the peaceful settlement of the problems which face the international community.

These problems, some of which I have touched on in this statement, and most of which feature on the agenda of this Assembly, present a distressing catalogue to those who believe that the UN could and should play a more important and decisive role in international life. It is therefore entirely appropriate and necessary that the Secretary-General should again this year in his third annual report draw attention to the dangerous breakdown in the multilateral approach to international questions. The Ten agree with the Secretary-General's diagnosis of the problem. We also agree with his prescriptions for a solution. We have supported his efforts in the past. We shall continue to help in whatever way we can to restore respect for the Charter and to strengthen confidence in the Organization.

As the UN enters its 40th year there is an evident need for a recommitment to a multilateral approach which would draw on the energy, on the imagination, and on the potential for cooperation of the majority of this Assembly. Other approaches have been tried and failed. The Secretary-General in his annual report has sounded a warning about the risks of continued failure. We ignore it at our peril. ...'

5. Public authorities' holdings in company capital

The Commission's position

3.5.1. The Commission has sent Member States a paper explaining its general approach to the acquisition of shareholdings by the public authorities and setting out Member States' obligations in the field:

'Public holding' means a direct holding of central, regional or local government, or a direct holding of financial institutions or other national, regional or industrial agencies¹ which are funded from State resources within the meaning of Article 92 (1) of the EEC Treaty, or over which central, regional or local government exercise a dominant influence.

The Commission has already had occasion in the past to consider the question of public holdings in company capital from the angle of policy on State aids; in most cases, in view of the particular circumstances, it has regarded them as constituting State aids. This position is spelt out clearly in the steel and shipbuilding codes.

The steel code states that 'the concept of aid includes ... any aid elements contained in the financing measures taken by Member States in respect of the steel undertakings which they directly or indirectly control and which do not count as the provision of equity capital according to standard company practice in a market economy' (Commission Decision No 2320/81/ECSC of 7 April 1981 establishing Community rules for aids to the steel industry:² recital II, last paragraph, and Article 1). Pursuant to that Decision the Commission has usually regarded any contribution of capital to companies as State aid.

The shipbuilding code contains a formula identical to the one in the steel code (Council Directive No 81/363/EEC of 28 April 1981 on aid to shipbuilding:³ last recital and Article 1 (e)).

1. The Treaty establishes both the principle of impartiality with regard to the system of property ownership (Article 222) and the principle of equality between public and private undertakings. This means that Commission action may neither penalize nor favour public authorities which provide companies with equity capital. Nor is it for the Commission to express any opinion as to the choice companies make between methods of financing—loan or equity—whether the funds are of private or public origin.

Where, applying the guidelines laid down in this paper, it is apparent that a public authority which injects capital by acquiring a holding in a company

is not merely providing equity capital under normal market economy conditions, the case has to be assessed in the light of Article 92 of the EEC Treaty.

2. Four types of situation can be distinguished in which public authorities may have occasion to acquire a holding in the capital of companies:

- (a) the setting up of a company;
- (b) partial or total transfer of ownership from the private to the public sector;
- (c) in an existing public enterprise, injection of fresh capital or conversion of endowment funds into capital;
- (d) in an existing private-sector company, participation in an increase in share capital.

3. On this basis four cases can be distinguished:

3.1. Straightforward partial or total acquisition of a holding in the capital of an existing company, without any injection of fresh capital, does not constitute aid to the company.

3.2. Nor is State aid involved where fresh capital is contributed in circumstances that would be acceptable to a private investor operating under normal market economy conditions. This can be taken to apply:

- (i) where a new company is set up with the public authorities holding the entire capital or a majority or minority interest, provided the authorities apply the same criteria as a provider of capital under normal market economy conditions;
- (ii) where fresh capital is injected into a public enterprise, provided this fresh capital corresponds to new investment needs and to costs directly linked to them, that the industry in which the enterprise operates does not suffer from structural overcapacity in the common market, and that the enterprise's financial position is sound;
- (iii) where the public holding in a company is to be increased, provided the capital injected is proportionate to the number of shares held by the authorities and goes together with the injection of capital by a private shareholder; the private investor's holding must have real economic significance;

¹ This includes public undertakings as defined in Article 2 of Commission Directive 80/723/EEC of 25 June 1980 on the transparency of financial relations between Member States and public undertakings (OJ L 195, 29.7.1980).

² OJ L 228, 13.8.1981.

³ OJ L 137, 23.5.1981.

(iv) where, even though the holding is acquired in the manner referred to in either of the last two indents of section 3.3 below, it is in a small or medium-sized enterprise which because of its size is unable to provide adequate security on the private financial market, but whose prospects are such as to warrant a public holding exceeding its net assets or private investment;

(v) where the strategic nature of the investment in terms of markets or supplies is such that acquisition of a shareholding could be regarded as the normal behaviour of a provider of capital, although profitability is delayed;

(vi) where the recipient company's development potential, reflected in innovative capacity from investment of all kinds, is such that the operation may be regarded as an investment involving a special risk but likely to pay off ultimately.

3.3. On the other hand, there is State aid where fresh capital is contributed in circumstances that would not be acceptable to a private investor operating under normal market economy conditions.

This is the case:

(i) where the financial position of the company, and particularly the structure and volume of its debt, is such that a normal return (in dividends or capital gains) cannot be expected within a reasonable time from the capital invested;

(ii) where, because of its inadequate cash-flow if for no other reason, the company would be unable to raise the funds needed for an investment programme on the capital market;

(iii) where the holding is a short-term one, with duration and selling price fixed in advance, so that the return to the provider of capital is considerably less than he could have expected from a capital market investment for a similar period;

(iv) where the public authorities' holding involves the taking over or the continuation of all or part of the non-viable operations¹ of an ailing company through the formation of a new legal entity;

(v) where the injection of capital into companies whose capital is divided between private and public shareholders makes the public holding reach a significantly higher level than originally and the relative disengagement of private shareholders is largely due to the companies' poor profit outlook;

(vi) where the amount of the holding exceeds the real value (net assets plus value of any goodwill or know-how) of the company, except in the case of companies of the kind referred to in the fourth indent of section 3.2 above.

3.4. Some acquisitions may not fall within the categories indicated in sections 3.2 and 3.3 so that

it cannot be decided from the outset whether they do or do not constitute State aids.

In certain circumstances, however, there is a presumption that there is indeed State aid. This is the case where:

(i) the authorities' intervention takes the form of acquisition of a holding combined with other types of intervention which need to be notified pursuant to Article 93 (3);

(iii) the holding is taken in an industry experiencing particular difficulties, without the circumstances being covered by section 3.3; accordingly, where the Commission finds that an industry is suffering from structural overcapacity and even though most such cases will be within the scope of section 3.3, it may consider it necessary to monitor all holdings in that industry, including those coming under section 3.2.

4. Leaving aside the fact that the Commission has at all times the right to request information from the Member States case by case, the obligations devolving on Member States in the light of the Commission's practice to date and the approach outlined here should be set out anew and specified in detail.

4.1. In the case referred to at 3.1, there is no need to place any particular obligations on Member States.

4.2. In the cases referred to at 3.2, the Commission would ask Member States to inform it retrospectively by means of regular, and normally annual, reports on holdings acquired by financial institutions and directly by public authorities. The information given should include the following at least, possibly as part of the financial institutions' reports:

(i) name of the institution or authority which acquired the holding;

(ii) name of the company involved;

(iii) amount of the holding;

(iv) capital of the company before the holding was acquired;

(v) industry in which the company operates;

(vi) number of employees.

4.3. As regards the cases referred to in section 3.3, since these do constitute State aids, Member States are required to notify the Commission pursuant to Article 93 (3) of the EEC Treaty before they are put into effect.

¹ Excluding the straightforward takeover of the assets of a company which has become insolvent or gone into liquidation.

4.4. With regard to the cases referred to in section 3.4 in which it is not clear from the outset whether or not they involve State aid, Member States should inform the Commission retrospectively by means of regular and normally annual reports in the manner described in section 4.2.

In cases of the kind described in section 3.4 where there is a presumption of State aid, the Commission should be informed in advance. On the basis of an examination of the information received, it will decide within 15 working days whether the information should be regarded as notification for the purposes of Article 93 (3) of the EEC Treaty.

4.5. Without prejudice to the Commission's right to ask for information on specific cases, the obligation to supply regular retrospective information only applies to shareholdings in companies where one of the following thresholds is exceeded:

- (i) balance sheet total: 4 million ECU;
- (ii) net turnover: 8 million ECU;
- (iii) number of employees: 250.

The Commission may review these thresholds in the light of future experience.

5. Member States also use certain forms of intervention which, while not having all the features of a capital contribution in the form of acquisition of a public holding, resemble this sufficiently to be treated in the same way. This is the case notably with capital contributions taking the form of convertible debenture loans or of loans where the financial yield is at least in part dependent on the company's financial performance.

The criteria in section 3 also apply in respect of these forms of intervention, and Member States are under the obligations set out in section 4.

6. In certain cases the Commission has authorized aid measures which also include the acquisition of holdings in certain circumstances. The various procedural clauses in the authorization decisions are not affected by the provisions in this paper.

7. This paper also applies to holdings in agricultural undertakings. It may be adapted to take account of any new circumstances arising from the accession of new Member States.

Publications of the European Communities

Publications of the European Communities

9 — 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:

French	Spanish
German	Portuguese
Italian	Greek
Dutch	others
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Where other language versions also exist, cross-references are provided by means of a code (those codes should not be used for ordering purposes):

IT: 1 - 12

which means that the Italian version is described in the Italian catalogue of January under No 12. This number is specific to each catalogue; it is a sequence number printed in consecutive order, opposite each entry in the classified list.

Arrangement

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

sequence numbers to the entries in Part I of the monthly catalogue. These indexes cumulate throughout the year.

How to obtain publications

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.

Orders for priced publications should be directed to the Sales Offices listed on the last page.

All orders should quote the full title, as well as the ISBN or ISSN where such a number precedes the prices in the catalogue.

Abbreviations and conventional signs

The text languages of publications are indicated by the following abbreviations:

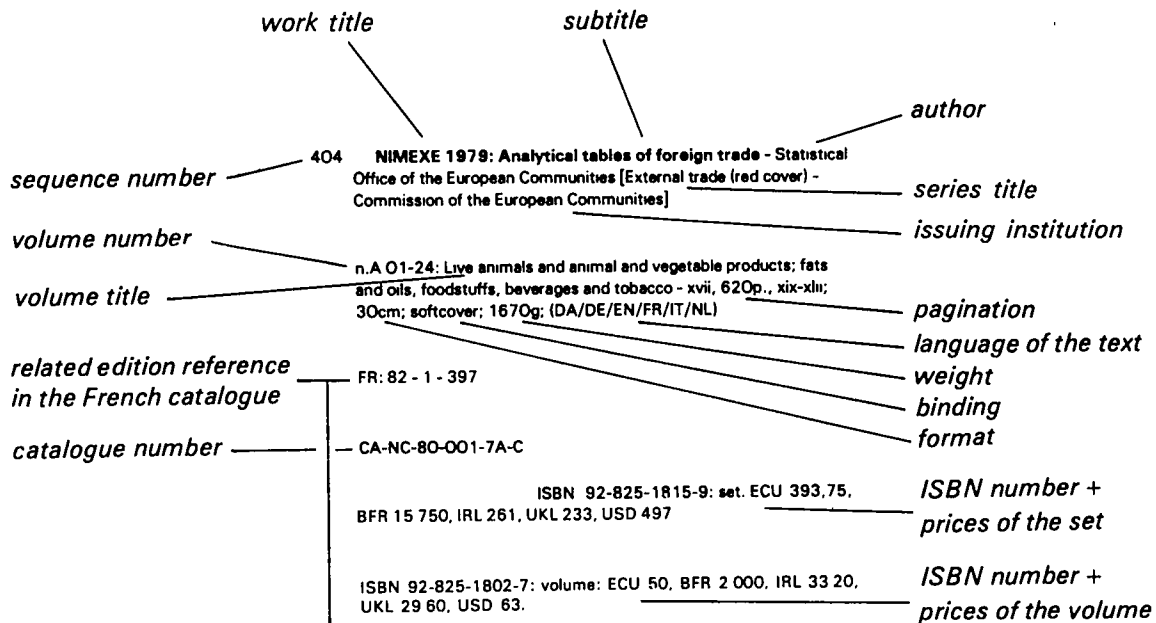
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GR	Greek	NL	Dutch
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A string of such symbols separated by diagonal strokes denotes a publication in which different language versions of the same text appear under one cover.

The abbreviation 'multi' indicates a publication with a mixed multilingual text.

Prices, which exclude any value-added tax which may be chargeable, are fixed in various currencies, using the following abbreviations:

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DKR	Danish crown	IRL	Irish pound
DM	German mark	LIT	Italian lira
DR	Greek drachma	PTA	Spanish peseta
ESC	Portuguese escudo	UKL	Pound sterling
FF	French franc	USD	US dollar



NIMEXE 1979: Analytical tables of foreign trade - Statistical
Office of the European Communities [External trade (red cover) -
Commission of the European Communities]

n.A O1-24: Live animals and animal and vegetable products; fats
and oils, foodstuffs, beverages and tobacco - xvii, 62Op., xix-xlii;
30cm; softcover; 1670g; (DA/DE/EN/FR/IT/NL)

FR: 82 - 1 - 397

CA-NC-80-001-7A-C

ISBN 92-825-1815-9: set. ECU 393,75,
BFR 15 750, IRL 261, UKL 233, USD 497

ISBN 92-825-1802-7: volume: ECU 50, BFR 2 000, IRL 33 20,
UKL 29 60, USD 63.

397 **NIMEXE 1979: Tableaux analytiques du commerce**
extérieur - Office statistique des Communautés européennes
[Commerce extérieur (couverture rouge) - Commission des
Communautés européennes]
n.A O1-24: Animaux vivants et produits des règnes animal ou
végétal, graisses et huiles, aliments, boissons et tabacs - xvii,
62Op., xix-xlii; 30cm; broché; 1670g; (DA/DE/EN/FR/IT/NL)
EN: 82 - 1 - 404
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Classified list

1 General, political and institutional matters

MONOGRAPHS AND SERIES

- 1 **Organigramme de la Commission des Communautés européennes: Septembre 1984 - Commission des Communautés européennes: Direction générale Personnel et administration - 11 Op.:** 25cm: broché: 230g: (FR)
CB-40-84-747-FR-C ISBN 92-825-5046-X: ECU 2,84, BFR 130.

Special report of the Court of Auditors on the management of Community development aid funds by the European Investment Bank (Observations, Article 206a, EEC Treaty)

10

PERIODICALS

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Avrupa.
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Berichte und Informationen.
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COM Documents.
COM Documents.
COM Documents: Monthly catalogue.
Committee Reports of the European Parliament.
Communauté européenne: Lettre d'information du Bureau de Genève.
Communauté Européenne Informations.
Comunidad europea.
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Debates of the European Parliament.
Dokumente und Publikationen.
Échos de l'Europe.
Economic and Social Committee: Bulletin.
EF-avisen.
EG Magazin.
EIB-Information.
Eorascáil.
Eur info.
Europa.
Europa-Informationen für die Jugendpresse.
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European Parliament.
Fiches pédagogiques "30 jours d'Europe".
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Informations de l'Eurostat.
Informazioni.

Informazioni documenti.

Informazioni rassegna periodica.

Official Journal of the European Communities, series C: Information and Notices.

Official Journal of the European Communities, series L: Legislation.

Points de repère: supplément à 30 jours d'Europe.

Press Release.

Εὐρωπαϊκὴ Κοινότητα.

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MONOGRAPHS AND SERIES

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FR.84 - 9 - 2
CN-40-84-230-EN-C ISBN 92-825-4407-9: ECU 10,91, BFR 500, IRL 8, UKL 6.40, USD 9.50.

3 Agriculture, forestry and fisheries

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CB-32-81-681-PT-C ISBN 92-825-2657-7: ECU 7,36,
BFR 300.

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NL:84-9-5
HX-40-84-327-FR-C ISBN 92-825-4165-7: ECU 4, BFR 180.
- 6 **Report on the social implications of introducing new technology in the banking sector** - 211pp.: 30cm: softcover: 550g: (EN) [Document - Commission of the European Communities]
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BFR 700, IRL 11.30, UKL 9.20, USD 13.00.
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Euro-Abstracts, Section II: Coal - Steel.
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10 Economic affairs

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- 9 **Det europæiske Nationalregnskabsystem ENS: 2. udgave** - De europæiske Fællesskabers statistiske Kontor - 243s.: 30cm: blødt bind: 650g: (DA) [Nationalregnskaber, finanser og betalingsbalancer (violet omslag) - Kommissionen for De europæiske Fællesskaber]
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- 10 Special report of the Court of Auditors on the management of Community development aid funds by the European Investment Bank (Observations, Article 206a, EEC Treaty) - Court of Auditors of the European Communities - 72pp.: 30cm; softcover: 200g; (EN)
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- 11 Exchange of information concerning atmospheric pollution by certain sulphur compounds and suspended particulates in the European Community - Annual report for January to December 1978 - De Bruyn, W.A.: Environment and Consumer Protection Service - xvi, 143pp., 96tab.: 30cm; softcover: 430g; (EN) [Environment and quality of life - Directorate-General Information Market and Innovation: Commission of the European Communities] EUR 8925
CN-NO-83-038-EN-C ISBN 92-825-4822-8: ECU 11,
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- 12 The backfilling and sealing of radioactive waste repositories - Directorate-General Science, Research and Development [Nuclear science and technology - Directorate-General Information Market and Innovation: Commission of the European Communities]
n.1: Text - References - List of symbols - viii, 272pp.: 30cm; softcover: 725g; (EN) EUR 9115
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ECU 14,25, BFR 650, IRL 10.40, UKL 8.50, USD 12: Volume 2.

- 14 **Étude de la décontamination au moyen de supports gélifiés** - Boulitrop, D.: Rouet, D.: Direction générale Science, recherche et développement - vii, 46p., 13tab., 6fig.: 30cm: broché: 155g: (FR) [Sciences et techniques nucléaires - Direction générale Marché de l'information et innovation: Commission des Communautés européennes] EUR 9102
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