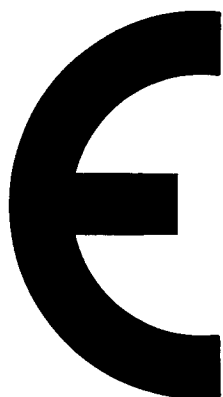


Bulletin

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Commission



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Bulletin

OF THE EUROPEAN COMMUNITIES

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Commission of the European Communities
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PART ONE
SPECIAL FEATURES

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

ECU = European currency unit

BFR = Belgische frank / Franc belge

DKR = Dansk krone

DM = Deutsche Mark

DR = Greek drachma

FF = Franc français

HFL = Nederlandse gulden (Hollandse florijn)

IRL = Irish pound / punt

LFR = Franc luxembourgeois

LIT = Lira italiana

UKL = Pound sterling

USD = United States dollar

1. Community solidarity in the Falklands conflict

1.1.1. The invasion of the Falkland Islands, a United Kingdom dependency which is also associated with the Community, by Argentine armed forces on 1 April was a subject of concern to the Community throughout the month.

The Foreign Ministers of the Ten, the Commission and Parliament urged Argentina to comply with United Nations Security Council Resolution 502, which demanded an immediate cessation of hostilities and an immediate withdrawal of all Argentine forces from the Falkland Islands and called on the governments of the two countries to seek a diplomatic solution to their differences.

To back up its various statements, the Community imposed an embargo on imports from Argentina,¹ and the governments of the Ten placed a total ban on exports of arms and military equipment to Argentina.²

Mr Davignon told Parliament on 21 April that Europe's display of solidarity was the expression of the Community's attachment to compliance with international law and its wish to safeguard peace. There could be no question of interpreting it as a move directed against Latin America or the developing nations or as a manifestation of protectionism.

Measures taken

1.1.2. On 16 April, following the statement made by the Ten on 10 April,³ the Council adopted a Regulation suspending imports of all products originating in Argentina for the purpose of putting them into free circulation in the Community.⁴ However, this Regulation did not apply to products accompanied by import documents issued before the date of its entry into force, products to be imported in execution of contracts concluded before that date, or products in course of shipment. The embargo was initially imposed for a month, by which time the Regulation would have to be extended, amended or repealed.

1.1.3. The governments of the Ten decided at the beginning of the month to apply a tot-

al ban on exports of arms and military equipment to Argentina.

Statements made

Declarations by the Foreign Ministers meeting in political cooperation

1.1.4. The following declaration was made on 2 April:

'The Foreign Ministers of the Ten condemn the armed intervention in the Falkland Islands by the Government of Argentina in defiance of the statement issued on 1 April by the President of the Security Council of the United Nations, which remains seized of the question.

They urgently appeal to the Government of Argentina to withdraw its forces immediately and to adhere to the appeal of the United Nations Security Council to refrain from the use of force and to continue the search for a diplomatic solution.'

1.1.5. The Ministers reaffirmed their position in the following statement put out by the Belgian Presidency on 10 April:

'The Ten discussed the serious situation resulting from Argentina's invasion of the Falkland Islands.

The Ten recall that, in their declaration of 2 April, they already condemned the flagrant violation of international law represented by Argentina's actions.

The Ten remain deeply concerned about the further development of this crisis, which jeopardizes international peace and security. They thus attach the greatest importance to effective and immediate application of all points of Security Council Resolution 502, i.e. the cessation of hostilities, the immediate withdrawal of all Argentine forces from the Falkland Islands and the search for a diplomatic solution by the Governments of Argentina and the United Kingdom.

With this in mind, and in a spirit of solidarity among the Member States of the Community, the Ten have decided to adopt a series of measures against Argentina which should be implemented as soon as possible.

¹ Point 1.1.2.

² Point 1.1.3.

³ Point 1.1.5.

⁴ OJ L 102, 16.4.1982.

The governments of the Ten have already decided to apply a total ban on exports of arms and military equipment to Argentina.

They will also take the measures needed to prohibit all imports into the Community from Argentina.

Since these are economic measures, they will be taken in accordance with the relevant provisions of the Community Treaties.

Since the situation resulting from the invasion of the Falkland Islands by Argentine armed forces is a matter of serious concern for the whole of the international community, the Ten call on other governments to support their decisions so that Security Council Resolution 502 can be fully implemented as soon as possible.'

1.1.6. At an informal meeting of the Foreign Ministers on 20 April the following statement was made to the press:

'The Ten reaffirm their full solidarity with the United Kingdom in the Falklands crisis. They confirm their desire for full implementation of Security Council Resolution 502.

Wishing for a peaceful settlement to this crisis in accordance with the Security Council resolution, they welcome and support the efforts made by Mr Haig, the American Secretary of State, to encourage a peaceful settlement.'

Statement by the Commission on 6 April

'The Commission of the European Communities condemns the armed intervention of Argentina against a British territory linked to the Community, an intervention committed in violation of international law and the rights of the inhabitants of the Falkland Islands. The Commission expresses its solidarity with the United Kingdom. It makes an urgent appeal to the Argentine Government to implement the resolution of the Security Council, calling on it to withdraw its troops from the Islands and to continue seeking a diplomatic solution. It expresses the hope that the Organization of American States will join its efforts to those of the United Nations in order to ensure, by diplomatic means, that a solution based on law prevails.'

Resolution by Parliament

1.1.7. In a resolution passed on 22 April following a debate,¹ the European Parliament:

'1. condemns unreservedly the invasion of the Falkland Islands;

2. notes and supports Resolution 502 of the Security Council of the United Nations on Argentina which demanded an immediate cessation of hostilities, and an immediate withdrawal of all Argentinian forces from the Falkland Islands and called on the Governments of Argentina and the United Kingdom to seek a diplomatic solution to their differences and to respect fully the purposes and principles of the Charter of the United Nations;

3. underlines the importance of Community solidarity which has been shown in the actions of the Council of Ministers;

4. records its agreement with the embargo on imports from Argentina and the ban on arms exports to Argentina and requires that these be maintained until the Security Council Resolution 502 has been implemented;

5. encourages the Commission and the Council to continue to review the possibility of taking further measures;

6. insists that in any solution it is necessary to take fully into account the wishes of the Falkland Islanders;

7. recognizes that Argentinian compliance with Resolution 502 by withdrawing its armed forces would lead to the halting of United Kingdom naval operations and so to the negotiation of a peaceful agreement...'

¹ Point 2.4.5.

2. Protection of the rights of temporary workers

Commission proposal

1.2.1. The impact of the economic crisis, the worsening situation of many businesses in the Community and the resulting uncertainty as regards the medium-term outlook have brought about radical changes in labour management practices and an increase in recourse to temporary labour. The growth of this form of employment, which has the advantage for firms of offering a degree of flexibility in the use of manpower resources, has created a class of workers subject all too frequently to discrimination as regards social and occupational rights.

1.2.2. In an endeavour to reconcile the two imperatives—flexibility in the use of manpower resources for firms on the one hand and protection of the rights of temporary workers on the other—the Commission adopted a proposal for a Directive concerning temporary work during the month under review.¹ This proposal relates both to temporary workers placed at the disposal of user undertakings by employment businesses and to workers recruited directly on fixed-duration contracts.

The new proposal for a Directive is the third instrument relating to the reorganization of working time which the Commission has presented to the Council since the beginning of the year, the other two being the proposals on voluntary part-time work and the introduction of a flexible retirement age.²

Problems linked to temporary work

1.2.3. While it is difficult to quantify temporary work with any degree of precision in terms of either volume or rate of increase, it is nevertheless clear that the volume of temporary employment has grown (figures for the period 1977-79 show increases of 9% in the Netherlands, 20% in Denmark, 24% in Ireland and 60% in the FR of Germany) and the number of temporary employment businesses has risen (by 23% in the United Kingdom between 1977 and 1979 and by 58% in France between 1975 and 1979). In the case of France, the number of fixed-duration

contracts of employment doubled between 1977 and 1980 and the number of temporary workers supplied by employment businesses increased by 138%. In the United Kingdom, 7% of all workers are employed on a temporary basis.

Temporary work via employment businesses is increasingly taken as an interim solution by workers (young people, women, etc.) seeking permanent jobs. But in taking up this type of work rather than remaining unemployed, these workers are forced to accept numerous disadvantages, of which insecurity is but one.

Temporary workers supplied by employment businesses labour under a variety of disadvantages *vis-à-vis* permanent workers: they are not always covered by social security schemes, tend not to be integrated into the firm where they work (no access to communal social facilities or vocational training, no representation on the bodies representing employees, etc.), are frequently paid less than permanent workers and as a general rule do not receive the usual notice or compensatory payments in the event of dismissal.

1.2.4. Workers on fixed-duration contracts are also treated less well than permanent workers in certain respects—e.g. as regards service-related rights and notice or compensatory payments in the event of dismissal. The recruitment of workers on fixed-duration contracts is only justifiable where the jobs concerned are transient in character, and yet it is by no means uncommon to find permanent jobs occupied by a succession of temporary workers, thus enabling the employer to evade protective legislation applicable to permanent workers.

Details of the Commission proposal

1.2.5. The Commission has for some years felt Community action to be needed in the

¹ OJ C 128, 19.5.1982.

² Bull. EC 12-1981, points 1.1.1 to 1.1.7.

field of temporary work. The Council supported this view in its resolution of 18 December 1979 calling on the Commission to present proposals in relation to the reorganization of working time.¹ The Council considered that, in view of the rapid increase in the number of temporary workers, 'Community measures in support of action by Member States should be undertaken to ensure that temporary work is supervised and that temporary workers receive social protection'.

The Standing Committee on Employment confirmed this at its meeting in October 1980,² and Parliament stated—in a resolution adopted in September 1981—that temporary work was assuming disquietening proportions and that the Commission should present proposals to the Council aimed at preventing abuses in this field.³ It is clear that the number of permanent jobs will not increase if firms are in a position to resort to temporary labour on a regular basis and without restriction. As matters stand, however, the varying provisions of national legislation are frequently such as to encourage employers to keep workers in the position of temporary employees.

1.2.6. One point revealed by preliminary discussions involving national experts, the Directors-General for Employment, representatives of the two sides of industry and the Advisory Committee on the Free Movement of Workers is the importance of avoiding legislative measures which would tend to aggravate rather than alleviate unemployment: strict limitations would not necessarily lead to temporary jobs being transformed into permanent jobs *en masse* but might on the contrary increase unemployment or encourage clandestine work.

1.2.7. The Commission has been concerned in preparing this proposal to avoid restricting excessively the scope for recourse to temporary labour.

The proposed Directive does not, therefore, represent a direct contribution towards the campaign to create jobs. It should rather be seen as complementing efforts in this field by endeavouring to ensure that employment promotion via work-sharing, cuts in working time, restrictions on overtime working, etc., lead primarily to the creation of permanent jobs as opposed to insecure temporary jobs.

The Commission proposal endeavours to strike a balance between the need, on the one hand, to avoid restricting unreasonably the operational flexibility which firms require and, on the other, to improve the social protection of temporary workers and strengthen the unity of the labour market.

1.2.8. The proposal now before the Council has been drafted in the light of all these considerations and has three aims:

- (i) to protect temporary workers by ensuring as far as possible that they enjoy the same rights as permanent employees;
- (ii) to protect the permanent workforce by reducing the misuse of temporary labour;
- (iii) to ensure that only sound, reputable businesses can engage in the supply of temporary workers with a view to eliminating malpractices both within individual countries and across frontiers.

¹ OJ C 2, 4.1.1980.

² Bull. EC 10-1980, point 2.1.34.

³ OJ C 260, 12.10.1981; Bull. EC 9-1981, point 2.3.6.



PART TWO

**ACTIVITIES
IN APRIL 1982**

1. Building the Community

Restructuring of common policies — May mandate

2.1.1. The Foreign Ministers met on 27 April and continued discussions on the mandate. After listening to short opening statements by various Ministers and State Secretaries, Mr Tindemans, President of the Council, endorsed the suggestion of Mr Thorn, President of the Commission, that they should proceed to bilateral consultations. The free and frank discussions which Mr Tindemans and Mr Thorn held with each Minister in turn enabled positions to be clarified and the likelihood of a solution to be more accurately assessed. The papers submitted by the two Presidents in January¹ and March² remain on the Council table.

The Council Presidency intends to resume work on this matter at the informal meeting of Foreign Ministers to be held at Villers-le-Temple on 8 and 9 May.

Economic and monetary policy

Community borrowing

New Community Instrument — NCI

2.1.2. On 23 April Parliament endorsed³ the Commission's proposal⁴ of 14 December 1981 for a Council Decision empowering the Commission to contract a single tranche of borrowings of up to 1 000 million ECU. The Council adopted the Decision on 26 April. Like the preceding tranches, this one will be used to finance investment projects on Community territory that are in keeping with the Community's priority objectives. In accordance with the Commission's proposal, the Council chose three categories of project: investment projects for the efficient use of energy and the replacement of oil by other sources of energy; infrastructure investment projects contributing to regional development; investment projects of small and

medium-sized firms. This is the first time the NCI is made accessible to small business.

Again on 23 April, Parliament passed a resolution⁵ stating its views on the outcome of the conciliation procedure concerning the basic NCI II Decision taken by the Council in March.⁵ Parliament stressed that the Decision, which the Council for reasons of urgency had adopted on its sole responsibility, was identical with the Council's common position of 1981.⁶ Parliament therefore condemned the attitude of the Council, which had not entered into a genuine dialogue at any point during the conciliation procedure and had taken virtually no account of Parliament's requests, even when these were limited to a few priority issues.

Economic Policy Committee

2.1.3. On 26 April the Economic Policy Committee held its 118th meeting in the reduced 'medium-term' composition, with Mr Borglum-Jensen in the chair. It considered the problem of investment incentives and the channelling of savings.

Internal market and industrial affairs

Free movement of goods

Removal of technical barriers to trade

Industrial products

2.1.4. On 2 April the Commission adapted two Council Directives on motor vehicles to technical progress—the Directive of 18 De-

¹ Bull. EC 1-1982, point 2.1.1.

² Bull. EC 3-1982, point 2.1.1.

³ OJ C 125, 17.5.1982.

⁴ OJ C 29, 6.2.1982; Bull. EC 12-1981, point 2.1.4.

⁵ OJ L 78, 24.3.1982; Bull. EC 3-1982, point 2.1.5.

⁶ Bull. EC 9-1981, point 2.1.6.

cember 1975 relating to anchorages for motor vehicle safety belts¹ and that of 28 June 1977 on safety belts and restraint systems.²

The Commission took these measures in order to ensure that vehicles—particularly commercial vehicles—which had recently been brought within the scope of the two Directives should be subject to the technical requirements thereof. Additional requirements relating to private vehicles were laid down with a view to increasing the safety of occupants by improving the reproducibility of test results and the efficiency of checks on the conformity of production as regards safety belts.

2.1.5. On 14 April the Commission asked the Council to amend its Directive of 20 March 1970 relating to measures to be taken against air pollution by gases from spark-ignition engines of motor vehicles.³ The proposed amendments would reduce permissible limit values for the pollutants covered by Community legislation and replace the method currently used for the sampling and analysis of exhaust gases by that employed under American legislation, in order to extend the scope of the Directive (which is at present limited to petrol engines) to embrace diesel engines as well.

2.1.6. On 23 April Parliament approved⁴ two proposals amending for the fifth⁵ and seventh⁶ time respectively the Directive of 27 July 1976 relating to restrictions on the marketing and use of certain dangerous substances and preparations.⁷

2.1.7. On the same date Parliament endorsed⁴ the Commission proposal⁸ adapting to technical progress the Directive of 7 November 1977 relating to the classification, packaging and labelling of paints, varnishes, printing inks, adhesives and similar products.⁹

Foodstuffs

2.1.8. On 6 April the Commission transmitted to the Council,¹⁰ Parliament having

given its opinion in February,¹¹ a number of technical amendments to its proposal concerning flavourings for use in foodstuffs and source materials for their production.¹²

Free movement of persons and freedom to provide services

Mutual recognition of diplomas and access to occupations

Nurses

2.1.9. At a meeting held in Brussels on 20-21 April the Advisory Committee on Training in Nursing¹³ adopted the tables giving basic information on training programmes in the Member States in psychiatric and paediatric nursing and nursing of the mentally handicapped. It also discussed the activities of the Working Party on Psychiatric Nursing and the statements by the Danish and French representatives on the training of general nurses in their respective countries.

Industry

Steel

2.1.10. On 29 April the Commission requested the assent of the Council and the opinion of the ECSC Consultative Committee concerning the introduction of a further production quota system in the steel industry after 30 June 1982. While the production

¹ OJ L 24, 30.1.1976.

² OJ L 220, 29.8.1977.

³ OJ L 76, 6.4.1970.

⁴ OJ C 125, 17.5.1982.

⁵ OJ C 78, 28.3.1980; Bull. EC 3-1980, point 2.1.8.

⁶ OJ C 288, 10.11.1981; Bull. EC 10-1981, point 2.1.12.

⁷ OJ L 262, 27.9.1976.

⁸ OJ C 156, 25.6.1981; Bull. EC 6-1981, point 2.1.12.

⁹ OJ L 303, 28.11.1977.

¹⁰ OJ C 103, 24.4.1982.

¹¹ OJ C 66, 15.3.1982.

¹² OJ C 144, 13.6.1980; Bull. EC 5-1980, point 2.1.7.

¹³ OJ L 176, 15.7.1977.

quotas for a number of steel products—introduced on 1 July 1981 in response to the manifest crisis in the industry and scheduled to end on 30 June 1982¹—had led to greater stability and an increase in price levels, the Commission nevertheless considered that the industry's basic problems remained unchanged and that the state of crisis still existed. The Commission therefore proposed that a new system of quotas be introduced to run from 1 July 1982 until 31 December 1983, with the possibility of termination at an earlier date should this be warranted by the circumstances. The new system should include the products covered by the present system, as defined in the relevant decisions,¹ with the addition of wire rod in view of the recent fall in demand and price levels for this product. It would, naturally, take account of the experience gained with the existing system.

2.1.11. The Commission also laid before the Council and the ECSC Consultative Committee two proposals amending its recommendation of 3 July 1981 on the obligation to publish price-lists and conditions of sale and on prohibited practices in the steel trade, and its Decision of the same date extending to distributive undertakings the price requirements applying to producers.²

Points covered by the amendments include a reduction in the annual limit of 12 000 tonnes for steel resale to 6 000 tonnes in the case of ordinary steels and 3 000 tonnes in the case of special steels, the sanctions to be applied by the Member States, extension until 1 January 1983 of the period allowed the Member States to implement the recommendation of 3 July 1981, and the corresponding extension of the validity of the decision.

Electronics and information technology

2.1.12. As part of the arrangements to support scheduled projects in the second half of the multiannual data-processing programme (1979-83), seven contracts have been signed since the beginning of 1982—the last on 2 April—by the Community and various Euro-

pean data-processing companies. These contracts relate to seven projects submitted in response to the second call for proposals in March 1981.³ The projects concerns feasibility or predevelopment studies in respect of an exchange of data and information between chambers of commerce in the Member States, an interactive microcomputer system for use in organizing the collection of urban waste, a system for teaching language concepts and the development of software, a programme to help wine growers comply with Community and national legislation relating to the treatment and designation of wine, and lastly three projects concerned with the new high-level language ADA. The Commission expects to sign contracts very shortly in respect of 12 other projects for which Community support has been granted. The total support for these 19 projects amounts to 2.7 million ECU.

Customs union

Simplification of customs formalities

2.1.13. On 20 April the Commission transmitted to the Council a proposal⁴ for a Directive to facilitate formalities and inspections in respect of the carriage of goods between Member States.⁵

Economic tariff matters

Tariff quotas

2.1.14. On 26 April the Council adopted a Regulation opening, allocating and providing for the administration of a Community tariff quota for apricot pulp from Turkey (1982-83).⁶

¹ OJ L 180, 17.1.1981; OJ L 184, 4.7.1981; OJ L 278, 1.10.1981.

² OJ L 184, 4.7.1981.

³ OJ C 48, 7.3.1981.

⁴ OJ C 127, 18.5.1982.

⁵ Point 2.1.87.

⁶ OJ L 115, 29.4.1982.

Community surveillance of imports

2.1.15. On 20 April the Council amended¹ its Regulation of 15 December 1981 establishing ceilings and Community supervision for imports of certain goods originating in Yugoslavia.²

General legislation

Export procedures

2.1.16. On 23 April the Commission adopted certain provisions for implementing the Council Directive of 24 February 1981 on the harmonization of procedures for the export of Community goods;³ these will ensure uniform application throughout the Community of the manner in which export declarations are to be made out by the persons concerned and dealt with by the customs authorities.

Competition

Restrictive practices, mergers and dominant positions: specific cases

Permissible forms of cooperation

2.1.17. On 30 April the Commission decided to renew the authorization for exemption⁴ granted in 1977 for a period of 10 years, ending in 1992, for regulations laid down by the International Permanent Bureau of Motor Manufacturers (BPICA), a grouping of national associations of motor vehicle manufacturers and importers in 20 European countries.

Since it first exempted the regulations no new material has come into the Commission's possession such as to make it change its assessment of the factual and legal context in which they apply.

As in its other decisions in this area, the Commission's purpose here is to maintain the necessary balance between allowing exhibitors to take part in as many fairs as possible and encouraging the rationalization of participation in such events.

Mergers

2.1.18. On 2 April the Commission decided to authorize the link-up between the steel firms Usinor, Sacilor and Normandie under Article 66 of the ECSC Treaty: under its general nationalization programme, the French Government had increased its equity shareholdings in Usinor and Sacilor from 64.6% to 92.6% and from 76.9% to 86.7% respectively, as a further move in a strategy embarked upon in 1978.

At the end of 1978 the French Government decided to acquire substantial majority stakes in Usinor and Sacilor under its restructuring programme for the steel industry. At the time, it stressed that this was a temporary operation linked to the completion of the restructuring programme and that both firms would retain full freedom of manoeuvre, both *vis-à-vis* the government and in their relations with each other. The Commission took note of these statements and informed the French Government that, provided these were not contradicted by events, and solely for the period needed to complete the restructuring under way, it would have no grounds for finding that, through its holdings, the French Government had brought about a concentration between Usinor and Sacilor within the meaning of Article 66.

At the end of 1981 the firms decided, in the context of the nationalization programme, on increases in their capital; only the major shareholder, the State, subscribed, by contributing the claims it held on the two of them. As a result, the State's involvement was no longer temporary in nature. This stripped of their validity the arguments which the Commission had relied upon in finding that there was no concentration between Usinor and Sacilor within the meaning of Article 66. The matter had thus to be subjected to scrutiny.

Usinor and Sacilor also sought authorization from the Commission under Article 66(2)

¹ OJ L 117, 30.4.1982.

² OJ L 383, 31.12.1981.

³ OJ L 83, 30.3.1981.

⁴ Bull. EC 11-1977, point 2.1.38.

for a joint venture, Société Métallurgique de Normandie (Normandie), which planned to acquire the steelmaking division of Société Métallurgique et Navale Dunkerque Normandie. This operation, which is also contributing to the restructuring of the French steel industry, strengthens the positions of Usinor and Sacilor only marginally.

Scrutiny showed the both operations satisfy the tests of Article 66(2), as they will not produce the negative effects on competition referred to in that Article, even though the entity formed by Usinor, Sacilor and Normandie (USN) will be the leading producer in the Community, quite some way ahead of the British Steel Corporation (BSC), Thyssen and Finsider.

- In a Community context BSC previously accounted for an equally large share of total production capacities. Moreover, the Community's integrated steel industry will continue to have an oligopolistic structure within which a large enough number of firms enjoying much the same degree of market power will compete effectively with one another, while the keen pressure of imports will continue.

- As regards the French market, it should be remembered that, given the high degree of interpenetration of the different national markets, the Commission generally takes the view that, when it comes to assessing the effects of dominance, the relevant geographic market is the Community market and not a particular national market. Usinor, Sacilor and Normandie will obviously be in a very strong position on their domestic market, but 36% of supplies on the French market are imported (31% from other Community countries). It seems unlikely, therefore, that the new entity will be in a position to hinder effective competition on the French market.

The Commission's Decision simply draws the legal conclusions, in the light of Article 66 of the ECSC Treaty, from the fact that Usinor and Sacilor are now in the ownership of a single shareholder, the French State. It is not concerned with the way in which they operate or with the independence of their managements, which the government intends to maintain.

Financial institutions and taxation

Financial institutions

Stock exchanges and other institutions in the securities field

2.1.19. On 23 April Parliament gave its opinion on the proposal for a Directive coordinating the requirements for the drawing up, scrutiny and distribution of the prospectus to be published when securities are offered for subscription or sale to the public;¹ the Commission had sent its proposal to the Council in December 1980.²

While suggesting a number of technical amendments to the Commission's proposal, Parliament welcomed the extension of the Community's information policy in the field of capital investment to the market in unlisted securities. However, Parliament regretted the lack of precision regarding the scope of the Directive, without which the desired degree of harmonization would not be achieved.

Taxation

Indirect taxes

Turnover tax

2.1.20. On 16 April, in response to a request from the Italian authorities, the Commission sent the Council a proposal to extend until 31 December 1982, for a number of explicitly specified transactions, the temporary derogation from the Sixth VAT Directive of 17 May 1977³ authorized until 31 December 1981 by a Council Decision of 3 November 1981.⁴ That Decision had en-

¹ OJ C 125, 17.5.1982.

² OJ C 355, 31.12.1980; Bull. EC 12-1980, point 2.1.41.

³ OJ L 145, 13.6.1977.

⁴ OJ L 322, 11.11.1981; Bull. EC 11-1981, point 2.1.45.

abled Italy to derogate temporarily from the value-added tax arrangements in the case of certain transactions carried out in connection with emergency relief to the victims of the November 1980 earthquake. An extension of the November 1981 Decision was necessary in view of the special situation in the disaster areas.

Excise duties

2.1.21. On 1 April the Commission sent the Council a proposal for a Decision authorizing the French Republic to apply in its overseas departments and in metropolitan France, in derogation from Article 95 of the EEC Treaty, a reduced rate of the revenue duty imposed on the consumption of 'traditional' rum produced in those departments.¹ Derogations from basic principles of the Treaty such as the non-discrimination rule of Article 95 should be authorized with caution and must be severely limited. Consequently, the Commission proposes that the favourable tax arrangements be limited to an annual quota of 'traditional' rum corresponding to the average annual consumption of such rum in metropolitan France during the past 10 years. It is further proposed that the relative tax advantage enjoyed by 'traditional' rum should be restricted, with the ratio between the reduced rate on 'traditional' rum and the full rate on spirits not allowed to be less than the ratio obtaining on the date of entry into force of the Decision. The situation is to be reviewed by the Council after five years, on the basis of a report to be made by the Commission.

Employment, education and social policy

Employment

Community meetings

2.1.22. In April there were a number of Community-level meetings on employment

problems and the Commission adopted a proposal for a Directive on temporary work.²

2.1.23. On the basis of a communication which it had received from the Commission at the beginning of April, the Standing Committee on Employment, meeting on 27 April, discussed various possible courses of action which, without aggravating inflation, could produce a rise in employment while safeguarding the competitiveness of firms.³ The Committee agreed with the conclusion of the European Council, at its 29-30 March meeting,⁴ that priority should be given to increasing private and public productive investment.

2.1.24. At an informal meeting at the beginning of April the Ministers of Social Affairs had pinpointed a number of areas for action. In addition to the public investment programmes, they had approved job creation in small businesses, additional and vocational training programmes at school for 16- to 18-years-olds and the reorganization of working time. These proposals will be discussed again at the Council meeting planned for the end of May.

2.1.25. Parliament adopted a resolution on 22 April on measures to combat unemployment among young people, laying particular emphasis on the need for vocational training adapted to technical developments and on greater use of Community funds to create jobs.⁵

2.1.26. Finally, the Economic and Social Committee gave its opinion⁶ on the Commission proposals concerning the reorganization of working time, voluntary part-time work and the age of retirement⁷ and on the

¹ OJ C 107, 28.4.1982.

² Point 1.2.1 et seq.; OJ C 128, 19.5.1982.

³ Point 2.1.27.

⁴ Bull. EC 3-1982, points 1.3.1 to 1.3.8.

⁵ Point 2.4.10; OJ C 125, 17.5.1982.

⁶ Point 2.4.46.

⁷ Bull. EC 12-1981, points 1.1.1 to 1.1.7.

action programme on the promotion of equal opportunities for women.¹

Standing Committee on Employment

2.1.27. The Standing Committee on Employment held its 23rd meeting in Brussels on 27 April with Mr Hansenne, Belgium's Minister of Employment and Labour, in the chair.

Before the Committee met, the Ministers had a preparatory meeting to examine the Community action programme to combat unemployment that the Commission had adopted at the beginning of April.

On behalf of the Commission, Mr Ivor Richard made an introductory statement stressing the seriousness of the situation and the urgency of the measures to be taken under the action programme proposed in the Commission communication.

At the end of the meeting, the chairman summed up as follows:

'1. The Standing Committee discussed in detail and on the basis of a Commission communication, the serious problems caused by current unemployment in order to prepare a coordinated response from the Community on how to meet these problems.

2. The Committee reiterated its grave concern at the increase of over two million in the unemployment figures over the last 12 months, and took note of the resultant increase in dangers for Community and world trading relationships, the cohesion of the Community and for our democratic societies.

3. The Committee discussed a series of possible courses of action which could form part of a coordinated and coherent set of policies which, without aggravating inflation, could produce a rise in employment while safeguarding the competitiveness of Community undertakings and enhancing the strengthening and convergence of Member States' economies.

With this in mind, it was advocated that a joint meeting of the Council on economic, financial and social affairs be called so as to achieve the requisite combination of the various factors in the Community's response to the challenge of the current crisis.

4. Particular emphasis was placed on the need to increase productive public and private invest-

ment in order to encourage economic growth and employment and strengthen the competitiveness of our undertakings. It was felt that governments should, in the light of the situation in their own country, undertake priority programmes of public investment while taking account in their choice, of repercussions on employment, particularly in the private sector. Care should also be taken to ensure that such investments did not lead to an intolerable rise in budget deficits, thereby producing increased inflation and new pressures on interest rates.

The Committee noted that priority areas for public investment might include new energy sources and energy saving, transport, housing, including renovation in urban centres, expansion of telecommunications systems and the development of new technologies, etc.

The question of public and private investment was also of decisive importance for the development of the less-favoured regions in the Community which were the most badly affected by unemployment.

The Committee asked the Commission to prepare a package of proposals, identifying their likely employment impact, so as to enable a future joint Council of Ministers of Economic and Financial Affairs and Ministers of Employment and Social Affairs to reach an agreement on appropriate action.

5. The Committee considered that industrial restructuring programmes, as well as dealing with problems of investment and rationalization, should at the same time give special attention to employment problems. Public and Community authorities, as well as both sides of industry, should make sure that workers affected by restructuring measures had geographic and occupational mobility thanks to aids or other appropriate measures, provided that it was possible for workers to have access to vacancies made available in sectors where jobs were being created.

6. The Committee welcomed the fact that the Commission would be presenting proposals for measures to encourage post-school employment/training for young people on the lines indicated by the European Council last March,² together with proposals for training and vocational guidance and specific actions to aid the entry and integration of young people into the labour market.

It was nevertheless stressed that such measures should go hand in hand with measures for other categories particularly affected by the current

¹ Supplement 1/82 — Bull. EC; Bull. EC 12-1981, points 1.2.1 to 1.2.5.

² Bull. EC 3-1982, points 1.3.1 to 1.3.8.

crisis, such as the long-term unemployed, and should be part and parcel of the general strategy to be implemented to fight unemployment as a whole.

7. The discussion touched on the question of what contribution the adaptation or reduction in working hours could make to the fight against unemployment; the Committee recalled in this connection the results of its previous discussions and, in this context, both sides of industry and most of the representatives of the governments felt that measures concerning working hours might permit an improvement in the employment situation.

The Committee welcomed the efforts made by the Commission to promote a dialogue between management and labour on the subject of working hours and asked it to submit the results of its work before the end of 1982 as part of its contribution.

8. The Committee welcomed the fact that the Commission intended holding discussions on a more efficient organization of the labour market—associating public authorities, employers and workers in the project to improve public employment services—with special emphasis on ensuring the success of the employment expansion measures discussed and in order to ensure that appropriate training was available.

In this connection, it recalled its discussions on instituting a Community labour market policy, particularly in respect of the importance of developing forward management of the labour market—which was considered a prime prerequisite if any balanced evolution in employment was to be encouraged.

9. The Committee considered that small undertakings, local initiatives and cooperatives could make a far from negligible contribution to job creation and to developing the less-favoured regions of the Community, and should accordingly be able to receive appropriate assistance, possibly from the Regional and Social Funds, so as to have information and know-how on markets, technology, management techniques, training and access to finance, thereby enhancing their market competitiveness. Particular emphasis was placed on the idea that their spirit of enterprise deserved to be encouraged.

10. On the basis of the Committee's discussion, the Commission was asked to present specific proposals on the different initiatives in the second half of the year, indicating for each the scale and type of action, the potential employment effect and the budgetary implications, notably from the point of view of the contribution of Community Funds and other instruments.'

Employment and labour market

Adaptation of working time

2.1.28. Following up the Council resolution of 18 December 1979 on the adaptation of working time,¹ the Commission approved a proposal for a Directive concerning temporary work on 6 April. It covers both temporary workers supplied by employment businesses and workers engaged by their employer on the basis of a fixed-duration contract.²

Financial instruments

European Social Fund

2.1.29. On 15 April the Commission approved the second batch of applications for assistance from the ESF for 1982. These applications, which were examined beforehand by the Social Fund Committee, involved the following amounts:

- 206.66 million ECU for operations to assist workers leaving agriculture, textile workers, women, and young workers affected by employment difficulties:

<i>(million ECU)</i>	
Operations	Amounts
Agriculture	2.76
Textiles	4.48
Young people — training	139.20
— employment	46.94
Women	13.28
Total	206.66

- 416.90 million ECU for operations involving the re-training of unemployed or underemployed workers in less-developed regions of the Community and the training of workers to meet the changing needs of tech-

¹ OJ C 2, 4.1.1980; Bull. EC 11-1979, point 2.1.41.

² Point 1.2.1 et seq.

nical and industrial progress and for operations involving the rehabilitation of handicapped persons:

<i>(million ECU)</i>	
Operations	Amounts
Regions	333.16
Groups of undertakings	9.95
Technical progress	25.57
Handicapped	48.22
Total	416.90

- 1.68 million ECU for pilot schemes.

2.1.30. On 28 April the Commission sent the Council a supplement to the Ninth Report on the Activities of the European Social Fund (1980).¹ This supplement contains the national reports on operations carried out in the various Member States with ESF assistance.

Redeployment of workers in ECSC industries

2.1.31. Bearing in mind the budgetary constraints of its redeployment policy, the Commission reviewed the bilateral agreements governing the granting of ECSC redeployment aid in the countries concerned. On 6 April the Commission decided, with a view to more efficient management of expenditure, that certain new financial techniques should be introduced with the cooperation of the national administrations.

Education and vocational training

Eurydice

2.1.32. A meeting between representatives of the central unit of Eurydice, the Community's education information network, and the European Centre for the Development of Vocational Training was held in

Berlin on 29 and 30 April. The object of the meeting was to strengthen cooperation between the two bodies and underline the importance of the ever-increasing interdependence between education and vocational training.

Education and training of migrant workers

2.1.33. From 26 to 29 April the Commission held a colloquium in Hengelhoeft, Belgium, in conjunction with the provincial immigration services, on approaches to teaching children of migrant workers their own language and culture. The colloquium reviewed a pilot scheme being carried out since September 1976 under the auspices of the Commission in primary schools in the province of Limburg.

The model for integrated teaching of immigrants' mother tongue and intercultural education developed in Limburg has demonstrated that bilingual teaching of immigrant children within the school system of the host country is perfectly feasible.

Social security—Living and working conditions

Social security for migrant workers

2.1.34. In order to take account of the extension of Regulation No 1408/71 to self-employed persons² and of agreements concluded between the Member States on waivers of refunds of certain benefits or certain costs, the Council amended on 6 April³ certain annexes to regulation No 574/72 on the application of social security schemes to employed—and self-employed⁴—persons moving within the Community.

¹ Bull. EC 7/8-1981, point 2.1.49.

² OJ L 143, 29.5.1981.

³ OJ L 99, 15.4.1982.

⁴ OJ L 378, 31.12.1981.

Health and safety

Health and safety at work

2.1.35. On 23 April Parliament adopted its opinion on the proposal for a second Directive on the protection of workers from harmful exposure to asbestos at work. Apart from a reduction in the use of asbestos, Parliament called for a study of toxic substances responsible for atmospheric pollution in industrial areas and for the compilation of a European cancer index which would list all occupationally-induced forms of cancer.

Regional policy

Financial Instruments

European Regional Development Fund

Reform of the Regional Fund

2.1.36. On 26 April the Council held a preliminary policy discussion on the Commission's proposal for a revision of the ERDF Regulation.¹

The Council devoted particular attention to the two main aspects of this matter. First, it discussed the question of the geographical concentration of the quota section of the Fund, the size of the non-quota section and the purposes of the two sections. Second, it discussed the principle, aims and means of coordinating the Member States' and the Community's regional policies.

2.1.37. Parliament gave its opinion on the Commission's proposal on 22 April.² While approving the main innovations proposed by the Commission, in particular the geographical concentration of the quota section, Parliament suggested a number of improvements.

ERDF aid: non-quota section

2.1.38. On 29 April the Commission approved a special programme for a specific Community regional development measure under the non-quota section of the European Regional Development Fund. The programme is designed to develop new economic activities in certain areas of the United Kingdom affected by the reorganization of the steel industry.

The ERDF contribution to the programme will amount to 33 million ECU over a period of five years, while the United Kingdom's contribution over the same period will be 19.8 million ECU. The Community funds for implementing the programme will be committed in annual instalments.

Conversion loans

2.1.39. In April the Commission paid out a total of 45.99 million ECU in conversion loans under Article 56 of the ECSC Treaty.³

Environment and consumers

Environment

Prevention and reduction of pollution and nuisances

Freshwater and marine pollution

2.1.40. An extraordinary meeting of the Contracting Parties to the 1976 Barcelona Convention on the Protection of the Mediterranean Sea against Pollution was held in Geneva from 29 March to 1 April. Those present, including a Community rep-

¹ OJ C 336, 23.12.1981; Bull. EC 10-1981, points 1.2.1 to 1.2.9.

² OJ C 125, 17.5.1982.

³ Point 2.3.13.

representative, reviewed what progress had been made on the Action Plan for the Mediterranean since the last regular meeting (in Cannes, March 1981)¹ and adopted the operating budget for the Plan for 1982-83.

The meeting was immediately followed by a Conference of Plenipotentiaries, at which the fourth Protocol to the Convention (on specially protected areas of the Mediterranean Sea) was signed.²

2.1.41. The Contracting Parties to the Bonn Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil, joined by a Commission representative, met again in Paris from 27 to 29 April. It was decided that the Community should be allowed to accede to the Agreement and that the scope of the Agreement should be extended to include dangerous substances. A diplomatic conference to sign the Agreement—amended accordingly—would be held in October.

Air pollution

2.1.42. At its 19-23 April part-session Parliament delivered an opinion on the proposal for a Council Decision establishing a reciprocal exchange of information and data from networks and individual stations measuring air pollution within the Member States.³ In the resolution embodying its opinion Parliament welcomed the proposal, which the Commission had addressed to the Council on 28 July 1981,⁴ and called for a more detailed study of acid rain.

Chemicals

2.1.43. At the same part-session Parliament adopted an opinion welcoming the proposal for a Decision on the consolidation of precautionary measures concerning chlorofluorocarbons in the environment and calling upon the Commission to continue with, and step up, its activities in the matter.⁵ The Commission had sent the proposal to the Council on 27 October 1981.⁶

2.1.44. Parliament also adopted a resolution³ on combating photochemical pollution and endorsed³ two Commission proposals⁶ amending for the fifth and seventh time respectively the Directive of 27 July 1976 relating to restrictions on the marketing and use of certain dangerous substances and preparations.⁷

Protection and rational use of land, the environment and natural resources

Flora and fauna

2.1.45. The Community deposited with the Australian Government its instrument of approval of the Convention on the Conservation of Antarctic Marine Living Resources.⁸

Natural resources

2.1.46. The Commission is convinced that the reuse of waste is of vital importance for Europe, which depends so heavily on imported energy and raw materials. Mr Narjes, the Member of the Commission responsible for environmental matters, was therefore pleased to accept joint patronage with the Federal German Minister for Research and Technology of the Third International Recycling Congress. More than 1 000 experts from all over the world took part in the event, which was held in Berlin from 19 to 21 April.

Each year the Community produces some 2 000 million tonnes of waste, most of which contains valuable substances (metal, glass, rubber, oil, textiles, paper, proteins,

¹ Bull. EC 3-1981, points 2.1.56 and 2.1.57.

² Bull. EC 2-1982, point 2.1.44.

³ OJ C 125, 17.5.1982.

⁴ OJ C 211, 20.8.1981; Bull. EC 7/8-1981, point 2.1.68.

⁵ OJ C 269, 21.10.1981; Bull. EC 10-1981, point 2.1.73.

⁶ OJ L 262, 27.9.1976.

⁷ OJ C 78, 28.3.1980; Bull. EC 3-1980, point 2.1.56; OJ C 288, 10.11.1981; Bull. EC 10-1981, point 2.1.76.

⁸ Bull. EC 9-1981, point 2.1.59.

wood, etc.) which can be reused in one form or another. With the shortage of raw materials and the consequent rise in prices, the recycling problem is assuming increasing importance. The Community has already taken some corrective measures in the form of a framework Directive setting out rules and principles¹ and a number of specific Directives concerning waste oils, titanium dioxide and toxic and dangerous wastes.² Other proposals are in preparation.

The Commission has also stressed the importance of the special programme on recycling in the developing countries, which was discussed at the Congress.

International cooperation on the environment

2.1.47. The third meeting of the Committee of International Development Institutions for the Environment (CIDIE) was held at the Commission in Brussels on 21 to 23 April. The CIDIE is a permanent evaluating body made up of delegates of development financing institutions which, like the Community, are signatories to the New York Declaration of 1 February 1980.

Representatives of bilateral aid institutions from several countries and representatives of other international and non-governmental agencies also attended the meeting.

The discussion showed what progress had been made in implementing the Declaration, how far the idea had gained ground that environment and development are inextricably linked and how far it had been applied in policies and in the development programmes financed by the institutions present. Ways and means of future cooperation on training and education in environmental matters, the preparation of guidelines, the taking into account of environmental factors in environmental programmes and projects, and aid to developing countries in all these areas were also discussed.

2.1.48. On 21 and 22 April the Community was represented at a meeting of OECD's Environment Committee in Paris.³

Agriculture

Council meetings

2.1.49. Although the various positions had moved appreciably closer together after the Commission changed its original proposals,⁴ the Council failed to reach agreement on the 1982/83 agricultural prices at the two meetings held in April.

From 20 until 22 April the Council resumed the discussions which had broken off on 2 April, concentrating mainly on price levels,⁵ agri-monetary matters, the measures to be taken regarding small milk producers,⁵ the *acquis communautaire* for Mediterranean wine, fruit and vegetables and citrus fruit,⁶ and the problem of inflation, which in some countries had resulted in an appreciable reduction in farm incomes.⁷

In the light of the progress achieved on the various issues the Council held a further meeting, from 28 to 30 April. After giving close consideration to the matters still outstanding, the Council reached a very broad consensus on the overall compromise worked out by the Presidency covering the *acquis communautaire* and the prices and related measures, but noted that some reservations remained. It agreed to meet again in the near future. The compromise formula (as amended in the course of the meeting) was accepted by seven delegations, while the United Kingdom maintained one general and several specific reservations (milk, wine, beef and veal, sheepment) and Greece reserved its position on the package as a whole (measures to be defined for Greek producers); the

¹ OJ L 194, 25.7.1975;

² OJ L 194, 25.7.1975; OJ L 54, 25.2.1978; OJ L 84, 31.3.1978.

³ Point 2.2.34.

⁴ Bull. EC 3-1982, point 2.1.64; Bull. EC 1-1982, point 1.1.4.

⁵ Bull. EC 1-1982, points 1.1.1 to 1.1.11 and 2.1.44 to 2.1.48.

⁶ Bull. EC 10-1981, points 1.3.1 to 1.3.9.

⁷ Bull. EC 3-1982, point 2.1.64.

Italian delegation's approval was given subject to consultations with the Italian authorities.

2.1.50. Since agreement had not been reached on all the issues, the Council extended until 17 May the current marketing year for milk products,¹ beef and veal, sheepmeat and goatmeat¹ and cauliflowers² and extended the validity of the Regulation fixing the flat-rate production aid and the guide price for certain dried fodder products.¹

Economic aspects of the common agricultural policy

Cereal substitutes

2.1.51. On 20 April, with a view to achieving greater stability on the market in cereals and further to the memorandum on the guidelines for European agriculture,³ the Commission transmitted to the Council a proposal for a temporary change in the conditions under which certain products for use as animal feed are imported into the Community. This would entail the stabilizing of manioc and corn gluten feed imports, in accordance with the Community's international commitments, after consulting the main exporting countries.

With regard to manioc import restrictions, the Commission put before the Council a draft agreement between the Community and Thailand—which is not a member of GATT—and an agreement with Indonesia, the main GATT supplier of manioc, allowing suspension of the present binding of the import system.

With regard to corn gluten feed, the Commission asked the Council for authorization to open consultations in GATT with a view to temporarily suspending the exemption from customs duty on residues from the manufacture of starch from maize and replacing them by a duty-free quota of three million tonnes, which is roughly equivalent to the Community's 1981 corn gluten feed

imports. Apart from engendering difficulties for Community feed-grain producers, the substitution of corn gluten feed—an imported product—for feed grain has meant additional buying-in and export costs for the EAGGF.

The proposal for a temporary change in the arrangements under which certain products for use as animal feed are imported into the Community underpins the Commission's efforts to bring down cereal prices in real terms gradually so as to narrow the gap between Community prices and those charged by its main competitors. In due course this policy will serve to neutralize the advantage at present enjoyed by cereal substitutes.

Agri-monetary measures

2.1.52. Acting on a proposal from the Commission, the Council agreed to devalue the representative rate for the Danish krone by 1.5% from 5 April.⁴ Accordingly, Regulation (EEC) No 1054/78⁵ was amended by the Commission and monetary compensatory amounts for Denmark were abolished from 6 April.⁵

Since the Regulation temporarily suspending certain rules for calculating MCAs ('non-cumulation rule')⁶ was not extended, the Commission introduced a monetary compensatory amount of -1 for France from 15 April.⁷

A monetary compensatory amount of -1.1 was introduced for Greece from 19 April, in line with the movement of the exchange rate for the Greek drachma.⁸

¹ OJ L 111, 24.4.1982; OJ L 118, 1.5.1982.

² OJ L 118, 1.5.1982.

³ Bull. EC 10-1981, point 2.1.85.

⁴ OJ L 91, 5.4.1982.

⁵ OJ L 92, 6.4.1982.

⁶ OJ L 55, 26.2.1982.

⁷ OJ L 100, 15.4.1982.

⁸ OJ L 104, 19.4.1982.

Market organizations

Changes in basic Regulations

Sugar

2.1.53. On 26 April the Commission amended¹ the Regulation laying down detailed rules for carrying forward sugar to the following marketing year.² More specifically, the Regulation fixes the maximum quantities of sugar which can be carried forward and the start of the compulsory period of storage and lays down the conditions for recording production and for declaring sugar which may be carried forward.

Prices and specific measures

Pigmeat

2.1.54. In the light of the seasonal downward trend on the pigmeat market—aggravated by an outbreak of foot-and-mouth disease in Denmark³—the Commission introduced private storage aid⁴ and higher export refunds⁵ on fresh pigmeat products. It will therefore be possible to store pig carcasses, the principal cuts and boned pigmeat for four to six months. Refunds for carcasses were increased from 10 to 25 ECU/100 kg.

The Commission expects that the combined effect of these two measures—storage and export incentives—will be to wipe out the present surplus on the Community market.

Fresh fruit and vegetables

2.1.55. In April the Commission fixed the 1982 reference prices for cherries,⁶ plums,⁶ courgettes⁷ and aubergines.⁸

It also fixed the 1982 Community offer price for Greece in respect of cherries and plums.⁶

2.1.56. On 23 April the Commission put to the Council a proposal to extend indefinitely the system of preventive withdrawals for dessert apples and pears, due to expire on 30 June. The proposal was accompanied by a report on the working of the preventive withdrawal system from 1979/80. This stated that thanks to the system it had been possible to dispose of part of the market sur-

pluses at the beginning of the marketing year and withdraw low-quality products. By helping to make known the quantities eligible for withdrawal, the system could in future facilitate free distribution to charitable organizations, the use of apples and pears as feed, or distillation.

Processed fruit and vegetables

2.1.57. On 5 April, in the light of changes on the market and the quantities still held by the Greek storage agencies, the Commission amended⁹ for the second time the Regulation on the sale, at a price fixed in advance, of certain dried grapes held by the Greek storage agencies.¹⁰

Wine

2.1.58. On 1 April the Commission adopted the detailed rules¹¹ for the distillation of table wine decided by the Council on 25 March.¹²

2.1.59. On 13 April the Commission fixed for the first time an export refund for certain liqueur wines; the amount of the refund is 17.25 ECU/% vol/hl. The destinations concerned are the same as for products in the wine sector which already qualify for export refunds.¹³

Beef and veal

2.1.60. On 13 April, in the light of heavy demand on the Greek market, the Commission extended the period during which Greece is authorized to suspend the entire customs duties applicable on imports of beef and veal products.¹³

¹ OJ L 113, 27.4.1982.

² OJ L 9, 14.1.1982; Bull. EC 1-1982, points 2.1.46 and 2.1.47.

³ Point 2.1.65.

⁴ OJ L 84, 30.3.1982.

⁵ OJ L 93, 7.4.1982.

⁶ OJ L 114, 28.4.1982.

⁷ OJ L 105, 20.4.1982.

⁸ OJ L 111, 24.4.1982.

⁹ OJ L 101, 16.4.1982.

¹⁰ OJ L 357, 12.12.1981.

¹¹ OJ L 88, 2.4.1982.

¹² OJ L 80, 26.3.1982; Bull. EC 3-1982, point 2.1.72.

¹³ OJ L 98, 14.4.1982.

Tobacco

2.1.61. On 13 April the Commission adopted detailed rules for the application of special aid for raw tobacco following the earthquake in Italy in November 1980.¹ The purpose of the Regulation is to define the undertakings to be given by aid applicants and by the authorities responsible for payment.²

Seeds

2.1.62. On 28 April the Commission adopted a Regulation amending for the fourth time in the course of the 1981/82 marketing year the countervailing charges on entry into the Community of a certain type of hybrid maize for sowing imported from certain non-member countries.³

Milk and milk products

2.1.63. On 16 April the Commission amended the detailed rules for granting aid for skimmed milk for use as feed.⁴

Agricultural legislation**Veterinary legislation**

2.1.64. On 31 March, in view of the spread of foot-and-mouth disease in the German Democratic Republic, the Commission adopted⁵ health protection measures in regard to that country.⁶ The measures will be amended in the light of developments.

2.1.65. Outbreaks of foot-and-mouth disease also occurred in Denmark, on the island of Fyn. On 6 April the Commission adopted a Decision concerning certain protection measures against the disease with a view to safeguarding the Community herd.⁷ The measures will be maintained for as long as the disease is liable to spread.

2.1.66. At its April part-session Parliament adopted an opinion⁸ endorsing the proposal for a Directive laying down minimum standards for the protection of laying hens kept in battery cages.⁹

Feedingstuffs

2.1.67. Parliament also endorsed⁸ a proposal for a Commission Decision establishing microbiological standards for feedingstuffs and the conditions for the production thereof.¹⁰

Competition

2.1.68. Applying Articles 92 to 94 of the EEC Treaty, the Commission decided to make no formal comment on the following aid measures, notified by:

Denmark

Defrayal of part of the cost of the damage to privately owned forests caused by storms in November 1981. The Commission feels that this measure is compatible with the common market since it is intended to provide compensation for damage resulting from natural disasters.

Federal Republic of Germany

Lower Saxony: variation of the aid scheme to encourage the employment of farm relief workers to replace permanent workers who are absent sick, on holiday, etc. The Commission may review this type of aid at a later stage pursuant to Article 93(1). Further training incentives for persons working in agriculture and forestry.

Bavaria: implementation of a housing construction programme which more closely meets present-day health and living standards.

¹ Bull. EC 1-1982, point 2.1.42.

² OJ L 98, 14.4.1982.

³ OJ L 115, 29.4.1982.

⁴ OJ L 103, 17.4.1982.

⁵ OJ L 110, 23.4.1982.

⁶ Bull. EC 10-1981, points 2.1.83 to 2.1.92.

⁷ OJ L 111, 24.4.1982.

⁸ OJ C 125, 17.5.1982.

⁹ OJ C 208, 18.8.1981; Bull. EC 7/8-1981, point 2.1.109.

¹⁰ OJ C 252, 2.10.1981; Bull. EC 9-1981, point 2.1.84.

France

Guadeloupe: a five-year pig-farming development programme including action to improve production and marketing and the defrayal of part of the operating costs of the pig farmers' cooperative.

French West Indies: a five-year stockfarming (sheep and goats) development programme including health and veterinary measures and action to improve supplies and production and provide training for the farmers.

Ireland

Increase in the subsidy for non-industrial consumer of flour.

Italy

Abruzzi: emergency aid in agriculture. The scheme provides for a number of measures, some of which are covered by Community arrangements: EAGGF, Regulations (EEC) No 355/77 and No 1760/78 and the socio-structural Directives.

The main measures having competition implications include defrayal of the increase in investment costs resulting from inflation; aid to certain cooperatives in mountain and/or less-favoured areas; aid for improvement and construction of rural housing; plant pest control work; aid for technical assistance services and the purchase of agricultural land; aid for facilities designed to give protection against natural disasters; and aid for reforestation and the improvement of water drainage in the forestry sector.

The Commission's decision took into account the information and undertakings provided by the Italian authorities. However, the Commission may at a later stage, under Article 93(1), re-examine the aid for the granting of operating loans and promotion schemes.

The Commission also expressed certain reservations with regard to the aids for artificial insemination and the livestock improvement and genetic selection programme.

The Netherlands

Variation of the aid scheme for the demolition of old glasshouses, with a view to reducing production and energy consumption.

2.1.69. Under the same aid review arrangements, the Commission decided to initiate the Article 93(2) procedure with regard to two Italian projects — Act No 423/81 on measures in the agricultural sector and an aid scheme for the production of vine propagation material in Sicily.

2.1.70. The Commission decided to close the Article 93(2) procedure which it had initiated earlier in respect of an Italian regional bill (Trento) concerning support measures for agriculture and stockfarming.

2.1.71. Lastly, the Commission took a final decision to the effect that certain aids granted by France for sheepmeat and pigmeat production must be discontinued.¹

European Agricultural Guidance and Guarantee Fund

Guarantee Section

2.1.72. The Commission has adopted the provisional accounts of EAGGF Guarantee Section payments for 1981. The total is 10 908 million ECU (the breakdown is given in the table below), a decrease of 3% compared with 1980, thus confirming the slowdown in the rate of increase of expenditure which began in 1979. The average annual increase from 1975 to 1979 was 23.3%.

The figures for 1981 are the result of a lower production growth rate in the Community, further improvements in the management of the markets and, above all, the fact that world market prices for a number of products, including milk products, remained buoyant.

This meant that refunds on exports to non-member countries could be reduced for many products.

¹ OJ L 113, 27.4.1982.

Table 1 — *Provisional accounts of EAGGF Guarantee Section payments for 1981**(million ECU)*

Sector	Expenditure 1980	%	Expenditure 1981	%
Cereals and rice	1 728	15.3	1 943	17.7
Milk products	4 752	42.0	3 343	30.4
Oils and fats	687	6.1	1 025	9.3
Sugar	575	5.1	768	7.0
Beef and veal, sheepmeat and pigmeat, eggs and poultrymeat	1 618	14.3	1 867	17.0
Fruit and vegetables, wine, tobacco	1 296	11.4	1 462	13.3
Other sectors	360	3.2	495	4.5
Total agricultural products	11 016	97.4	10 903	99.2
Accession compensatory amounts	token entry	—	token entry	—
Monetary compensatory amounts	299	2.6	238	2.2
Provisional appropriations (clearance of previous accounts)	—	—	- 161	- 1.4
Grand total	11 315	100.0	10 980	100.0

Guidance Section

EAGGF aid (first instalment for 1982)

2.1.73. On 19 April the Commission adopted a first batch of decisions granting aid for 1982, pursuant to the Council Regulation¹ on a 'common measure' to improve public facilities in certain rural areas in the Mezzogiorno, in the less-favored areas of the remainder of Italy, as defined in the Council Directive of 28 April 1975,² and in the reg-

ions of Midi-Pyrénées, Languedoc-Roussillon, Provence-Côte-d'Azur and Corsica and the departments of Pyrénées-Atlantiques, Ardèche and Drôme in France.

In all, assistance has been approved for 67 projects, amounting to 7.2 million ECU, as follows:

¹ OJ L 204, 28.7.1978.

² OJ L 128, 19.5.1975.

Country	Number of projects	Aid in national currency	Aid in ECU ⁽¹⁾
France	8	FF 671 068	107 422
Italy	59	LIT 9 295 413 577	7 059 682
Total	67		7 167 104

¹ Approximate figures.

In all, assistance has been approved for 19 projects, amounting to 6.4 million ECU. The breakdown by Member State is as follows:

Country	Number of projects	Aid in national currency	Aid in ECU ⁽¹⁾
France	13	FF 29 911 764	4 788 173
Italy	6	LIT 2 120 547 694	1 610 514
Total	19		6 398 687

¹ Approximate figures.

2.1.75. On 15 April the Commission adopted a Decision on applications for reimbursement under the Council Regulation of 24 June 1980 for the stimulation of agricultural development in the less-favoured areas of the west of Ireland.²

The purpose of the Decision is to fix the content and the form of applications for reimbursement, so as to speed up processing by using forms.

2.1.76. On 20 April Parliament adopted two resolutions concerning the Tenth Financial Report (1980) on the EAGGF Guidance and Guarantee Sections and food aid financing.³

Fisheries

Resources

Internal aspects

Catch quotas and technical measures

2.1.77. On 29 April the Council renewed⁴ its interim Decision⁵ on fishing activities: pending a decision on the implementation of a fisheries policy the Member States are to conduct their fishing activities in accordance with the usual seasonal cycles, taking into account the TACs proposed by the Commis-

2.1.74. On 19 April, pursuant to the Council Regulation on collective works for the restructuring of vineyards,¹ the Commission adopted a first batch of decisions on aid to be granted in 1982.

sion on 24 July 1981⁶ and the portion of those TACs which remains available to the Community bearing in mind its commitments to non-member countries.

2.1.78. In April the Commission again defined its position on various national fishery resource conservation measures:

(i) it found that a United Kingdom measure further restricting the use of beam trawls conformed to Community law and to the common fisheries policy;

(ii) it noted four Dutch measures extending a temporary catch quota arrangement through the month of April and raised no objection to their implementation provided that the Dutch Government undertook to apply them on the same terms as in the first quarter of the year.

External aspects

2.1.79. On 29 April the Council adopted a Regulation laying down for 1982 certain measures for the conservation and manage-

¹ OJ L 57, 29.2.1980.

² OJ L 180, 14.7.1980.

³ OJ C 125, 17.5.1982.

⁴ OJ L 120, 1.5.1982.

⁵ OJ L 379, 31.12.1981.

⁶ OJ C 224, 3.9.1981.

ment of fishery resources applicable to vessels flying the flag of Spain.¹

2.1.80. It also approved the extension for three months of the Financial Protocol to the Agreement on fishing off the coast of Guinea-Bissau.²

2.1.81. Lastly, it adopted on 29 April certain measures for the conservation and management of fishery resources applicable to vessels registered in The Faeroes,¹ thus replacing the temporary arrangement³ with a definitive one for 1982.

2.1.82. The Community deposited with the Australian Government its instrument of approval of the Convention on the Conservation of Antarctic Marine Living Resources.⁴

2.1.83. On 22 April Parliament adopted a resolution deploring the absence of a common fisheries policy.⁵

Markets and structures

Organization of the market

2.1.84. On 20 April the Commission sent the Council three proposals for Regulations concerning the application of the new basic Regulation of 29 December 1981 on the common organization of the market in fishery products.⁶

The proposals cover:

- (i) the extension of certain rules adopted by producers' organizations;
- (ii) general rules on the granting of financial compensation in respect of certain products;
- (iii) general rules on the granting of a carryover premium for certain products.

2.1.85. On 27 April the Commission proposed to the Council that the date when the new basic Regulation enters into force be put back from 1 June 1982 to 1 January 1983.⁷

Structures

2.1.86. On state aids the Commission raised no objection to two draft measures notified by the Danish authorities,⁸ namely:

(i) the renewal in 1982 of subsidies given annually since 1978 to encourage investment in the production of fishery products for human consumption (1982 budget: DKR 17.3 million);

(ii) the granting on a permanent basis from 1982 onwards of subsidies granted annually since 1978 for technical advisers for fishery and aquaculture organizations (1982 budget: DKR 2 million).

Transport

Inland transport

Frontier formalities and inspections

2.1.87. Twenty-five years after the establishment of the common market, transport between Member States is still hampered by frontier problems. For road transport alone, the waiting time at the Community's internal frontiers increases transport costs by about 1 000 million ECU annually.

At its meeting of 26 March 1981 the Council adopted a list of topics to be given priority in the period up to the end of 1983, one of which was the facilitation of the crossing of frontiers.⁹ Parliament has repeatedly called for action on this problem, notably during its March part-session this year.¹⁰

On 20 April the Commission sent to the Council a proposal for a Directive on the facilitation of formalities and inspections in respect of the carriage of goods between Member States;¹¹ this proposal was based on

¹ OJ L 120, 1.5.1982.

² Bull. EC 3-1982, point 2.1.96; OJ L 126, 8.5.1982.

³ Bull. EC 2-1982, point 2.1.78.

⁴ OJ L 252, 5.9.1981.

⁵ Point 2.4.10; OJ C 125, 17.5.1982.

⁶ OJ L 379, 31.12.1981; Bull. EC 12-1981, point 2.1.140.

⁷ OJ C 123, 14.5.1982.

⁸ Bull. EC 2-1981, point 2.1.72.

⁹ Bull. EC 3-1981, points 2.1.139 and 2.1.140.

¹⁰ OJ C 87, 5.4.1982.

¹¹ OJ C 127, 18.5.1982.

a detailed report on difficulties encountered in international road, rail and inland waterway transport drawn up at the Commission's request by independent experts.

This proposal is one of a number of measures—all designed to strengthen the internal market—which the Commission will gradually be placing before the Council. It concerns the five modes of transport (rail, road, inland waterway, sea and air transport) and is intended to expedite the movement of goods between Member States.

The main elements of the proposal, the aim of which is to improve the organization of the various formalities and inspections, are as follow;

- centralization of inspections;
- non-systematic inspection;
- mutual recognition of the findings of inspections;
- cooperation between the various inspection authorities;
- harmonization of the opening hours of checkpoints;
- adaptation of staff numbers to the volume of traffic;
- facilities for means of transport travelling empty or carrying goods under a transit procedure;
- information and notification procedures (setting-up of joint committees).

The Commission has stressed that this initiative will have to be supplemented by other measures concerning the carriage of goods aimed at the simplification and, in the long run, the gradual abolition of checks during transport operations.

Infrastructure

2.1.88. Following up its May 1981 resolution on the construction of a Channel Tunnel,¹ Parliament passed two resolutions on 22 April concerning the financing of a fixed cross-Channel link.²

Approximation of structures

Community driving licence

2.1.89. The panel of government experts concerned with the Community driving licence met on 28-30 April. It considered the conditions under which, after 1 January 1983, driving licences would be exchanged if the holder takes up residence in a Member State other than the one in which the licence was issued. The panel also took stock of the procedures for amending the relevant laws and regulations in order to give effect to the Directive on the introduction of a Community driving licence; the Commission must be consulted on these procedures before 30 June 1982.

Technical specifications

2.1.90. A panel of government experts met in Brussels on 22 April to define the 'swap body' concept and to draw up minimum technical specifications. This work is part of the move to exclude swap bodies from the International Convention for Safe Containers and to encourage combined road/rail transport in the Community.

Summer time

2.1.91. On 20 April Parliament endorsed³ the proposal for a second Directive on summer time arrangements.⁴

Sea transport

2.1.92. The Commission delivered a favourable opinion to the Greek Government on the implementation of the Council Directive of 21 December 1978 concerning pilotage of vessels by deep-sea pilots in the North Sea and English Channel.⁵ Having ex-

¹ OJ C 144, 15.6.1981; Bull. EC 5-1981, point 2.3.8.

² Point 2.4.10; OJ C 125, 17.5.1982.

³ OJ C 125, 17.5.1982.

⁴ OJ C 84, 14.4.1981; Bull. EC 3-1981, point 2.1.148.

⁵ OJ L 33, 8.2.1979.

amined the measure communicated by the Greek Government, the Commission was satisfied that the latter had given full effect to the provisions of the Directive as they apply to Greece as a country with no North Sea or English Channel coastline.

Energy

Specific problems

Energy saving and the rational use of energy

2.1.93. On 23 April Parliament adopted a resolution¹ on the problems of budgetary law and policy arising from the Commission's proposals of October 1980² aimed at doubling the total sums available for granting financing support for demonstration projects in the field of energy saving and the use of solar and geothermal energy. Parliament asked the Commission to withdraw its proposals until the Council undertook to discuss the question of setting financial ceilings in this area, this being in conflict with Parliament's budgetary powers. Should the Council, which agreed in February to increase the total allocation for these projects by 55 million ECU,³ nevertheless take up the proposals, Parliament demanded that the Council initiate the conciliation procedure. Parliament had already asked for this to be done in February 1984.⁴

Coal

2.1.94. Following the assent formally given by the Council in March, the Commission adopted a Decision amending the 1973 aid arrangements for coking coal and coke for the iron and steel industry in the Community on 20 April.⁵ These special rules for coking coal, which date back to 1967 and provide for a system of Community aid, have been extended until 31 December 1983 and have been modified in the light of developments on the world coal market. The Com-

mission had asked the Council for its assent in July of last year,⁶ and the Council approved the proposal in October.⁷

2.1.95. Under the Commission Decision of 25 February 1976,⁸ the Commission sent the Council in January a memorandum on the financial measures taken by Member States to assist the coalmining industry in 1981.⁹ The Council having stated its views on 8 March,¹⁰ the Commission notified the governments concerned of its aid authorization decisions on 28 April.¹¹

Research and development

Development of the common policy

2.1.96. Meeting on 30 April, the Scientific and Technical Committee discussed the proposal for reorganizing the Joint Research Centre's programme. The Committee devoted particular attention to the Super-Sara project,¹² under which a series of in-pile experiments is being carried out in the Essor reactor at Ispra with the aim of obtaining data on the interactions between pins in an LWR fuel assembly during a loss-of-coolant accident. It expressed itself in favour of continuing the project, in view of its value for reactor constructors and users and for the inspection authorities, and urged that a decision be taken as quickly as possible in order to provide the financial support and human potential it needs.

The Committee also endorsed the proposed change to the Joint Research Centre's nuc-

¹ OJ C 125, 17.5.1982.

² OJ C 280, 30.10.1980; Bull. EC 10-1980, point 2.1.96.

³ Bull. EC 2-1982, point 2.1.103.

⁴ OJ C 50, 9.3.1981.

⁵ OJ L 106, 21.4.1982.

⁶ Bull. EC 7/8-1981, point 2.1.143.

⁷ Bull. EC 10-1981, point 2.1.149.

⁸ OJ L 63, 11.3.1976.

⁹ Bull. EC 1-1982, point 2.1.75.

¹⁰ Bull. EC 3-1982, point 2.1.118.

¹¹ OJ L 137, 18.5.1982.

¹² Bull. EC 5-1981, point 2.1.118.

lear programme aimed at increasing the resources necessary for the Super-Sara project, but recommended that an excessive reduction of the programme on fast reactors be avoided.

Statistical report on Community R & D

2.1.97. The total expenditure devoted to research and development activities in the Community (excluding Greece) in 1981 was 18% up on the previous year. This represents an increase of about 6% at 1975 prices and exchange rates. These figures are given in the new statistical report entitled *Government financing of R & D in the Community countries—analysis by objectives; detailed report 1975-81*, which was approved by CREST.

The report now includes statistical series starting from 1975, whereas previous ones started from 1970. Except for some data relating to 1977, it was not possible to include figures for Greece in the report.

Cooperation with non-member countries

European cooperation in the field of scientific and technical research (COST)

2.1.98. On 8 April Portugal signed an agreement to take part in Project 47 on coastal benthic ecosystems.

2.1.99. Project 68 ter on the treatment of sewage sludge was signed by Austria on 20 April and by Sweden on 22 April.

2.1.100. In an opinion delivered on 23 April¹ Parliament approved the proposal for a Decision adopting a concerted-action project relating to the effect of processing on the physical properties of foodstuffs.²

Scientific and technological objectives

Energy

Scientific and Technical Research Committee

2.1.101. The Energy Research and Development Subcommittee of CREST met on

22 April and delivered a favourable opinion on the conclusions emerging from the review of the second energy R & D programme. The Subcommittee held a discussion on the guidelines for and objectives of the third energy R & D programme, which is now being prepared. It examined a report on synthetic fuels and recommended that, in the preparation of the third programme, the Commission give due consideration to the question of the production of synthetic fuels from biomass.

Fusion: lithium corrosion

2.1.102. With the application of lithium to future thermonuclear fusion reactors in mind, a workshop on corrosion by liquid lithium, lithium compounds and lithium alloys was held at the Joint Research Centre's Ispra Establishment on 19-21 April. Present designs envisage a lithium breeding blanket around the fusion zone that would be partly transmuted during operation to form the tritium isotope of hydrogen, an essential ingredient of the fusion reaction.

The aim of the meeting, which was attended by representatives of other research laboratories in the Community and Austria, was to exchange information on the latest results, discuss further points of common interest and establish a procedure for facilitating closer collaboration.

Raw materials

Textiles and clothing

2.1.103. On 7 April the Commission published a call for proposals for textile and clothing research projects.³ Financial assistance totalling 3.9 million ECU will be made available through shared-cost contracts awarded under the second

¹ OJ C 125, 17.5.1982.

² OJ C 93, 14.4.1982; Bull. EC 9-1981, point 2.1.134.

³ OJ C 89, 7.4.1982.

(1981-83) R & D programme.¹ Proposals should be submitted before 15 June 1982 and should relate to research on the following topics: garment physiology and construction; quality of knitted fabrics and knitted articles; application of new spinning technologies in the wool industry (wool and associated fibres); and upgrading of linen.

Living and working conditions

Radiation protection

2.1.104. The tenth annual report on the radiation protection programme, which describes the work carried out in 1981 under contract with the Commission on more than 300 research projects, has just been published.² The report reviews the many radiation protection studies in which the Community participated.

The overall aim of this research is the protection of workers and the general public against the dangers arising from ionizing radiation and the protection of the environment against possible dangers due to the use of ionizing radiation and radionuclides in nuclear technology, industry and medicine.

The contracts involve almost all the European establishments competent in this field and relate to the problems associated with radiation dosimetry, the behaviour and control of radionuclides in the environment, short-term and late somatic effects, genetic effects due to ionizing radiation and the evaluation of radiation risks.

2.1.105. The risks of exposure to neutrons, in particular the development of cancers, need to be assessed in comparison with the risks due to X- or gamma-rays on the basis of new experimental observations and basic knowledge. A European seminar on neutron carcinogenesis brought together some 50 European and American researchers at Rijswijk, Netherlands, on 30 March-1 April,

with the aim of reviewing recent data on molecular and cellular alterations and epidemiological information.

Some results of experiments carried out on animals have indicated that small doses of neutron radiation may have a greater effect than larger ones and that, in contrast to X- and gamma-rays, protracted or fractionated exposure over a longer period of time may exert a greater effect than a single short exposure. More detailed knowledge of the experimental system is, however, necessary in order to extrapolate such information to man. Moreover, until the review of the dosimetry data on the survivors of Hiroshima and Nagasaki has been completed, epidemiological data on neutron carcinogenesis in man will not yield any new information.

Detection of predisposition to thrombosis

2.1.106. An agreement between the Community and Switzerland relating to a concerted-action project on detection of the predisposition to thrombosis was signed in Brussels on 24 March. The aim of the project, which forms part of the second Community research programme relating to medical research and public health, is to coordinate the national activities in this field. The research to be coordinated relates to the following topics:

- (i) detection of activated coagulation factors and of their reaction products;
- (ii) quantitative analysis of coagulation inhibitors;
- (iii) studies of the activating and inhibiting components of fibrinolysis;
- (iv) studies of blood platelets;
- (v) pilot studies of precisely-defined populations, once the materials and the methodology have been standardized.

¹ OJ L 367, 23.12.1981; Bull. EC 12-1981, point 2.1.167.

² *Progress Report—Radiation Protection Programme (1981)* (Office for Official Publications of the European Communities).

2. Enlargement and external relations

Enlargement and bilateral relations with applicant countries

Portugal

Accession negotiations

2.2.1. The seventh meeting¹ of the Conference at ministerial level was held in Luxembourg on 26 April; this had been preceded by a deputy-level meeting on 2 April.

The Community presented three statements; these concerned customs union and the ECSC, embodying the points of agreement recorded so far and proposed solutions for a number of outstanding issues, and the Community's position on right of establishment, in particular direct investment by residents of Member States in Portugal. Portugal for its part submitted further details concerning its position regarding right of establishment and taxation.

2.2.2. Mr Thorn paid an official visit to Portugal from 14 to 16 April, where he had wide-ranging discussions with the President of the Republic, General Eanes, the Prime Minister, Mr Pinto Balsemão, and the Finance and Planning Minister, Mr Salgueiro, on progress in the accession negotiations and the outlook.

Bilateral relations

2.2.3. On 26 April the Council approved the directives for the negotiation of a transitional protocol with Portugal. Its purpose is twofold: to extend for a year, until the end of 1983, the arrangements suspending tariff dismantling that Portugal has been allowed for certain industrial products under previous agreements, and to lay down the procedure for the continuation of dismantling.

A negotiating session with a Portuguese delegation was held in Brussels on 27 April.

2.2.4. Discussions took place on 22 and 23 April between the Commission and a delegation led by the Portuguese State Secretary for

Foreign Affairs, Mr Mathias, on the prospects for cooperation and joint development aid measures, particularly in Portuguese-speaking Africa.

Commercial policy

2.2.5. A memorandum supplementing its memorandum of November 1981² was presented by the French Government to the President of the Council and the President of the Commission on 26 April; it deals more particularly with strengthening the instruments of the common commercial policy.³

Implementing the common commercial policy

Import arrangements

Easing of restrictive measures

2.2.6. Under the Council Regulation of 4 December 1980 on import arrangements in respect of State-trading countries,⁴ the Commission decided on the following measures:

United Kingdom-German Democratic Republic: change in the quota for iron and steel products;⁵

Italy-USSR/Bulgaria and Italy-Czechoslovakia: opening of quotas for aluminium alloy waste recast into ingots containing less than 97.5% aluminium;⁵

Italy-Hungary: opening of quotas for glass for industrial use;

Italy-German Democratic Republic: opening of quotas for synthetic organic colorants;

France-Hungary: opening of quotas for ware potatoes.

¹ For a report on the sixth meeting, see Bull. EC 2-1982, point 2.2.1.

² Bull. EC 11-1981, point 3.5.1.

³ Point 3.4.1.

⁴ OJ L 353, 29.12.1980.

⁵ OJ C 99, 20.4.1982.

Trade protection

Anti-dumping measures

2.2.7. The Commission imposed a provisional anti-dumping duty on imports of standardized multiphase electric motors having an output of more than 0.75 kW but not more than 75 kW, originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Poland, Romania or the USSR,¹ and on upright pianos originating in the USSR.²

The Council imposed a definitive anti-dumping duty on imports of certain cotton yarns originating in Turkey;³ a provisional anti-dumping duty had been imposed by the Commission in December 1981.⁴

The Council also decided⁵ to extend the provisional anti-dumping duty on imports of mechanical wrist-watches originating in the USSR.⁶

The Council amended two Regulations⁷ imposing definitive anti-dumping duties on products originating in the United States, the first dated 18 January 1982 concerning phenol,⁸ the second dated 22 December 1980 concerning certain polyester yarn.⁹

2.2.8. The Commission decided to initiate anti-dumping procedures concerning the following imports: methylamine, dimethylamine and trimethylamine originating in the German Democratic Republic or Romania;¹⁰ acrylonitril originating in the United States¹¹ and bisphenol A (diphenylol propane—DDP) originating in the United States.¹²

It also decided to reopen an anti-dumping/anti-subsidy procedure concerning certain sodium-carbonate originating in Bulgaria, the German Democratic Republic, Poland, Romania or the Soviet Union.¹²

2.2.9. The Commission decided¹ to terminate the proceeding regarding imports of standardized multiphase electric motors having an output of more than 0.75 kW but not more than 75 kW, originating in Hungary.

Export credits

2.2.10. On 26 April the Council reached agreement on the stand to be adopted by the

Community at the forthcoming negotiations between the participants in the arrangements on export credits, to be held in Paris on 6 and 7 May 1982 with a view to amending certain provisions of the Arrangement on Guidelines and the Understanding on Ships.

Sectoral commercial policy measures

Textiles

Agreements and arrangements with non-member countries

Preferential countries

2.2.11. On 26 April the Council approved the Commission report on its textile negotiations with the preferential countries in the Mediterranean area. It approved the arrangements initialled with Spain and Egypt and gave guidelines to the Commission with a view to finalizing negotiations with Malta and Cyprus.

The Council confirmed the guidelines proposed by the Commission regarding Portugal, Morocco and Tunisia, according to which the dialogue with these countries would be maintained without the negotiating directives being changed.

2.2.12. On 15 April the Commission adopted a Regulation suspending imports into France of shirts (category 8) originating in Turkey until 30 June 1982.² This Regulation, which was adopted on the basis of Article 60 of the Additional Protocol to the

¹ OJ L 85, 31.3.1982.

² OJ L 101, 16.4.1982.

³ OJ L 90, 3.4.1982.

⁴ OJ L 347, 3.12.1981; Bull. EC 12-1981, point 2.2.4.

⁵ OJ L 125, 7.5.1982.

⁶ OJ L 11, 16.1.1982; Bull. EC 1-1982, point 2.2.5.

⁷ OJ L 89, 3.4.1982.

⁸ OJ L 12, 18.1.1982; Bull. EC 1-1982, point 2.2.4.

⁹ OJ L 358, 31.12.1980; Bull. EC 12-1980, point 2.2.11.

¹⁰ OJ C 79, 31.3.1982.

¹¹ OJ C 84, 3.4.1982.

¹² OJ C 93, 14.4.1982.

EEC-Turkey Association Agreement, should help remedy the difficulties arising from the sharp increase in imports into France of Turkish shirts since 1981 and during the first few months of 1982.

Renewal of bilateral agreements with certain non-member countries

2.2.13. A delegation of experts from the Commission and the Member States visited India from 19 to 25 April to make an on-the-spot assessment of the country's production possibilities and capacities for hand-made products. Under the terms of the existing bilateral textile agreement, these products are admitted into the Community bearing a certificate stating their nature.

The delegation also learnt about the Indian certification procedure, the criteria used in this respect and the relevant verification checks carried out by the Indian authorities.

The Community authorities will discuss the conclusions to be drawn from this mission with a view to renewing the bilateral agreement with India.

2.2.14. A Commission delegation visited Hong Kong, Macao and Korea for preparatory talks prior to the formal negotiations which will take place in the coming months to conclude new textile agreements with these three supplier countries. The delegation presented the Community's position as set out in the brief adopted by the Council in November and December 1981 and in February 1982.

2.2.15. A Commission delegation also visited certain East European countries in preparation for the renewal of the bilateral textile agreements between them and the Community.

Development

Campaign against hunger in the world

Rome meeting

2.2.16. As a follow-up to the Italian initiative in Ottawa,¹ a meeting was held in Rome

from 26 to 29 April between representatives of the various sources of bilateral and multilateral aid, including the Community, to adopt common guidelines for action to combat hunger in the world.

The meeting confirmed the firm resolve of the participants to pursue the goal of freeing the world from the scourge of hunger. There emerged a common commitment to concert efforts to translate this political will into concrete action.

Commodities and world agreements

Natural rubber

2.2.17. On 8 April the Council adopted a Decision² approving the International Natural Rubber Agreement 1979 on behalf of the Community and making arrangements for the instrument of approval to be deposited by the date set.³

The Agreement had been signed on 30 May 1980 and was being applied provisionally in accordance with the Decision of 23 September 1980.⁴

Tin

2.2.18. The Community and its Member States participated in the 26th session of the International Tin Council, which was held in London from 19 to 26 April under the Fifth International Tin Agreement. The Council received reports from its various committees, and the Buffer Stock Manager reported on the market situation. A 10% reduction in exports from the producing countries was agreed for the period from 27 to 30 June.

Cotton

2.2.19. Following the failure of UNCTAD's Sixth Preparatory Meeting on Cotton held in April 1981 to complete its work,¹ owing

¹ Bull. EC 7/8-1981, point 1.1.7.

² OJ L 111, 24.4.1982.

³ Bull. EC 2-1982, point 2.2.11.

⁴ OJ L 259, 2.10.1980.

basically to disagreements on the nature and scope of possible action on price stabilization in a future international cotton agreement (ICA), the Secretary-General of UNCTAD was asked to consult the main parties concerned 'in an effort to ensure the success' of a resumed Sixth Preparatory Meeting. The consultation, which took place in Geneva from 29 March to 2 April, was carried out on the basis of a secretariat draft setting out elements for a future ICA, which was extensively revised as a result of work done largely by the Community and the Izmir Group of developing cotton exporters; the resultant new draft is likely to be submitted to a second consultation, probably in mid-1982.

Food aid, emergency aid and exceptional aid

Food aid

1982 food aid programmes

2.2.20. On 26 April the Council authorized the food aid programmes for 1982 totalling 927 663 t of cereals, 150 000 t of skimmed-milk powder and 45 000 t of butteroil, worth an estimated 424.5 million ECU at world prices and 668.6 million ECU at internal prices.² The budget for food aid adopted by Parliament is 499.6 million ECU at world prices and 766.4 million ECU at internal prices.

The focus of this year's programmes (see Tables 2, 3 and 4) is on the poorest countries, which receive 100% of the cereals, 92% of the skimmed-milk powder and 94% of the butteroil allocated direct.

The Commission made the following statement:

'On the basis of the budget adopted on 22 December 1981, the Commission put forward a proposal for a food aid programme concerning 1 087 963 t of cereals, which was approved by Parliament.

This amount represents only a small part of the growing and urgent food needs of the developing countries.

The Commission must consequently maintain its initial proposal and calls on the Council to take an additional decision as soon as possible to ensure that the overall quantities in the 1982 programme are under no circumstances less than budget availabilities.'

Table 2 — 1982 cereals food aid programme

Recipient	Quantities allocated (t)
1. Countries	
Angola	10 000
Bangladesh	140 000
Cape Verde	token entry
Comoros	token entry
Djibouti	token entry
Egypt	140 000
Ethiopia	20 000
Ghana	10 000
Guinea	10 000
Guinea-Bissau	token entry
Haiti ¹	10 000
Kenya	15 000
Lebanon	token entry
Lesotho	6 000
Madagascar	15 000
Mali	15 000
Mauritania	10 000
Morocco	token entry
Mozambique	25 000
Nicaragua	token entry
Niger	token entry
Peru	token entry
Sao Tome and Principe	token entry
Senegal	20 000
Somalia	35 000
Sri Lanka	37 000
Sudan	13 000
Tanzania	20 000
Upper Volta	8 000
Zaire	10 000
Zambia	token entry
	569 000
2. Organizations	
ICRC	15 000
LICROSS	2 000
UNHCR	62 000 ²

¹ Bull. EC 4-1981, point 2.2.24.

² OJ L 120, 1.5.1982.

Recipient	Quantities allocated (t)
UNRWA	42 000
WFP (projects)	55 000
WFP (IEFR)	30 000
	206 000
3. Reserve	152 663
Total	927 663

¹ Through a specialized agency.

² Of which 50 000 t for the Afghan refugees in Pakistan and 12 000 t for the refugees in Thailand.

Table 3 — 1982 skimmed-milk powder food aid programme

Recipient	Quantities allocated (t)
1. Countries	
Angola	500
Bangladesh	token entry
Burundi	100
Cape Verde	400
Central African Republic	token entry
Chad	token entry
Comoros	400
Djibouti	200
Ecuador	500
Egypt	10 000
Equatorial Guinea	token entry
Ethiopia	2 000
Ghana	2 000
Grenada	350
Guinea	token entry
Guinea-Bissau	token entry
Honduras	token entry
India	31 000
Indonesia	2 000
Jamaica	1 500
Jordan	token entry
Kenya	token entry
Lebanon	1 100
Lesotho	300
Madagascar	token entry
Mali	600
Malta	200
Mauritania	1 000
Mauritius	500

Morocco	1 500
Mozambique	750
Nicaragua	3 200
Niger	250
Pakistan	2 000
Peru	1 000
Philippines	1 000
Rwanda	token entry
Senegal	2 000
Sierra Leone	500
Somalia	3 500
Sri Lanka	token entry
Sudan	500
Syria	token entry
Tanzania	2 000
Thailand	token entry
Togo	token entry
Uganda	500
Upper Volta	token entry
Yemen AR	token entry
Zaire	token entry
Zambia	token entry
Zimbabwe	1 500
	74 850
2. Organizations	
ICRC	2 000
LICROSS	1 800
UNHCR	token entry
UNRWA	1 360
WFP	32 000
NGOs	27 000
	64 160
3. Reserves	
	10 990
Total	150 000

Table 4 — 1982 milk fats food aid programme

Recipient	Quantities allocated (t)
1. Countries	
Bangladesh	3 500
Burundi	50
Cape Verde	300
Comoros	100
Djibouti	100
Ecuador	token entry
Egypt	2 800
Equatorial Guinea	token entry
Ethiopia	1 000
Ghana	600

Table 4 — (contd.)

Recipient	Quantities allocated (t)
Grenada	30
Guinea	token entry
Guinea-Bissau	175
Guyana	100
Honduras	600
India	12 700
Jamaica	200
Lebanon	1 000
Lesotho	200
Mali	200
Mauritania	1 000
Morocco	200
Mozambique	200
Nicaragua	300
Niger	token entry
Pakistan	2 000
Peru	500
Philippines	100
St Kitts-Nevis	token entry
Sao Tome and Principe	100
Senegal	token entry
Sierra Leone	200
Somalia	1 500
Sri Lanka	100
Sudan	token entry
Syria	token entry
Tanzania	400
Thailand	token entry
Upper Volta	token entry
Yemen AR	token entry
Zambia	token entry
Zimbabwe	token entry
	30 255
2. Organizations	
ICRC	1 000
LICROSS	500
UNHCR	token entry
UNRWA	3 900
WFP	6 000
NGOs	2 000
	13 400
3. Reserve	1 345
Total	45 000

Emergency measures

2.2.21. On 26 April the Council authorized the allocation of food aid to India (skimmed-milk powder and butteroil) valued at 14.83 million ECU.¹

2.2.22. The Commission decided in April to provide Mozambique with emergency food aid in the form of 5 000 t of cereals and 500 t of milk powder.

The aid granted by the Community is worth 2.1 million ECU.

Exceptional aid

2.2.23. The urgent needs of Afghan refugees in Pakistan (2 100 000) and refugees in Central America (300 000), South-East Asia (100 000) and Africa are put at approximately USD 65 million, according to Mr Hartling, the United Nations High Commissioner for Refugees, in a statement made during his visit to the Commission in April.

Mr Pisani said that the Commission would soon be in a position to specify the amount which the Community could contribute in 1982. The Community's contribution in 1981 came to USD 114 million, the second highest after the United States.

Emergency aid

2.2.24. On 15 April the Commission decided to grant emergency aid totalling 100 000 ECU for the victims of the recent floods in Bolivia as a contribution to the programme of the League of Red Cross Societies (LICROSS).

2.2.25. On 20 April Parliament adopted a resolution on problems in the implementation of Community food aid in the light of the Court of Auditors report.²

¹ OJ L 115, 29.4.1982.

² Point 2.4.6; OJ C 125, 17.5.1982.

Relations with non-governmental organizations

Cooperation with non-governmental organizations

2.2.26. By the end of 1981 a total of 856 projects had been cofinanced with the 56.6 million ECU allocated by the Communities in 99 developing countries with 151 non-governmental organizations, representing a total joint investment of 163 million ECU. This emerges from the Commission's report to the Council on cooperation with European NGOs concerned with development, particularly in the field of cofinancing (1981 budget).

However, the cofinancing of microprojects is only one facet of cooperation with the NGOs. Just as important is the support given by the Communities to NGO measures to create greater awareness of development issues among the European public and to supply emergency aid when disasters strike and to distribute food aid.

2.2.27. From January 1982 to the end of April, 206 projects involving 23 845 730 ECU had been presented to the Commission by 101 NGOs.

To date the Community has committed grant aid totalling 7 332 660 ECU for 67 projects.

In addition, nine schemes to educate the European public about development issues have been cofinanced for an amount of 306 575 ECU.

International organizations and conferences

United Nations

Economic and Social Council

Economic Commission for Europe

2.2.28. The 37th session of the Economic Commission for Europe was held in Geneva from 23 March to 2 April.

The state of East-West relations and more especially the events in Poland overshadowed the discussions and the preparation of the ECE's programme of future activities.

Right from the start of the general discussions the Western countries made it clear that the session could not follow its usual course. The discussions were punctuated by points of order raised by the Eastern countries in connection with statements by various Western countries (notably those by the spokesmen for the Community, Canada, the United States and Switzerland) referring to the events in Poland and attributing responsibility to the USSR.

With regard to the future work of the ECE, the Community—without calling into question the ECE's value as a multilateral forum for East-West cooperation—decided in the circumstances to withhold approval from new initiatives, notably the high-level meetings on energy and transport proposed by the USSR, and to restrict activity to the continuation of work already under way, which is essentially of a technical nature. The texts adopted by the session reflect this approach. For example, the general resolution is merely a statement of adoption of the work programme; for the first time in several years it does not mention the high-level meeting and makes no reference to peace, détente or the strengthening of cooperation. The same applies to the purely technical decisions adopted on energy, the environment, the Mediterranean, water pollution and science and technology.

The results of the session were therefore those sought by most Western countries, particularly the Community, which played a key role in the preparation of the Western position.

FAO

2.2.29. The Commission took part in the seventh meeting of the FAO Committee on World Food Security, which was held in Rome from 31 March to 7 April.

The Committee examined the progress made in achieving food security both in the de-

veloping countries and worldwide. It concluded that although the present situation looks fairly promising, many difficulties remain in the poorest countries, notably in Africa.

United Nations Conference on the Law of the Sea

2.2.30. The 11th and last session of the Third United Nations Conference on the Law of the Sea completed its proceedings in New York on 30 April.¹

A vote was taken on the text of the draft convention; 130 States (including Denmark, Greece, France and Italy) voted in favour of the draft, 4 (including the United States) voted against and 17 (including the 6 other Member States of the Community) abstained.

General Agreement on Tariffs and Trade

2.2.31. The working party on the accession of Thailand to the General Agreement met on 19 and 20 April to examine in broad outline the country's trade policy.

At the conclusion of its deliberations the working party found that there was a substantial measure of political support for Thailand's application and approved the draft report and draft protocol of accession to be submitted for approval to the GATT Council in July or in September at the latest. In the meantime, Thailand would begin bilateral tariff negotiations with any Contracting Parties so wishing, with a view to presenting its schedule of tariff concessions for accession.

Organization for Economic Cooperation and Development

Executive Committee

2.2.32. The OECD Executive Committee held its 37th special session in Paris on 22 and 23 April. The Committee examined the Secretary-General's proposals on trade problems in the 1980s which are to be discussed at the ministerial-level meeting planned for 10 and 11 May.

The Community took a close interest in the proposals, which cover not only traditional aspects of international trade such as adjustment problems in various industrial sectors, the interrelation of competition and trade policies, and agricultural trade, but also new and relatively unexplored aspects such as trade in advanced-technology products, trade in services and links between trade and investment.

Stress was placed in the discussions on the links between the macroeconomic decisions taken by different countries and their repercussions on world trade. The Community's trade, in common with that of other countries, is suffering from the effects of certain macroeconomic phenomena, such as excessive exchange rate fluctuations which create a climate of insecurity for business. Although the Executive Committee failed to achieve unanimity among the various countries in this connection, it nevertheless went some way towards ensuring a better understanding of the range of problems involved and simplifying the presentation of an overall picture to the Ministers.

With regard to North-South relations, the Committee discussed the possibility of stepping up the dialogue with the developing countries by means of cooperation schemes with certain countries on specific topics. Such schemes are generally regarded, particularly by the Community, as being complementary to, rather than a substitute for, a comprehensive dialogue. There is still, therefore, a widely shared resolve to see the plan global negotiations come to fruition.

Trade Committee

2.2.33. The OECD Trade Committee met on 15 and 16 April, mainly to discuss a paper by the Secretary-General on the issues in the trade field that are expected to characterize the 1980s. This document will be discussed at the OECD Council ministerial meeting taking place on 10 and 11 May.

¹ The results of the Conference will be examined in Bulletin 5-1982.

Environment Committee

2.2.34. The Community was represented at a meeting of the OECD Environment Committee held in Paris on 21 and 22 April. The topics discussed were of major relevance to the Committee's future activities and included the programme for 1983, the organization of a conference on the environment and the economy and a high-level meeting on chemicals, and the current preparations for the United Nations Environment Programme meetings scheduled to be held in Nairobi in May.

Industrialized countries

EFTA countries

2.2.35. On 26 April the Council reviewed the progress made in the work on the Commission's proposals for simplifying and rationalizing the rules of origin for trade with EFTA countries.¹ As it was unable to reach an agreement on these proposals, the Council referred the matter to a later meeting.

Switzerland

2.2.36. Mr Thorn paid an official visit to Switzerland on 29 and 30 April. Switzerland is the first EFTA country which the President has visited. While in Berne he met the Federal Councillors, Mr Honegger, President of the Confederation, Mr Auber, Head of the Federal Foreign Affairs Department, and Mr Furgler, Head of the Federal Justice and Police Department.

Discussions covered relations between Switzerland and the Community (this year marks the tenth anniversary of the free trade agreements), economic cooperation in Europe and various aspects of world economic relations.

Canada

2.2.37. The 18th biannual high-level consultations between the Community and Canada took place in Brussels on 22 and 23 April. The Canadian delegation was led by

Mr Latimer, Assistant Deputy Minister for External Affairs. According to the established pattern of these meetings, the discussions covered the economic situation, multilateral trade problems and aspects of North-South relations.

The Commission delegation voiced its concern about the new Canadian import laws, notably its import policy for footwear, and about 'liquor boards' and compulsory licences for pharmaceutical products. On the Canadian side, concern was expressed about the functioning of the bilateral fishing agreement and developments in the Community's import policy as regards cereals substitutes. Canada also said it was seriously concerned about the resolution on seals adopted by the European Parliament last March.²

Japan

2.2.38. Two important aspects of the Community's 'global common strategy' towards Japan, which was outlined by the Council on 22 March,³ were implemented this month.

2.2.39. In accordance with GATT Article XXIII, the Community's written representations were submitted to the Ambassador of Japan in Geneva on 7 April. In them the Community explains how its reasonable expectations regarding the benefits arising from the GATT negotiations have not been fulfilled with respect to Japan because Japan has little propensity to import manufactured products. Consequently, it requests Japan to take measures rapidly to improve the situation. These representations are currently being examined by the Japanese authorities.

2.2.40. On 21 April the constituent meeting was held of the high-level working party set up, as requested by the Council on 22 March,³ to study, in connection with commercial policy, the problems of the structural adjustments required in European industry

¹ Bull. EC 1-1979, point 2.2.42.

² Bull. EC 3-1982, point 2.4.7.

³ Bull. EC 3-1982, point 2.2.35.

to cope with Japanese competition. It was attended by senior officials from the ministries of industry and trade designated by the Member States and, for the Commission, by the Directors-General for External Relations and for Internal Market and Industrial Affairs. It was agreed that the working party would first consider how to make Community industry internationally competitive again.

Australia

2.2.41. Mr J.R. Hallam, Minister for Agriculture and Fisheries of New South Wales, visited the Commission on 26 and 27 April, when he had meetings with Mr Dalsager. Discussions concentrated on the general development of the common agricultural policy and relations between the Community and Australia.

2.2.42. Mr Campbell, Acting Assistant Secretary, Pacific, Asia, Africa Programme in the Australian Development Assistance Bureau, visited the Commission on 23 April to discuss guidelines for future aid to the island countries in the Pacific.

Mediterranean countries

Turkey

2.2.43. At the request of the Turkish Government, a meeting of the EEC-Turkey Association Council at ambassador level took place in Brussels on 2 April to discuss anti-dumping measures concerning imports into the Community of certain cotton yarn originating in Turkey. In spite of considerable efforts on both sides, it was not possible to reach a mutually-acceptable solution which would abolish the provisional 16% anti-dumping duty imposed by the Community on 3 December 1981.¹ Under the circumstances, the Community delegation said that a definitive anti-dumping duty of 12% would be imposed from 3 April.²

The Turkish authorities informed the Association Council that a 15% tax on certain iron and steel products originating in the

Community was being introduced from 4 April.

Negotiations between the Community and the Turkish authorities with a view to reaching a satisfactory solution continued throughout April. A draft agreement was drawn up which, if accepted on both sides, would allow the Community to repeal the anti-dumping duty on cotton yarn and Turkey to withdraw the measures concerning Community iron and steel products.

Yugoslavia

2.2.44. On 1 April the Community and Yugoslavia signed in Brussels the additional protocols to the EEC-Yugoslavia Cooperation Agreement and the ECSC-Yugoslavia Agreement to take account of Greece's accession; these protocols had been initialled in January.³

2.2.45. The EEC-Yugoslavia Joint Committee⁴ met in Brussels on 2 April for the second time since the signing of the Cooperation Agreement.⁵

The two sides examined how the trade and financial provisions of the interim agreement and protocol were functioning. They also discussed how the economic situation in Yugoslavia was progressing. Lastly, Community and Yugoslav representatives held preliminary discussions on economic and technical cooperation with a view to the first meeting of the Cooperation Council to be held in autumn 1982, after the Cooperation Agreement has entered into force.

Maghreb

2.2.46. Mr Natali paid an official visit to Algeria from 5 to 7 April, where he met several members of the Government.

Discussions centred on future relations between the Community and Algeria in the

¹ OJ L 347, 3.12.1981; Bull. EC 12-1981, point 2.2.4.

² Point 2.2.7; OJ L 90, 3.4.1982.

³ Bull. EC 1-1982, point 2.2.30.

⁴ Bull. EC 11-1980, point 2.2.56.

⁵ Fourteenth General Report, point 656.

framework of the overall Mediterranean policy and in the light of the Community's enlargement.

2.2.47. Mr Pisani, the Member of the Commission with special responsibility for development, paid an official visit to Morocco on 4 and 5 April. He had meetings with members of the government and an audience with the King.

Discussions centred on the major issues involved in Morocco's relations with the Community, particularly in view of enlargement.

2.2.48. A joint mission from the Commission and the EIB visited Morocco from 20 to 23 April to identify the sectors of activity to be included in the second financial protocol between that country and the Community.¹ The main sectors identified were food security, self-sufficiency in energy, transport infrastructure, social affairs, training and industry.

Mashreq

2.2.49. On 23 April Parliament adopted a resolution on economic aid to Egypt.²

In an exchange of *notes verbales* between Egypt and the Commission on 21 April, Egypt agreed to keep its exports of cotton yarn to the Community in 1982 and 1983 below 13 651 tonnes per annum.

2.2.50. A joint mission from the Commission and the EIB visited Jordan from 19 to 22 April, Syria from 23 to 25 April and Lebanon from to identify projects to be financed under the second financial protocol between each of these countries and the Community.¹

Developing countries

ACP States and OCT

ACP-EEC Conventions

Institutions

2.2.51. The ACP-EEC Committee of Ambassadors,³ which met in Brussels on 20 Ap-

ril, devoted most of its discussions to preparing the ACP-EEC Council of Ministers' meeting to be held in Libreville on 13 and 14 May. The Committee agreed on an agenda for the ACP-EEC Council, though there was considerable disagreement on whether or not to include an item on the situation in southern Africa, which was the subject of the resolution adopted by the ACP-EEC Joint Committee in Salisbury in February.⁴ The ACP countries are keen to have a formal discussion on the resolution, while the Community would prefer to make it an item for free discussion, without conclusions. In any event, the Community wants to avoid a situation where the ACP-EEC Council would come to conclusions going beyond the scope of the Lomé Convention.

The other main issues to be dealt with by the ACP-EEC Council are Stabex (1980 and 1981 transfers and the inadequate resources available; the inclusion of new products), the allocation of new sugar quotas to Congo and Kenya and the allocation of a quota to Zimbabwe.

The Committee of Ambassadors also took stock of progress on trade relations, enlargement of the Community, Sysmin, industrial cooperation, agricultural cooperation and financial and technical cooperation.

Lastly, it was agreed that the usual informal discussions, to which the ACP-EEC Council normally devotes half a day, would be about the problem of hunger in the world and the follow-up to the Paris Conference on the Least-developed Countries.

Trade cooperation

2.2.52. The Commission carried on implementing the programme for the participation of the ACP States in international trade events, financed from the regional funds of the fifth EDF. Ten ACP States took part in

¹ Bull. EC 3-1982, point 2.2.40.

² Point 2.4.10; OJ C 125, 17.5.1982.

³ Bull. EC 11-1981, point 2.2.49.

⁴ Bull. EC 2-1982, point 2.2.34.

the Milan Fair, from 14 to 23 April, nine in the Paris Fair, from 29 April to 9 May, and seven in the Bulawayo Fair, from 23 April to 4 May.

The products exhibited at these fairs—for which large orders were placed by importers—are hides, skins and leather, tropical fruit and ready-to-wear clothing.

A Pakistani engineering trade mission investigated the markets of several Member States, and a trade negotiation seminar for the ASEAN countries was held in London from 26 to 30 April.

Export earnings

Stabex

2.2.53. The Commission has been looking into the problems with the operation of the system for the stabilization of export earnings under the Lomé Convention. The financial resources allocated to the system under the Convention turned out to be inadequate for the first time for year of application 1980,¹ and they will again be inadequate for 1981. These difficulties have led the ACP States to ask the Community to examine the possibility of supplementary financing. The Commission presented a communication to the Council on this subject on 2 April, prior to the discussions due to be held at the ACP-EEC Council meeting in Libreville on 13 and 14 May. In the communication the Commission puts forward several measures which, through joint efforts on the part of the ACP countries and the Community, should prevent the cutback on Stabex transfers for 1981 from being too substantial.

Sysmin

2.2.54. On an application submitted by the Zambian Government in 1981,² the Commission decided on 2 April to provide Zambia with financing of 55 million ECU under Sysmin for its copper and cobalt industry. An innovation under the second Lomé Convention, Sysmin takes the form of aid to maintain production and export capacities for certain mineral products.

The aim of this project, the first to be financed under this heading, is to stabilize production capacities and costs by replacing out-of-date installations and equipment, introducing improved processing methods, developing long-term planning and observing safety standards.

The project provides for the financing of mining equipment and supplies, works and supplies contracts for mining infrastructure, drilling equipment, technical assistance for training and the creation of a fund for improving social conditions. The total cost is estimated at 85 346 000 ECU, of which 55 million will be financed by the Community in the form of a special loan (1% interest, repayment over 40 years with a ten-year grace period), while the balance will be covered by the mining companies themselves.

Sugar Protocol

2.2.55. On 26 April the Council adopted a Regulation on the conclusion of an Agreement in the form of an exchange of letters between the Community and the ACP countries concerned on the guaranteed prices for cane sugar for 1981/82, and a Regulation fixing the prices for the OCT.³

European Development Fund

Financing decisions

2.2.56. Financing decisions taken by the Commission in April involved the allocation of fourth and fifth EDF Commission-administered resources totalling 21 820 000 ECU to operations in the following sectors:

	(ECU)
Fisheries and stockfarming	9 270 000
Rural production	4 800 000
Training	5 550 000
Social infrastructure	1 900 000
Emergency aid	300 000
	21 820 000

¹ Bull. EC 6-1981, points 2.2.54 and 2.2.56.

² Bull. EC 9-1981, point 2.2.40.

³ OJ L 118, 1.5.1982.

Asia**ASEAN countries****Thailand**

2.2.57. The Prime Minister of Thailand, Mr Prem Tinsulanonda, visited the Commission on 23 April, accompanied by a high-ranking delegation including the Ministers of Foreign Affairs, Industry, Agriculture and Commerce. After a meeting with the Prime Minister, Mr Thorn chaired a working meeting in which Mr Haferkamp, Mr Davignon and Mr Dalsager also participated. Discussions centred on the political situation in South-East Asia and the development of relations between Thailand and the Community.

2.2.58. On the occasion of this visit, a Thai delegation led by the ministers of Commerce and Agriculture met a Community delegation led by Mr Dalsager to finalize the cooperation agreement on manioc production, marketing and trade, which was then initialled by Mr Dalsager and Mr Punsri, Minister of Commerce.

The agreement, covering a six-year period, restricts exports of manioc from Thailand for 1983-84 to 5 million t per annum and to 4.5 million t per annum for 1985-86. The 6% customs duty currently applied will remain in force for those quantities. The Community is also prepared to help Thailand in its efforts to diversify by growing other agricultural products in addition to manioc.

South Korea

2.2.59. Mr Narjes visited the Republic of Korea, where he met the President, Mr Chun Doo Hwan, members of the government and the heads of business and trade associations. During the talks the country's economic and trade situation was examined. Mr Narjes noted that there was a great deal of interest in stepping up cooperation between the two parties and a desire for an increased European presence on Korean markets.

Viet Nam

2.2.60. Viet Nam's Foreign Minister, Mr Nguyen Co Tach, visited the Commission in April and was received by Mr Pisani. He took the opportunity to say that the prime purpose of his trip to Europe was to help the Community to gain a better understanding of the situation in his part of the world so that it could help find a solution to the crisis.

Mr Nguyen Co Tach spoke of the economic difficulties facing his country and of his government's interest in long-term cooperation with the Community. Mr Pisani pointed out that the Community would not be able to start up aid allocations to Viet Nam again until the conditions laid down in the United Nations resolutions were fulfilled.

Nepal

2.2.61. A technical delegation from the Commission visited Nepal from 29 March to 2 April. It was the first official visit by such a delegation and was essentially exploratory, the aim being to identify projects to which Community aid could be allocated.

Latin America**Argentina**

2.2.62. A number of statements were issued by Community institutions on the conflict between Argentina and the United Kingdom which started at the beginning of the month.¹

State-trading countries**Poland**

2.2.63. Following the decision taken by the Council on 23 February to supply Poland with 8 million ECU of humanitarian aid,² the Commission allocated two instalments of 2.5 million ECU to various non-governmen-

¹ Point 1.1.1 et seq.

² Bull. EC 2-1982, point 2.2.44.

tal organizations responsible for consignments of food and medicines to Poland.

In March 101 20-22 t trucks were chartered by 21 organizations, and in April 113 trucks.

The third instalment, of 3 million ECU, is to be allocated in May.

2.2.64. The Commission also approved a 150 000 ECU aid operation for the United Nations High Commissioner for refugees, to help Polish refugees in Austria.

European political cooperation

2.2.65. The occupation of the Falkland Islands by Argentina has been considered at political cooperation meetings throughout April.¹

2.2.66. On Sunday 25 April the Ten issued the following statement on the Israeli bombing of Lebanon:

'The Ten strongly condemn all acts of violence, notably the bombing by the Israeli air force of various parts of Lebanon on 21 April 1982, which has caused further casualties among the civilian population.

This escalation is a further serious attack on the sovereignty and territorial integrity of Lebanon.

The Ten urgently call upon Israel and the other parties not to resort to force of arms and appeal to them not to return violence for violence, but to leave the way open for a peaceful settlement.'

2.2.67. Following the discussions which took place on the same occasion as the Council meeting on 27 April, the Foreign Ministers issued two statements, the first on the withdrawal of Israeli forces from Sinai and the second on the refusal of the Pakistan authorities to allow a member of a European Parliament delegation, Mr Israel, to enter Pakistan.

Withdrawal from Sinai

2.2.68. 'The Ten welcome the complete withdrawal of Israel from Sinai, which took place on 25 April.

They consider this an important step forward—not only for the development of peaceful relations between Israel and Egypt but also for efforts to achieve a peaceful settlement in the Middle East in accordance with Security Council Resolution 242.

The Ten hope that this event, which is the fruit of negotiations, may be followed by further negotiations leading to a comprehensive, just and lasting peace on the basis of the two principles on which they have repeatedly insisted, namely the right to existence and security for all the countries in the region and justice for all peoples, which implies the recognition of the legitimate rights of the Palestinian people, including their right to self-determination.

The Ten stress their concern regarding the situation in Lebanon, as expressed in their statement of 25 April.'

Parliamentary visit to Pakistan

2.2.69. 'The President reported to his colleagues on the special debate which the European Parliament held on 21 April concerning Pakistan's refusal to admit a member of the parliamentary delegation that was to visit that country.

The Ministers deplore all racial and religious discrimination. They consider this to be a serious attack on the dignity of the European Parliament and consequently on the European Community.

They have decided to protest strongly to the Pakistan authorities through diplomatic channels.'

2.2.70. On 22 April Parliament adopted a resolution on the situation in Lebanon, following the assassination of an official of the French Embassy in Beirut, and a resolution on the peaceful and non-violent demonstrations by young Europeans in the capitals of several Warsaw Pact countries.²

¹ Point 1.1.1 et seq.

² OJ C 125, 17.5.1982.

3. Financing Community activities

Budgets

General budget

1983 budget

2.3.1. In accordance with Article 203(9) of the EEC Treaty, the Commission stated on 22 April, after consulting the Economic Policy Committee, that the maximum rate of increase for non-compulsory expenditure in 1983 would be 11.8%.

This rate is the arithmetical average of the increase in GDP in the Community in 1981 (9.1%) and the increase in the budgets of the Member States (14.4%). It applies to all expenditure in the Community budget apart from that necessarily resulting from the Treaty or from acts adopted in accordance therewith.

2.3.2. On 28 April the Commission began discussing the preliminary draft budget for 1983, based on the assumption that there would be a moderate increase in agricultural expenditure and a substantial increase in the appropriations for other common policies and for structural measures.

These appropriations should permit implementation of the guidelines drawn up by the Commission under the May mandate (fight against unemployment, reinforcement of the structural funds, boosting of research, innovation and energy policies).

2.3.3. On 22 April Parliament passed a resolution setting out its guidelines for the 1983 budget.¹

Interinstitutional budgetary dialogue

2.3.4. On 26 January the Council decided to open an interinstitutional budgetary dialogue with Parliament and the Commission on the classification of expenditure, a problem which prompted disagreement between the two arms of the budgetary authority when the 1982 budget was adopted.²

The three institutions are represented by their Presidents, who met on 5 March and 21 April. They have reached a consensus re-

garding the procedure and the timetable to be followed.

Reporting to the Council on 26 April, its President, Mr Tindemans, stated that the budget meeting planned for 11 May would establish negotiating directives for the Presidency. The final stage of negotiations would take place at a meeting between the Council and a delegation from Parliament in mid-June.

Discharge in respect of the 1980 budget

2.3.5. On 20 April Parliament resolved to defer granting the Commission a discharge in respect of the implementation of the 1980 budget.³ It asked the Commission to give written answers to a number of political questions by 1 September.

Financial Regulation

2.3.6. On 15 April the Court of Auditors delivered its opinion⁴ on a proposal for a regulation amending the Financial Regulation of 21 December 1977 applicable to the general budget.⁵

*

2.3.7. On 23 April Parliament passed a resolution⁶ on the problems of budgetary law and policy connected with two proposals for Regulations on financial support for demonstration projects in the field of energy conservation and the use of alternative energy sources.⁷

Financial operations

2.3.8. On 20 April Parliament passed a resolution on the borrowing and lending operations of the Commission during 1980.³

¹ Point 2.4.7; OJ C 125, 17.5.1982.

² Bull. EC 1-1982, point 2.3.1.

³ Point 2.4.6; OJ C 125, 17.5.1982.

⁴ OJ C 122, 13.5.1982.

⁵ OJ C 158, 27.6.1981; Bull. EC 6-1981, point 2.3.54.

⁶ Point 2.4.10; OJ C 125, 17.5.1982.

⁷ OJ C 280, 30.10.1980; Bull. EC 10-1980, point 2.1.96.

ECSC

Loans raised

2.3.9. In April the Commission raised two loans:

- (i) a sterling bank credit for the equivalent of 9 million ECU;
- (ii) a yen bank credit for the equivalent of 20.3 million ECU.

Loans paid out

2.3.10. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission made loans in April amounting to 139.45 million ECU (industrial loans, conversion loans and subsidized housing).

Industrial loans

2.3.11. Industrial loans (Article 54) totalling 92.36 million ECU were paid out during the month to the UK National Coal Board to help finance investment programmes at nine pits for the maintenance of certain operations, the expansion of others, the reorganization of two or more smaller pits in order to consolidate production and the installation of plant and equipment for the preparation and storage of coal or for underground working.

Subsidized housing

2.3.12. Loans for the building of subsidized housing totalled 1.1 million ECU, of which 300 000 ECU was for mineworkers and 800 000 ECU for steelworkers.

Conversion loans

2.3.13. In April conversion loans (Article 56) totalling 45.99 million ECU were granted to the following firms:

Federal Republic of Germany

Industriekreditbank Düsseldorf (for small and medium-sized firms); Halbergerhütte, Brebach, Saarland.

Belgium

Utema-Travhydro, Brussels (works at Alleur, Liège); Usines à Tubes de la Meuse, Flémalle, Liège.

United Kingdom

Deeside Titanium, London (plant at Shotwick, Clwyd); Clydesdale Bank, Glasgow (for small and medium-sized firms); Barclays Bank, London (for small and medium-sized firms); Finance for Industry, London (for small and medium-sized firms); Scottish Development Agency, Glasgow (for small and medium-sized firms); Welsh Development Agency, Pontypridd, Mid-Glamorgan (for small and medium-sized firms); Merryweather & Sons Ltd, Windsor, Berkshire (plant at Ebbw Vale, Gwent).

Euratom

Loans raised

2.3.14. In April the Commission raised a bank credit in Luxembourg francs for the equivalent of 18.9 million ECU.

4. Institutional and political matters

European policy and relations between the institutions

European policy

2.4.1. In April Denmark informed the other Member States and the Commission that the Greenland authorities wished to obtain OCT status following the referendum of 23 February;¹ no changes would be made to existing arrangements, apart from purely technical adjustments. There will be no negotiations on these adjustments until after the Danish Parliament has approved the Greenland authorities' original request.

Interinstitutional relations

2.4.2. On 26 and 27 April the Council discussed the procedure to be followed for examining Parliament's proposal of 10 March on a uniform procedure for electing Members of the European Parliament.² Concluding the discussion, during which the political importance and also the difficulties of this question became apparent, the Council agreed on arrangements under which the examination of this matter could begin on the basis of Article 138 of the EEC Treaty and according to the procedures laid down therein. It instructed a high-level working party to prepare for this examination.

*

2.4.3. On 23 April Parliament expressed its opinion³ on two proposals for Council Decisions concerning the INSIS and CADDIA projects (interinstitutional information systems).⁴ It supported the proposals, but observed that they are limited in scope and that it would examine the issues involved in more detail when specific development plans were put forward by the Commission.

Institutions and organs of the Communities

Parliament⁵

Strasbourg: 19 to 23 April

2.4.4. The April part-session was particularly busy, with debates on a number of

major issues. The House endorsed by a large majority the proposal put forward by its Committee on Budgetary Control to postpone until September the grant of discharge in respect of the 1980 budget; it also adopted its guidelines for the 1983 budget, with the politically emotive issue of the fight against unemployment as the central theme. On the foreign policy front a wide-ranging debate was held on the Falklands crisis. Finally, Mr Martens, in his capacity as President, followed the precedent set by Mrs Thatcher last December with a report on the latest meeting of the European Council.

Falkland Islands conflict

(21 and 22 April)

2.4.5. Two resolutions were presented condemning unreservedly the invasion of the Falklands Islands: one a joint resolution tabled by the Liberal, Christian Democratic and European Democratic Groups, and the other tabled by Mrs Barbara Castle (UK) on behalf of the Socialist Group.

Both resolutions supported Resolution 502 of the United Nations Security Council and endorsed the measures agreed by the Council and the Community solidarity reflected

¹ Bull. EC 2-1982, point 2.4.1.

² Bull. EC 3-1982, point 2.4.3.

³ OJ C 125, 17.5.1982.

⁴ Bull. EC 7/8-1981, point 2.3.22.

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 125, 17.5.82, and the report of the proceedings is contained in OJ Annex 283. The political groups of members are indicated in brackets by the following abbreviations: *Soc* = Socialists; *EPP* = European People's Party — Christian Democratic Group; *ED* = European Democratic Group; *Com* = Communists and Allies; *Lib* = Liberals and Democrats; *EPD* = European Progressive Democrats; *Ind* = Group for the Technical Coordination and Defence of Independent Groups and Members; *NA* = Non-affiliated. The countries of origin are indicated as follows: *B* = Belgium, *DK* = Denmark, *D* = Federal Republic of Germany, *GR* = Greece, *F* = France, *IRL* = Ireland, *I* = Italy, *L* = Luxembourg, *NL* = The Netherlands, *UK* = United Kingdom.

in them. The main bone of contention was paragraph 5 of the resolution tabled by the 22 Socialist MEPs calling for the simultaneous withdrawal of all troops by the Argentine Government and the halting of naval operations by the United Kingdom to enable negotiations to take place as, in the view of its critics such as Sir Henry Plumb (UK), Chairman of the European Democrats, it was tantamount to placing 'the aggressor, Argentina, and Britain on an equal footing'. In the same vein Mr Robert Jackson (ED/UK) stated that to expect the British fleet to turn back was the same as asking the United Kingdom 'to go naked into the conference chamber'.

Mrs Barbara Castle (Soc/UK) stressed that there was a 'wide area of agreement' between the two resolutions before the House, with unanimity on two principles: condemnation of Argentine aggression and the need for settlement by peaceful means. Mr Yves Galland (Lib/F) praised the European solidarity demonstrated by the Ten and denounced the Argentine attack as a blatant breach of international law. But, turning to his British colleagues on the benches, he expressed the hope that, when needed, UK solidarity would be forthcoming and there would be no 'excessive nationalism'.

Mr Niels Haagerup (Lib/DK) stated that the Community was not, and could not be, neutral: it must clearly oppose the invasion of the Falkland Islands. Negotiations must begin, but they must be based on Security Council Resolution 502. Speaking for the European Progressive Democrats, Mr Christian de la Malène (F) described the conflict as being out of all proportion, both to the underlying motive and to the interests of both parties. Worse still, it was weakening the Western world.

Opinions differed on how the conflict should be resolved. In the view of Mr Adam Ferguson (ED/UK) the settlement must not only take account of the islanders' wishes, it must also be acceptable to the British and Argentinian people alike. In the view of Mr Luc Beyer de Rycke (Lib/B) Community involvement should be avoided to give the Haig mission a chance to succeed, while Mr

Corentin Calvez (Lib/F) held that the solution must be based on the UN resolution and on the wishes of the 1 800 islanders, who should be consulted.

Replying to the various speakers at the close of the debate, Mr Tindemans stated that the only power which the Community could exercise was economic, but that such power was not insubstantial. Britain was in difficulty and it was for the Ten, as the European Economic Community, to continue showing as much solidarity as possible. Lack of Community action at the outset of the conflict was due to the fact that such action would have undermined the genuine attempts being made by the American Secretary of State to reach a peaceful solution. It was up to the Community, continued Mr Tindemans, to assist Mr Haig as long as he felt there was still a chance for success.

Speaking on behalf of the Commission, Mr Davignon supported Mr Tindeman's views and stressed the fundamental significance of the fact that Community action had been based on Community law in the form of Article 113 of the Treaty of Rome, the sole guarantee of solidarity.

The Socialists' resolution was rejected by 81 votes for, 144 against and 5 abstentions, while the joint resolution was adopted by 174 votes for, 31 against and 27 abstentions. The two resolutions were identical except for one paragraph. The text tabled by Mrs Barbara Castle read as follows:

'...believes that the withdrawal of all its forces by the Argentine Government in compliance with UN Resolution 502 and the halting of United Kingdom naval operations would enable a peaceful solution to be reached';

While the text adopted by the House states: '...recognizes that Argentinian compliance with Resolution 502 by withdrawing its armed forces would lead to the halting of United Kingdom naval operations and so to the negotiation of a peaceful agreement'.

The House adopted the remainder of the resolution by an overwhelming majority, supporting Security Council Resolution 502,

underlining the importance of Community solidarity shown in the actions of the Council of Ministers, approving the embargo on imports from Argentina and the ban on arms exports to Argentina and requiring that these be maintained until the Security Council resolution has been implemented.

The Governor and the Chief Secretary of the Executive Council of the Falkland Islands were in the House for the vote.

Postponement of the discharge in respect of the 1980 budget

(20 April)

2.4.6. The Committee on Budgetary Control presented a series of reports on Community spending, covering the 1980 budget, food aid financing, EAGGF expenditure, the 1980 ECSC budget, and borrowing and lending operations.

As Mr Brian Key (*Soc/UK*) explained, the Committee felt that it was not possible at that stage to grant discharge in respect of the 1980 financial year on the following grounds: the Commission had failed to render the embargo on sales of agricultural products to the USSR and the State-trading countries effective, despite the clearly expressed political will of both Parliament¹ and the Council,² and incorrect information had been presented. Moreover, the system of provisional twelfths introduced in 1980 following rejection by Parliament of the preliminary draft budget³ had been applied by the Commission in such a way as to free itself in part from the financial constraints that would normally result from the absence of a budget.

Faced with a choice between granting the discharge, refusing it or postponing the decision, the Committee on Budgetary Control had opted for the third solution.

On the question of food aid Mr Ulrich Irmer (*Lib/D*) claimed that the main concern must be to help developing countries achieve maximum self-sufficiency. Where this was not possible, the necessary food aid must at least be incorporated in an overall development strategy and not act as a deterrent to local production. He went on to attack the abs-

ence of such an overall policy and claimed that operations were organized on a case-by-case basis. The answer was to transfer overall responsibility for development policy to the Community with a view to improving efficiency and avoiding harmful prestige wrangling.

On the question of EAGGF expenditure in 1980, which accounted for 69.2% of the entire budget, the Committee on Budgetary Control felt that the price of the present policy, particularly for products in surplus, was too high and would eventually result in the own resources ceiling being exceeded. The present system favoured large farms, which derived excessively large profits. Mr Brian Key (*Soc/UK*), replacing Mr Klaus Wettig (*Soc/D*), rapporteur, made it clear to the House that the granting of unlimited guarantees to producers for products in structural surplus could not be allowed to continue. They must shoulder a greater share of the market risks. Mr Renzo Filippi (*EPP/I*) felt that the Guidance Section of the Fund was not operating effectively as it was failing to narrow the structural gaps between less-favoured and prosperous regions. Quite the reverse: Community measures had worked to the advantage of the most developed agricultural regions.

On the question of borrowing and lending operations, Mr Pierre-Bernard Cousté (*EPD/F*) stressed that the House was unable to fulfil its control function properly as it was not in possession of the necessary documents. Although borrowing and lending operations were still not strictly part of the budget, the Committee on Budgetary Control felt that they were nevertheless covered by Parliament's power of discharge. The Commission should not delegate authority to the European Investment Bank in such a way as to impinge on Parliament's political control in respect of Community financial instruments.

Mr Edward Kellett-Bowman (*ED/UK*) proposed that discharge be granted to the Ad-

¹ Bull. EC 1-1980, point 2.3.12.

² Bull. EC 1-1980, point 2.1.36.

³ Bull. EC 12-1979, point 2.3.95.

ministrative Board of the European Foundation for the Improvement of Living and Working Conditions and to the European Centre for the Development of Vocational Training.

Mr Tugendhat, Commission Vice-President, regretted the Committee on Budgetary Control's recommendation that the discharge be deferred. He answered the various points of criticism levelled at the Commission and claimed that the main object of the proposal to defer the discharge was to further Parliament's institutional powers.

As recommended by its Committee on Budgetary Control, the House created a precedent by exercising its power to defer discharge in respect of the 1980 budget.

The implications of this move are set out in the report by Mr Brian Key (*Soc/UK*), where he quotes the comments made by Mr Tugendhat on behalf of the Commission on 7 July 1977:¹ 'Refusal to grant discharge can be interpreted in only two ways: either discharge has been postponed—this is the situation envisaged by the Financial Regulation, which states that the discharging authority must inform the Commission of the reasons for postponement of its decision—or discharge is purely and simply refused. This raises the question of sanctions. Neither the Treaty nor the Financial Regulation provide for any legal sanctions. Thus, logically it is a general sanction which the Treaties confer upon Parliament, that is, a political sanction which would be the normal consequence of a refusal to give discharge. Such refusal would hence be extremely serious; the Commission thus censured would, I think, have to be replaced.'

Parliament first adopted the two reports by Mr Edward Kellet-Bowman (*ED/UK*) and granted discharge to the Administrative Board of the Dublin Foundation and to the European Centre for the Development of Vocational Training. It then adopted the report by Mr Ulrich Irmer (*Lib/D*) on problems in the implementation of Community food aid, the reports by Mr Klaus Wettig (*Soc/D*) and Mr Renzo Filippi (*EPP/I*) on the EAGGF financial report, and the report by Mr Pierre-Bernard Cousté (*EPD/F*) on the

Commission's borrowing and lending operations.

Lastly, it adopted the report by Mr Volkmar Gabert (*Soc/D*) in which he stated that Parliament could not accept a repetition of the delays experienced in recent years in the case of the ECSC budget discharge procedure for 1981. Parliament was in fact unable to take a decision on the discharge for 1980 as the Court of Auditors' comments on the efficiency of the activities in question were still outstanding.

Towards a 1983 budget geared to the fight against unemployment

(20 and 22 April)

2.4.7. Outlining the Committee on Budget's guidelines for the 1983 budget, Mr Robert Jackson (*ED/UK*), general rapporteur on the budget, put his cards on the table from the outset: the central theme of the 1983 budget must be the fight against unemployment. The allocation of the Social Fund must be increased substantially in order to keep pace with the volume of applications for assistance which cannot be met owing to lack of funds. This does not mean that the Regional Fund must necessarily suffer as a result.

Speaking on behalf of the Socialists, Mr Ove Fich (*DK*) stated that his group was willing to back a 130% increase in Social Fund financing on condition that it supplemented existing national aid. But the problem was that the 130% would simply serve to remedy the damage caused by poor management in the past. In Mr Fich's view the report was still rather vague: it did not say, for instance, how the various increases were to be funded; nor did it include figures.

Speaking on behalf of the EPP Group, Mr Pietro Adonnino (*I*) reminded Members that the role of the Jackson report was to influence the preliminary draft budget by presenting Parliament's views as clearly as possible in a context other than the traditional budgetary discussions when the issues would be compulsory and non-compulsory expendi-

¹ OJ Annex 219.

ture and margin of manoeuvre. As unemployment was a top priority, Mr Adonnino announced that his Group would be voting for a substantial increase in appropriations for the Social Fund—how much he was not yet able to say.

Mrs Carla Barbarella (I), on behalf of the Communists and Allies, agreed that the fight against unemployment must be the key issue but added that it must be approached rationally and realistically. The problem of increasing the funds available to the Community would have to be tackled. Mrs Christiane Scrivener (*Lib/F*) stressed that the Community's own resources needed boosting but the proviso here was agreement on new common policies.

The House adopted the Jackson guidelines for the 1983 budget by 60 votes for, 33 against and 22 abstentions, but only after approving a large number of fairly important amendments, which did not, however, significantly alter the substance of the report. By adopting an amendment tabled by the Italian Communists to the effect that it reaffirmed 'its belief that ... other common policies can only be developed within a budget of greater proportions' Parliament was clearly expressing support for the raising of the 1% VAT ceiling. Similarly, it claimed that the aim of the agricultural policy was not to curb agricultural spending but to improve its effectiveness (*Dalsass* amendment (*EPP/I*)). Still on agriculture, the House adopted an amendment advocating that EAGGF Guidance Section appropriations 'be concentrated on the least developed regions of the Community' or 'made available for projects to improve the management of agricultural markets'.

Brussels European Council (21 April)

2.4.8. Following the precedent set by Mrs Thatcher in December 1981,¹ Mr Wilfried Martens, the Belgian Prime Minister, reported to the House, in his capacity as President, on the outcome of the recent European Council meeting in Brussels.²

He ran through the various items discussed by the European Council: economic situa-

tion, preparations for the forthcoming Versailles Summit of industrialized countries, European political cooperation, relations with the United States and the mandate, and concluded by expressing the hope that a prompt solution could be found to this last issue which reflected the financial potential of all parties concerned.

Parliament's President, Mr Dankert, applauded the precedent set by Mrs Thatcher and followed by Mr Martens and expressed the hope that it would become a firm tradition. Mr Ortolì, replacing Mr Thorn, stressed the significance of the European Council's discussion on the economic crisis and the way in which it could be combated by Europe. The debate revealed a mood of disillusionment and bitterness among a number of Members. Mrs Ien van den Heuvel (*Soc/NL*) deplored the meagre results produced by the Brussels Council, while Mr Lambert Groux (*EPP/B*) criticized its statements as being both too vague and too general. A number of members, including Mr Guy Fernandez (*Com/F*) and Mr Marco Pannella (*Ind/I*), strongly criticized the lack of progress in Turkey. Mr Karel van Miert (*Soc/B*) deplored the fact that, despite the apparent sympathy shown by the other institutions, little or no progress had been achieved in terms of interinstitutional agreements between the Council, the Commission and Parliament which would extend the Assembly's margin of manoeuvre.

In reply Mr Tindemans stressed that miracles could and should not be expected from the European Council. Its meetings should become routine. He was aware of the disappointment of a number of speakers on the issue of institutional relations and assured them that studies were in hand. The budget dialogue on the classification of expenditure was also due to start, not with the Budget Minister but—as the problems involved were political—with the Foreign Minister chairing the Council. Finally, countering criticism from Mr Pannella on the Community's record

¹ Bull. EC 12-1981, point 2.3.8.

² Bull. EC 3-1982, points 1.3.1 to 1.3.8.

in the fight against world hunger, Mr Tindemans praised the efforts made by the Commission, and particularly by Mr Pisani, whose proposals on this front he described as being the best he had seen hitherto.

2.4.9. Parliament gave its opinion on a number of Commission proposals, including:

- a Decision applying for the first time the EEC Decision empowering the Commission to contract loans for the purpose of promoting investment within the Community;¹
- two Directives amending for the fifth and seventh time the Directive relating to restrictions on the marketing and use of certain dangerous substances and preparations;²
- a Directive amending the Directive relating to the classification, packaging and labelling of paints, varnishes, printing inks, adhesives and similar products;³
- a Directive coordinating the requirements for the drawing up, scrutiny and distribution of the prospectus to be published when securities are offered for subscription or sale to the public;⁴
- a second Directive on the protection of workers from the risks related to exposure to agents at work: asbestos;⁵
- a Regulation amending the Regulation establishing a European Regional Development Fund;⁶
- a Decision establishing a reciprocal exchange of information and data from networks and individual stations measuring air pollution within the Member States;⁷
- a Decision on the consolidation of precautionary measures concerning chlorofluorocarbons in the environments;⁸
- a Directive laying down minimum standards for the protection of laying hens kept in battery cages;⁹
- a Decision establishing microbiological criteria for feedingstuffs, including the conditions for their preparation;¹⁰
- a second Directive on the arrangements for summer time;¹¹
- a Decision adopting a concerted action project on the effect of processing on the physical properties of foodstuffs;¹²
- the Regulations concerning food aid in 1982;¹³

- two Decisions on the INSIS and CADDIA projects (interinstitutional information systems).¹⁴

2.4.10. The House passed resolutions on:

- the outcome of the conciliation meeting on the Decision empowering the Commission to contract loans for the purpose of promoting investment within the Community;¹⁵ Parliament condemned the attitude of the Council, which at no point during the conciliation procedure entered into a genuine dialogue with Parliament and took virtually no account of its requests, even though these were limited to a few priority issues;
- the fight against youth unemployment: Parliament called on the Commission to take action in this area, notably to specify its strategy for combating unemployment, having regard to the trade policies of the United States, Japan and the Asian countries; it also called on the Council, in debating the 1983 budget, to cooperate with the House in providing for an improvement in the instruments for combating unemployment especially among young people;
- the combating of photochemical pollution: Parliament requested the Commission to draw up an order of priority for the most effective methods of combating photochemical air pollution and to strengthen existing directives in this field;
- the deplorable absence of a common fisheries policy: Parliament deplored the fact that the Council has not held a meeting on fisheries since December 1981 and demanded that it meet to reach agreement on a

¹ Point 2.1.2.

² Point 2.1.44.

³ Point 2.1.7.

⁴ Point 2.1.19.

⁵ Point 2.1.35.

⁶ Point 2.1.37.

⁷ Point 2.1.42.

⁸ Point 2.1.43.

⁹ Point 2.1.66.

¹⁰ Point 2.1.67.

¹¹ Point 2.1.91.

¹² Point 2.1.8.

¹³ Point 2.2.20.

¹⁴ Point 2.4.3.

¹⁵ OJ L 79, 24.3.1982; Bull. EC 3-1982, point 2.1.5.

common fisheries policy during the Belgian presidency;

- financing of a fixed link across the Channel: Parliament drew attention to its resolution of May 1981¹ and called upon the Commission to submit without delay a specific report on the problems of financing the link and the possibilities of Community assistance, and to put forward specific proposals to secure such Community assistance;
- problems of budgetary law and policy connected with the Commission proposals of October 1980² aimed at doubling financial support of demonstration projects in the field of energy saving and projects to exploit solar and geothermal energy: Parliament called on the Commission to withdraw its proposals until the Council undertakes to incorporate in the regulations the statement proposed by the Commission and supported by Parliament as to the indicative nature of the figures given;
- economic aid for Egypt: Parliament called on the Commission to inform it what aid measures it had implemented or decided to introduce for Egypt to date and what additional aid measures the Community could usefully take in order to promote the economic and social development of Egypt;

- negotiations for the second stage of the EEC-Cyprus trade agreement: Parliament called on the Council urgently to grant the Commission negotiating directives to renew and expand the trade arrangements under the EEC-Cyprus Association Agreement for 1982 and 1983.

2.4.11. On the political cooperation front Parliament adopted two resolutions on the situation in Lebanon and on the peaceful and non-violent demonstrations of young Europeans in the capitals of several Warsaw Pact countries.

Council

2.4.12. The Council held four meetings in April. The table below lists the number, place and date of each meeting, the names of the Council President and Commission representatives and the main items of business. A more detailed account of specific items can be found in the sections of the Bulletin referred to in the footnotes.

¹ OJ C 144, 15.6.1981.

² OJ C 280, 30.10.1980; Bull. EC 10-1980, point 2.1.96.

Table 1 — Council meetings in April 1982

Number, place and date of meeting	Subject	President	Commission	Main items of business
763rd ¹ Luxembourg 20, 21 and 22 April	Agriculture	Mr Paul de Keersmaecker	Mr Dalsager	<i>Agricultural prices and related measures.</i> Discussions resumed; marketing year for milk products, beef and veal, sheepmeat and goatmeat extended. ²
764th Luxembourg 26 and 27 April	Foreign affairs	Mr Leo Tindemans	Mr Thorn, Mr Haferkamp, Mr Natali, Mr Davignon, Mr Tugendhat, Mr Pisani, Mr Giolitti, Mr Narjes	<i>Additional protocol to EEC-Portugal Agreement.</i> Negotiating directives approved. ³ <i>Textiles — Turkey.</i> Draft arrangements proposed by Commission examined. ⁴ <i>Textiles — Arrangements for Mediterranean preferential countries.</i> Council approved Commission's report on negotiations and arrangements initialled with Egypt and Spain. ⁵

Number, place and date of meeting	Subject	President	Commission	Main items of business
765th Luxembourg 26 April	Economic and financial affairs	Mr Willy de Clercq	Mr Ortoli	<p><i>Reform of Regional Fund.</i> Policy debate.⁶</p> <p><i>EFTA rules of origin.</i> State of play discussed,⁷</p> <p><i>Uniform electoral procedure.</i> Procedure for examining Parliament's proposal discussed.⁸</p> <p><i>Budgetary matters.</i> Meetings of three Presidents concerning interinstitutional budget dialogue discussed.⁹</p> <p><i>Food aid.</i> Programmes for 1982 adopted.¹⁰</p> <p><i>May mandate.</i> Deliberations continued.¹¹</p>
766th Luxembourg 28, 29 and 30 April	Agriculture	Mr Paul de Keersmaecker	Mr Dalsager	<p><i>Credit insurance.</i> Agreement reached on stand Community is to adopt in negotiations to amend Arrangement on Guidelines and Understanding on Ships.</p> <p><i>Follow-up to European Council, 29-30 March.</i> European Council's conclusions on investment policy, EMS and international economic policy examined.</p> <p><i>Implementing NCI II.</i> Commission authorized to contract a tranche of borrowings of 1 000 million ECU.¹²</p> <p><i>Principles of indexation.</i> Commission asked to continue its work.</p>
				<p><i>Agricultural prices and related measures.</i>²</p> <p>Broad measure of agreement reached on overall compromise also covering <i>acquis communautaire</i> for Mediterranean products; marketing year for certain products extended again.</p>

¹ 762nd meeting (general affairs) cancelled.
² Agriculture.
³ Enlargement and bilateral relations with applicant countries.
⁴ Mediterranean countries.
⁵ Commercial policy.
⁶ Regional policy.
⁷ Industrialized countries.
⁸ European policy and relations between the institutions.
⁹ Financing Community activities.
¹⁰ Development.
¹¹ Restructuring of common policies — May mandate.
¹² Economic and monetary policy.

Commission

Activities

2.4.13. In April the Commission held three meetings, spread over six sittings, dealing mainly with the agricultural prices for 1982/83, discussions on the May mandate, budgetary matters, the employment situation and the import of animal feed.

Decisions, communications and proposals

2.4.14. The main proposals and communications adopted by the Commission concerned: temporary work, facilitation of frontier formalities and inspections in respect of the carriage of goods between Member States; extension of the marketing year for certain agricultural products until prices for 1982/83 could be fixed; extension of the steel production quota system from 30 June 1982 to 31 December 1983 (request for assent); financing of social measures in steel; and harmonization of the system for the description and classification of goods (intended to replace the customs nomenclature currently used).

The Commission also adopted two communications on changes in the terms on which certain products intended as animal feed (manioc and corn gluten feed) are imported into the Community and on a draft cooperation agreement between the Community and Thailand dealing with manioc.

The Commission also decided to extend the 1981 Regional Fund quotas for 1982 to give the Council time to review the Fund Regulation.

On 6 April the Commission adopted a declaration concerning the Argentine invasion of the Falkland Islands.¹

Discussions, policy debates and work in hand

2.4.15. The Commission held its first policy debate on the budget estimates for 1983. Since compulsory expenditure is expected to increase slightly, the Commission agreed to present an aggregate for non-compulsory ex-

penditure so that the mandate guidelines could be put into effect.

It also held its first discussion on the request from the Greenland authorities, passed on to the Council and the Commission by the Danish Government, for negotiations to change Greenland's current relationship with the Community into one of association as an overseas country or territory.

Relations with workers' and employers' organizations

2.4.16. Mr Thorn addressed the European Trade Union Confederation's fourth congress, in The Hague. He reminded his audience that the Community's main objective was to combat unemployment, especially youth unemployment. After outlining what action the Community was intending to take, Mr Thorn voiced the hope that ETUC would lend its support.

2.4.17. At preliminary consultations, ETUC experts discussed the reform of the European Social Fund and its objectives.

Representatives of the Committee of Transport Workers' Unions discussed the main aspects of the common transport policy.

Court of Justice²

Analysis of judgments delivered between 1 January and 31 March 1982

General

2.4.18. In an important judgment³ the Court held that an arbitration tribunal is not a 'court or tribunal of a Member State' within the meaning of Article 177 of the EEC Treaty, even if the arbitration is or-

¹ Point 1.1.1 et seq.

² For more detailed information, see the texts 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).

³ Case 102/81 *Nordsee v Nordstern*: not yet reported.

ganized under the law, the arbitrator has to decide according to law and his award has, between the parties, the force of *res judicata* and is enforceable by the issue of an enforcement order. In support of its ruling, the Court pointed out in this case that the contracting parties were in no way obliged to refer their disputes to arbitration. It also stressed that national public authorities are not involved in the choice of the arbitration procedure and that they are not required to intervene on their own initiative in the proceedings before the arbitrator. Lastly, the Court observed that the ordinary courts might have to settle a question pending before an arbitration tribunal either by providing assistance to it or by reviewing its award. Consequently, the Court held that it had no jurisdiction to give a ruling on the questions referred to it by the arbitrator.

2.4.19. In an action concerning the importation of Italian wines into France, brought by the Commission against France for infringement of the rules on the free movement of goods, the Court adopted interim measures pursuant to Article 186 of the EEC Treaty against the French Republic.¹ By this order, the Court once again imposed very detailed specific measures on a Member State which was preventing the importation of products originating in another Member State.

2.4.20. The Court also delivered two judgments² on the limitation of actions for non-contractual liability, the period being, under Article 43 of the Statute of the Court, five years from the occurrence of the event which gave rise to such liability. The Court took the view that this provision must be interpreted as meaning that the limitation period does not start to run until the damage was actually incurred. Consequently, in cases where the Community's liability stems from a legislative measure, the limitation period cannot start to run at the time of entry into force of the measure, or *a fortiori* at the time of its publication.

2.4.21. In Case 258/80³ it reaffirmed its earlier judgments whereby retrospective effect is possible on certain conditions (neces-

sity from the point of view of the objective to be attained and respect for the principle of the protection of legitimate expectations), which are, in fact, met by the general Decision 2794/80/ECSC.

2.4.22. Again in connection with the ECSC Treaty, the Court reaffirmed in its judgment in Case 14/81 its previous judgments⁴ whereby the withdrawal of an unlawful measure⁵ is permissible if it is effected within a reasonable period of time and if the extent to which the applicant has relied on the lawfulness of the measure is taken into account. The Court ruled that the periods in question were reasonable in view of the number of undertakings which the Commission had to take into account in the quota system. It also observed that the fact that the applicant had brought an action for annulment proved that it had not relied on the lawfulness of the initial decision.

2.4.23. Lastly, in Case 8/81⁶ the Court held that a provision of the Sixth VAT Directive⁷ can be relied upon by an individual before a national court failing its implementation.

Customs union

2.4.24. In addition to questions concerning tariff classification⁸ and the Community transit system,⁹ the Court gave a ruling on the application of the unit of account in the CCT (specific duties).¹⁰

¹ Case 42/82 *Commission v France*: not yet reported.

² Joined Cases 256, 257, 265 and 267/80 and 5/81 *Birra Wührer and Others v Council and Commission*; Case 51/81 *De Franceschi v Council and Commission*: not yet reported.

³ *Metallurgica Rumi v Commission*: not yet reported.

⁴ Joined Cases 7/56 and 3/57 *Algera* [1957 and 1958] ECR 39; Case 14/61 *Hoogovens* [1962] ECR 253; Case 111/63 *Lemmerz-Werke* [1965] ECR 677.

⁵ In the case in point, the initial individual decision fixing the quotas for the applicant.

⁶ *Becker v Finanzamt Münster-Innenstadt*: not yet reported.

⁷ Directive 77/388/EEC (OJ L 145, 13.6.1977).

⁸ Case 278/80 *Chem-Tec v HZA Koblenz* (adhesive strip) and Case 129/81 *Fancon v SIAT* (soya flour): not yet reported.

⁹ Case 277/80 *SIC*: not yet reported.

¹⁰ Case 248/80 *Glunz*: not yet reported.

By ruling that the Council, by waiting until the end of 1978 before introducing the new system based on the ECU, did not infringe the principles underlying the Treaty, the Court seems to have departed from the solution of alignment on the weakest currency which it had advocated in the case of import levies.¹ This judgment is therefore not likely to affect the principles on which the new system is based.

2.4.25. The Court also gave judgment in answer to two references for a preliminary ruling on the compatibility of national measures with Articles 30 to 36 of the Treaty.²

In one case³ the Court was asked to rule on the protection against 'servile imitation' afforded by a rule of national law and relied upon to prohibit the sale on the market of that Member State of a system of cable conduits. Proceeding on the assumption that the rule applied without distinction to national products and imported products, the Court acknowledged that it was, in fact, likely to protect consumers and encourage fairness in commercial transactions. It could therefore be relied upon as being necessary to satisfy 'mandatory requirements' within the meaning of the well-established case-law of the Court.

The other case concerned national measures, applicable without distinction to national products and imported products, prohibiting the sale of spirits for on-the-spot consumption on premises open to the public.⁴ On the basis of its own case-law on national rules concerning the advertising of alcoholic beverages⁵ and of Article 3 of Commission Directive 70/50/EEC of 22 December 1969, the Court concluded that such a prohibition was not covered by the concept of measure having an effect equivalent to quantitative restrictions on imports.

Free movement of workers

2.4.26. It would be difficult to overestimate the importance of the judgment delivered in Case 53/81,⁶ in which the Court clarifies, in certain fundamental respects, the extent of the range of persons covered by Article 48 on the free movement of workers.

The question was whether a Member State is entitled to refuse to grant the benefit of this article to a national of another Member State on the pretext that he undertakes only part-time employment, his income from which is less than the subsistence level according to the law of that State. The Court replied as follows: Although no Community instrument defines the concepts of 'worker' and 'activities of employed persons', they nevertheless have a Community scope.⁷ As these concepts define the extent of one of the fundamental freedoms embodied in the Treaty, their content cannot vary by reference to criteria established by national law alone (minimum wage, normal hours of work, etc.). Nor can they be interpreted restrictively. The Community provisions do not make the right of residence subject to any conditions as to the type of work undertaken by the person concerned or the amount of income he derives from it. It must be borne in mind, in particular, that part-time work is for a large number of people an effective means of improving their living conditions. No distinction should therefore be made, when applying the rules on freedom of movement for workers, between persons who wish to make do with the income from their activity as employed persons and those who supplement such income with other income derived from property or the employment of a member of their family. The only precondition is that the activity pursued must be actual and genuine and not merely marginal and accessory. Lastly, the Court held that, provided that the worker pursues an activity as an employed person as

¹ Case 135/79 *Gedelfi* [1980] ECR 1713.

² Similarly Case 270/80 *Polydor v Harlequin* (EEC-Portugal agreement — prohibition of measures having equivalent effect and exceptions justified on grounds of protection of industrial property): not yet reported. Point 2.4.33.

³ Case 6/81 *Industrie Diensten Groep v Beele*: not yet reported.

⁴ Case 75/81 *Blesgen v Belgian State*: not yet reported.

⁵ Case 152/78 *Commission v France* [1980] ECR 2299.

⁶ *Levin v Staatssecretaris van Justitie*: not yet reported.

⁷ Case 75/63 *Unger* [1964] ECR 177.

defined above, the host State must not take into consideration the motives which may have prompted him to seek employment in its territory.

2.4.27. In another judgment¹ the Court held that interest-free loans granted on childbirth by a credit institution incorporated under public law to families with a low income with a view to stimulating the birth rate must be included among the social security benefits in respect of which Regulation (EEC) No 1612/68² guarantees equality of treatment.

Freedom to provide services

2.4.28. In Joined Cases 62 and 63/81³ the Court held that a host Member State infringes Community law if it applies its social security legislation to a Community national providing services where that person is already subject to similar legislation in his country of origin and that legislation also covers the benefits provided in the host country. This would constitute indirect discrimination, as the undertaking providing the services would be subject to a double social security burden without there being any interest worthy of protection to justify such a measure.

2.4.29. For the first time, the Court had occasion to interpret the Community Directives on public works contracts.⁴ In its judgment,⁵ the Court specified what a Member State may require of a tenderer established in another Member State by way of proof of his good standing and qualifications. It also stated that a tenderer whose tender is abnormally low must be informed before a decision is taken as to the award of the contract.

Social measures

Social security for migrant workers

2.4.30. Of the judgments⁶ interpreting Regulations (EEC) Nos 1408/71 and 574/72,⁷ particular note should be taken of the judgment delivered in Case 79/81. If a worker who, after having been adjudged unfit for

work and having, as a result, qualified for receipt of invalidity pensions payable under Community rules by the authorities of two Member States, is once more considered fit for work by one of those States, can the latter State refuse, by virtue of a domestic legal provision, to pay unemployment benefit on the ground that the worker still draws the other Member State's invalidity pension?

Such a refusal to grant unemployment benefit seemed to have a basis in Article 12(2) of Regulation (EEC) No 1408/71. The Court, however, dismissed this contention. The objectives of Articles 48 to 51 of the Treaty and the principles derived therefrom require that Article 12 be interpreted in a restrictive manner. Measures intended to make the movement of workers easier cannot have the effect of making it more difficult by depriving the persons concerned of benefits which they could have obtained had there been no Community measures.

Article 12 cannot therefore be deemed to extend to a national measure which, as proof of incapacity for work incompatible with the grant of unemployment benefit, is based, not on the actual physical condition of the person concerned, but on the fact that he is in receipt in another Member State of an invalidity pension previously granted in accordance with Community rules.

Equal treatment for male and female workers

2.4.31. Case 12/81⁸ gave the Court an opportunity to reaffirm the wide interpretation which must be given to the concept of pay,

¹ Case 65/81 *Reina v Landeskreditbank Baden-Württemberg*: not yet reported.

² Article 7(2) of the Regulation: OJ L 257, 19.10.1968.

³ *SECO and Others v EVI*: not yet reported.

⁴ Directives 71/304/EEC and 71/305/EEC: OJ L 185, 16.8.1971.

⁵ Case 76/81 *SA Transporoute et Travaux v Minister of Public Works*: not yet reported.

⁶ Case 7/81 *Sinatra v FNROM*: Case 55/81 *Vermaut v ONPTS*; Case 93/81 *INAMI v Knoeller*; Case 79/81 *Baccini v Office national de l'emploi*: not yet reported.

⁷ OJ C 138, 9.6.1980 (consolidated version).

⁸ *Garland v British Rail Engineering*: not yet reported.

which is bound up with the principle of equality affirmed in Article 119 of the Treaty.¹ The Court stated that 'pay' includes special benefits connected with travel by rail which an employer, although not bound to do so by contract, grants its former employees or their dependants after their retirement. The grant of such special benefits solely in the case of former male employees infringes Article 119 of the Treaty.

2.4.32. Case 19/81² concerned a voluntary early retirement scheme which included the possibility for a worker who leaves his employment during the five years preceding the normal retirement age to receive, for a limited period, certain benefits. This case raised the question of the compatibility with Community law of the fact the age required for access to the scheme is not the same for men as for women. The Court held firstly that the question, not of the benefits provided as such, but of the conditions of access to the scheme was governed, not by Article 119 and Directive 75/117/EEC,³ but by Directive 76/207/EEC.⁴ It also observed that the difference in the ages prescribed for voluntary redundancy merely reflected the differences in retirement ages provided for by law, which, as Article 7 of the Directive indicates, is not contrary to Community law. There is therefore no discrimination as regards the age condition to which access to voluntary redundancy is subject.

Common commercial policy

2.4.33. With reference to the importation into a Member State of gramophone records from Portugal, against which the proprietor of the copyright in the Member State concerned invoked the national law on copyright, the Court was asked to give a ruling in Case 270/80⁵ on the scope and effect of two provisions of the free-trade Agreement between the EEC and Portugal.

Article 14 of the Agreement provides for the abolition of quantitative restrictions and measures having an equivalent effect, and Article 23 states that the Agreement does not preclude prohibitions which are justified on

the ground of the protection of industrial and commercial property.

The Court held that the enforcement by the proprietor or by persons entitled under him of copyrights protected by the law of a Member State against the importation and marketing of gramophone records lawfully manufactured and placed on the market in Portugal by licensees of the proprietor is justified under Article 23 and therefore does not constitute a restriction on trade such as is prohibited by Article 14; such enforcement does not constitute a means of arbitrary discrimination or a disguised restriction on trade between the Community and Portugal within the meaning of Article 23. The Court held that, in view of the replies given concerning the scope of the Agreement, it was unnecessary to reply to the questions concerning the effect of those provisions, in particular the question whether they can be invoked by individuals.

Common agricultural policy and fisheries

2.4.34. The Court dismissed as inadmissible an application for the annulment of a Commission Regulation suspending the advance fixing of export refunds for beef and veal.⁶ The applicant challenged the validity of the measure and, in particular, the validity of the five-day reflection period normally allowed. The Court dismissed the application, however, since no decision had been taken concerning the applicant.

2.4.35. With regard to the granting of premiums for the denaturing of sugar for use as feed for bees, the Court reaffirmed that the recipient of such a premium is liable for any use of the denatured sugar by third parties for any other purpose.⁷

2.4.36. The Court held in Case 204/80⁸ that a national measure requiring a beverage

¹ Case 80/70 *Defrenne* 1971 ECR 445.

² *Burton v British Railways Board*: not yet reported.

³ OJ L 45, 19.2.1975.

⁴ OJ L 39, 14.2.1976.

⁵ *Polydor v Harlequin*: not yet reported.

⁶ Case 45/81 *Moksel v Commission*: not yet reported.

⁷ Case 77/81 *Zuckerfabrik Franken v FR of Germany*: not yet reported.

⁸ *Vedel*: not yet reported.

sold as an 'aperitif with a wine base' to contain at least 80% of genuine common beverage wine of merchantable quality and to have a natural alcoholic strength of not less than 10° is not incompatible with Community wine legislation.

2.4.37. In the fisheries sector, the Court reaffirmed¹ its earlier judgments concerning the right of Member States to retain technical measures for the conservation of fishery resources. In the same judgments, the Court also reaffirmed its earlier decisions on the retroactivity of Regulations.

ECSC

2.4.38. Concerning the individual decisions setting production quotas for steel firms under the general decision establishing the quota system (No 2794/80/ECSC),² the Court delivered five judgments during the reference period.³ All the applications were dismissed.

In their applications, the two Greek firms⁴ claimed that the general decision was not applicable to Greece and also that Articles 14, 58 and 74 of the ECSC Treaty had been infringed and that the statement of reasons was insufficient. As regards the principal submission, the Court held that, since the general decision had been adopted before Greece's accession to the ECSC on 1 January 1981, it was applicable to Greece from that date in accordance with Article 2 of the Act of Accession, which provides for such applicability upon accession. In rejecting the applicants' submission that acts adopted between the time of signature of the Act of Accession in 1979 and accession itself, being future acts of which the parties had no knowledge at the time of signature of the Act, did not apply to Greece, the Court also sought to avoid any discontinuity in the application of the Community legal order to the new Member State.

As regards the alleged infringements of Articles 58(1) and 74 of the Treaty, since no measures had been adopted under the latter article to restrict imports, the Court referred to its judgments of 18 March 1980⁵ and held that the Commission had broad discretion-

ary powers in this area.⁶ The Court also dismissed the Greek firms' claim that the quotas should have been fixed on the basis of capacity and not the firms' actual output, in order to satisfy the equitable basis requirement laid down in Article 58(2), holding that Article 58(2) did not restrict the Commission's freedom to choose the basis for an equitable determination of the quotas. It also held that the basis of actual output adopted by the Commission was an objective basis of assessment which enabled overall production to be reduced without altering the firms' respective market positions.

2.4.39. In Case 258/80, the Court reaffirmed its earlier judgments⁷ concerning the scope of the plea of illegality in an action challenging the limitation of deliveries in the common market; it reaffirmed that the plea is limited to the provisions of the general decision on which the individual decision is based.⁸

2.4.40. As regards the alleged retroactivity of the general decision establishing the quota system, the Court held, in Case 258/80,²

¹ Case 21/81 *Bout*: not yet reported.

² OJ L 291, 31.10.1980. From 1 July 1981 this system was replaced by that laid down in Decision No 1831/81/ECSC (OJ L 180, 1.7.1981), as amended by Decisions Nos 1832/81/ECSC of 3.7.1981 (OJ L 184, 4.7.1981), 2804/81/ECSC of 23.9.1981 (OJ L 278, 1.10.1981) and 533/82/ECSC of 3.3.1982 (OJ L 65, 9.3.1982).

³ Cases 39, 43, 85 and 88/81 *Halyvourgiki and Helleniki Halyvourgia v Commission*; Case 258/80 *Metalurgica Rumi v Commission*; Case 276/80 *Ferriera Padana v Commission*; Case 14/81 *Alpha Steel Ltd v Commission*; and Case 111/81 *Alpha Steel Ltd v Commission*: not yet reported.

⁴ *Halyvourgiki and Helleniki*, Cases 39, 43, 85 and 88/81.

⁵ Cases 154, 205, 206, 226-228, 263, and 264/78 and 39, 31, 83 and 85/79 *Ferriera Valsabbia and Others v Commission* 1980 ECR 907.

⁶ On this point, see Cases 258/80 and 14/81.

⁷ See also Cases 275/80 and 24/81 *Krupp Stahl v Commission*: not yet reported.

⁸ This position is reaffirmed in the judgment in Case 14/81, in which the Court refused to accept a submission concerning an article of the general decision which could not have been applicable in an individual decision concerning the applicant.

that firstly no question of real retroactivity was involved. The decision concerned not only production for October 1980, which had already been disposed of when the decision was published, but also production for November and December: the firms could have avoided incurring penalties by modifying their production during those months.¹

mention should be made of the judgment in Case 38/81, in which the Court held that the applicant may bring an action in the court for the place of performance of the obligation under Article 5(1), even where the existence of the contract on which the action is based is in dispute between the parties.

Convention on Jurisdiction and Enforcement of Judgments in Civil and Commercial Matters of 27 September 1968

2.4.41. Of the two judgments² delivered concerning the 1968 Convention, particular

¹ Points 2.4.21 and 2.4.22.

² Case 38/81 *Effer v Kantoor* and Case 25/81 *W v H*: not yet reported.

2.4.42. New cases

Case	Subject	Basis
ECSC		
136/82 — Klöckner-Werke AG v Commission ¹	Steel production quotas	Article 33 of the ECSC Treaty
138/82 — Metallourgiki Halyps v Commission	Steel production quotas	Article 33 of the ECSC Treaty
140/82 — Walzstahl-Vereinigung v Commission	Annulment of Commission Decision No 533/82/ECSC of 3 March 1982 (new system of production quotas for certain products for steel firms)	Article 33 of the ECSC Treaty
Customs union		
130/82 — Farr Company NV v Belgian State ¹	Tariff classification of certain types of air filter	Article 177 of the EEC Treaty
Social security for migrant workers		
139/82 — Mrs P. Piscitello v Istituto Nazionale della Previdenza Sociale (INPS)	Interpretation of Article 10 of Regulation No 1408/71	Article 177 of the EEC Treaty
Agriculture		
135/82 — Administrative appeal proceedings brought by Coöperatieve Groenten- en Fruitveiling 'Utrecht en Omstreken' BA, against a disciplinary measure taken against it	Interpretation of Regulation No 1641/71 establishing quality standards for apples and pears	Article 177 of the EEC Treaty

Case	Subject	Basis
Transport		
126/82 — D.J. Smit Transport BV v Commissie Grensoverschrijdend Beroepsgoederenvervoer van de Stichting Nederlandsche Internationale Wegvervoer Organisatie ¹	Compatibility of a national law with the first Directive on the establishment of certain common rules for certain types of carriage of goods by road between Member States	Article 177 of the EEC Treaty
Staff regulations — Administrative matters		
124/82 — Commission v Council ²	Proceedings for annulment of various provisions of Council Regulations Nos 371/82 and 372/82 of 15 February 1982 (remuneration of officials)	Article 173 of the EEC Treaty
Infringements		
116/82 — Commission v Federal Republic of Germany ²	1971 Wine Act	Article 169 of the EEC Treaty
132/82 — Commission v Belgium	Warehouse charge	Article 169 of the EEC Treaty
133/82 — Commission v Luxembourg ³	Warehouse charge	Article 169 of the EEC Treaty
134/82 — Commission v Luxembourg ³	Dangerous substances — Commission Directive 79/370	Article 169 of the EEC Treaty
137/82 — Commission v Italy	Ban on the introduction of certain plants from the Netherlands	Article 169 of the EEC Treaty

Disputes between the Community and its staff

v Commission: 117/82,⁴ 118-123/82,² 125/82,⁴ 127/82,⁴ 128/82 and 131/82³
 v Court of Auditors: 129/82

¹ OJ C 124, 15.5.1982.
² OJ C 109, 30.4.1982.
³ OJ C 127, 18.5.1982.
⁴ OJ C 113, 5.5.1982.

2.4.43. Judgments

Date and case	Held
Taxation 1.4.1982, 89/81 — Staatssecretaris van Financiën v Hong Kong Trade Development Council ¹	A person who regularly provides services for traders, free of charge exclusively, cannot be regarded as a taxable person within the meaning of Article 4 of the Second Council Directive 67/228/EEC of 11 April 1967 (VAT)

Date and case	Held
29.4.1982, 17/81 — Pabst & Richarz Kg v HZA Oldenburg	An importer of spirits from other Member States or Greece may invoke, before a national court, the provisions of Article 95 of the Treaty or of Article 53(1) of the Association Agreement with Greece against the application of national measures providing for relief to be granted through the tax assessments in respect of spirits, adopted on the basis of administrative directives in conjunction with a modification of the taxes on spirits following an adjustment to the State monopoly in spirits, where such measures have the effect of granting less favourable treatment to such spirits than to similar national products.
Agriculture	
1.4.1982, 11/81 — Dürbeck v Commission ¹	The action was dismissed as unfounded as regards the submission of the breach of the principle of non-discrimination; the action was dismissed as inadmissible as regards the other submissions put forward by the applicant
1.4.1982, 141-143/81 — Officier van Justitie in het Arrondissement Zutphen v 1. Gerrit Holdijk; 2. Lubbartus Mulder; 3. Veevoederbedrijf 'Alpuro' BV ¹	As it stands at present, Community law does not prevent a Member State from maintaining or introducing unilateral rules concerning the standards which must be observed in the installation of enclosures for fattening calves with a view to protecting the animals and which apply without distinction to calves intended for the national market and to calves intended for export
29.4.1982, 66/81 and 99/81 — Pommerehne-Kommanditgesellschaft in Firma Wilhelm Franzen v Bundesanstalt für landwirtschaftliche Marktordnung	Article 6 of Commission Regulation No 349/73 (concerning the disposal at reduced prices of intervention butter intended for consumption) applies to the resale of concentrated butter; determination of the conditions to be imposed as to observance of the requirement of writing laid down by the Regulation in question in respect of contracts of sale
29.4.1982, 147/81 — Merkur Fleischimport GmbH v Hauptzollamt Hamburg-Ericus	Article 1(3) of Regulation No 527/78 is not invalid in so far as it provides that the security lodged by the importer shall be forfeit and retained as a levy if the time-limit laid down in that provision for the proper processing of frozen beef is exceeded
Infringements	
24.3.1982, 284/81 — Commission v France ¹	Order for removal from the Court Register (failure to communicate measures for the implementation of Directive 78/1081 — goods exported for repair)
Orders for removal from the Court Register	
24.3.1982, 271/80 — Pharmon BV v Hoechst AG ²	

¹ OJ C 109, 30.4.1982.² OJ C 113, 5.5.1982.

Economic and Social Committee

197th plenary session

2.4.44. The Economic and Social Committee held its 197th plenary session on 28 and 29 April with Mr Roseingrave in the chair. Mr Ortoli attended in order to brief the Committee on the Commission's communication to the Council on development of the European Monetary System.

Opinions

European Monetary System

2.4.45. The Committee's own-initiative opinion on the Commission's communication¹ was adopted by 78 votes to 1 with 8 abstentions. The Committee felt that the Commission's proposals were a positive response to the problems of developing the EMS, but that what mattered most was that the governments should exercise the discipline necessary to avoid major divergences in cost and price trends.

In his introductory statement Mr Ortoli described the proposals as reasonable and balanced, a combination of compulsion and flexibility aimed at consolidation of the EMS, which would help the Member States to progress towards greater convergence of their policies.

Part-time work—Retirement age

2.4.46. The Committee welcomed the proposal for a Directive on voluntary part-time work and the draft recommendation on a policy with regard to retirement age, which the Commission laid before the Council at the beginning of the year.²

In the discussion on part-time work, the employers' group expressed its concern in a minority statement that 'the proposed arrangements would make part-time work almost impracticable'. The Committee nevertheless adopted the opinion by 80 votes to 40 with 12 abstentions.

There was a broader consensus on the retirement age question. The Committee felt that people should be free to choose when to re-

tire and that consideration would have to be given to certain problems, such as the amount of the pension, the possibility of the proposed measures being revised, the cost of the measures, retirement age and paid employment taken up after retirement. This opinion was adopted by 90 votes in favour, with 11 abstentions.

Equal opportunities for women

2.4.47. The Committee welcomed the Commission's new action programme on the promotion of equal opportunities for women,³ emphasizing that the necessary funds should now be made available. In its unanimous opinion, the Committee highlighted the importance of ascertaining the views of trade unions and employers' organizations when framing practical measures, and stressed that legal and practical hurdles had to be overcome and a wide range of prejudices dispelled.

Medium-term financing of social expenditure

2.4.48. The Committee endorsed the general approach of the Commission's communication on medium-term projections of social expenditure and its financing⁴ and asked for the data and information gathered to be defined more precisely. It wanted special attention to be given to the evaluation of the macroeconomic costs of unemployment and a comparison of the benefits payable to the unemployed in all Member States as well as the conditions governing such benefits. The opinion was adopted unanimously.

Reform of European Regional Development Fund

2.4.49. The proposal⁵ to amend the Regulation establishing the European Regional Development Fund was endorsed by 78 votes to 8 with 1 abstention. The Committee

¹ Bull. EC 3-1982, points 1.4.1 to 1.4.4.

² Bull. EC 12-1981, points 1.1.1 to 1.1.5.

³ Supplement 1/82 — Bull. EC; Bull. EC 12-1981, points 1.2.1 to 1.2.5.

⁴ Bull. EC 11-1981, point 2.1.57.

⁵ OJ C 336, 23.12.1981; Bull. EC 10-1981, points 1.2.1 to 1.2.9.

warned, however, that the new rules for coordinating national policies should not lead to a levelling downwards.

Oil stocks

2.4.50. The Committee agreed with the Commission that amendment of the Directive requiring Member States to maintain minimum stocks of crude oil¹ would have the advantage of making the Community's oil supplies somewhat more secure from disruption. But it pointed to the disadvantages of the costs likely to be incurred, in particular by the oil companies. It believed that national legislation on stocking should be harmonized with all possible speed and that the stocking obligation should be borne by an intervention agency similar to those operating in several Member States.

As for the procedure to be adopted for detecting shortfalls in oil supplies, the Committee went along with the Commission's proposal. The opinion was adopted unanimously.

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2.4.51. The Committee also adopted opinions on:

- (i) the 1982 programme for the attainment of the customs union;²
- (ii) the proposal for a Regulation on inward processing relief arrangements;³
- (iii) the proposal for a Directive on the supervision of credit institutions on a consolidated basis;⁴
- (iv) the proposal to amend the Directive on preservatives authorized for use in foodstuffs intended for human consumption;⁵
- (v) the proposal for a Decision on microbiological criteria for animal feedingstuffs.⁶

Studies

Integrated operations in regional policy

2.4.52. The Committee decided to notify the Council and the Commission of a study on integrated operations in the regional development field. It considered that integrated operations acted as a catalyst in the process of making aid as effective as possible.

European Investment Bank

Operations in April

2.4.53. In April the European Investment Bank announced loans totalling 208.8 million ECU⁷ for investments within the Community, of which 5.6 million ECU was financed from the new Community borrowing and lending instrument (NCI—the 'Ortoli facility').⁸ This total was made up of 56.3 million ECU in France, 43.4 million ECU in Greece, 42.9 million ECU in Denmark, 32 million ECU in Ireland, 28.6 million ECU in the United Kingdom and 5.6 million ECU in Italy. Outside the Community the Bank lent 20 million ECU in Spain and 10.7 million ECU in the United Republic of Cameroon.

Community

France

2.4.54. A loan of FF 350 million was made to develop a lignite mine at Gardanne, in southern France, and to add a new 600 MW unit to extend the capacity of a nearby power station from its initial 405 MW. This work will give the mine about 15 years' extra life, save roughly 2 000 jobs and use lignite representing the equivalent of 11 million tonnes of oil. In line with Community aims, this will produce a corresponding saving in imports.

Greece

2.4.55. The EIB lent more than DR 2 700 million for investment in industry (DR 2 100 million) and agriculture (DR 605 million).

¹ OJ C 55, 3.3.1982; Bull. EC 2-1982, point 2.1.97.

² Bull. EC 2-1982, point 2.1.16.

³ Bull. EC 1-1981, point 2.1.12.

⁴ OJ C 258, 9.10.1981; Bull. EC 9-1981, point 2.1.35.

⁵ OJ C 330, 17.12.1981; Bull. EC 11-1981, point 2.1.12.

⁶ OJ C 252, 2.10.1981; Bull. EC 9-1981, point 2.1.84.

⁷ The conversion rates at 31 March 1982 used by the EIB in statistics for the current quarter were 1 ECU = BFR 45.30, DKR 8.19, DM 2.40, DR 62.56, FF 6.22, IRL 0.69, LIT 1 315, LFR 45.30, UKL 0.56, USD 1.00.

⁸ OJ L 298, 25.10.1978; Bull. EC 10-1978, point 2.1.10.

Of these amounts, DR 830 million took the form of global loans, lines of credit which will be on-lent to finance small and medium-scale ventures in development areas to reduce regional disparities, or for investment throughout the country to modernize existing operations. The global loans were made to the National Investment Bank for Industrial Development (NIBID) (DR 520 million) and the Investment Bank (DR 310 million), both long-term credit institutions.

In the cement industry, the EIB lent DR 600 million for various investments by the Heracles General Cement Company including a new plant at Milaki (Evia) to take over work now being done at Piraeus, a coal terminal at Milaki which will feed the new cement factory and the conversion to coal of the cement factory at Volos. This will save 260 000 tonnes of oil each year with a corresponding reduction in imports.

A further DR 605 million global loan was made to the Agricultural Bank of Greece for small and medium-scale agricultural processing ventures and small investment projects in agriculture. These will be aimed at improving the production of certain crops particularly suited to the Greek climate such as early fruit and vegetables.

Ireland

2.4.56. The EIB lent IRL 22 million for industrial and agricultural development. This included IRL 11.6 million for the construction of 45 advance and custom-built factories for firms which wish to set up in Ireland or expand existing businesses and IRL 5.4 million for the construction or enlargement of 46 agricultural or industrial training centres throughout the country. These two loans received a 3% interest subsidy under the arrangements adopted when Ireland joined the European Monetary System.¹ A further IRL 5 million will help meet the cost of building a factory in County Cork for the processing of common wheat into wheat protein, glucose, dextrose, starch and wheat germ.

Denmark

2.4.57. Loans totalling more than DKR 340 million were made in Denmark. These consisted of DKR 300 million for 28.5 km of motorway between the islands of Zealand and Falster, that is between Copenhagen and Rødby, which is the port of departure for ferries to Germany, DKR 40.3 million towards the financing of a district heating system which will use part of the heat produced by a power station in south-west Jutland, saving 200 000 tonnes of oil over the life of the project, and DKR 9.3 million for extensions to the port of Tejn on the north-east coast of Bornholm to enable it to accommodate a larger number of fishing boats.

United Kingdom

2.4.58. The EIB made three loans totalling UKL 16 million. The first, for UKL 10 million, was for the construction of 210 sleeping cars for service on the east- and west-coast main lines from London to Scotland and on the lines between London and Scotland and the south-west of England. The second was for UKL 4 million to a factory in Grimsby, Humberside, which will turn waste into industrial fuel, and a number of sections of road to be built by Humberside County Council. Finally, a global loan of UKL 2 million was made to the Welsh Development Agency. This will be used to set up or modernize small and medium-scale industrial and tourist ventures.

Italy

2.4.59. Italy received LIT 7 000 million from the resources of the NCI to assist investment in 11 Fiat factories in central and northern Italy. The schemes will reduce energy consumption, mainly by recovering heat, improving lighting and heating and adapting electricity-generating equipment. The saving should be in excess of 90 000 tonnes of oil per year.

¹ OJ L 200, 8.8.1979; Bull. EC 7/8-1979, point 2.1.2.

Outside the Community*Spain*

2.4.60. The EIB made a global loan to the Banco de Crédito Local de España as part of the Community's pre-accession aid. The 20 million ECU (PTA 2 100 million) will be used for small and medium-scale infrastructure (water supplies, drainage and roads) in regions with a per *capita* income below the national average.

Cameroon

2.4.61. The EIB made two loans, one of 6.9 million ECU for the construction of a palm oil mill near Victoria and for the modernization of older mills at Mondoni and Idenau and one of 3.8 million ECU for the extension of a palm oil mill at Dibombari, near Douala, which was built with Community aid in 1976.



PART THREE
DOCUMENTATION

1. ECU

Values in national currencies of one ECU

30 April 1982 ¹	
Belgian franc and Luxembourg franc (convertible)	45.0453
Belgian franc and Luxembourg franc (financial)	48.9234
German mark	2.38307
Dutch guilder	2.64672
Pound sterling	0.570256
Danish krone	8.12920
French franc	6.21927
Italian lira	1 323.87
Irish pound	0.690006
Greek drachma	64.2979
United States dollar	1.02190
Swiss franc	1.99679
Spanish peseta	105.869
Swedish krona	5.93212
Norwegian krone	6.10840
Canadian dollar	1.24529
Portuguese escudo	72.5037
Austrian schilling	16.7847
Finnish mark	4.63073
Japanese yen	240.861
Australian dollar	0.962965
New Zealand dollar	1.32285

¹ OJ C 110, 1.5.1982.

NB. Explanatory notes on the ECU and 'green' rates can be found in Bull. EC 12-1981, 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

April 1982	
National currency	Value in national currency of one ECU
Belgian franc and Luxembourg franc	40.7985
Danish krone	7.91917
	8.06288 ⁴
German mark	2.65660 ³
	2.78341 ¹
Greek drachma	61.4454
French franc	6.08656
Irish pound	0.685145
Italian lira	1 258.00 ²
	1 227.00 ³
Dutch guilder	2.81318
Pound sterling	0.618655

¹ For seeds.

² For milk and milk products, beef and veal, pigmeat, olive oil, wine and fish.

³ For other products.

⁴ From 5.4.1982.

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. 9-1981

Point 2.1.134

Proposal for a Council Decision adopting a concerted action project of the European Economic Community on the effect of processing on the physical properties of foodstuffs (COST Project 90 bis)

OJ C 93, 14.4.1982

Bull. 11-1981*Point 2.1.33*

Commission Decision of 27 November 1981 relating to a proceeding under Article 85 of the EEC Treaty (IV/30.188 — Moët et Chandon (London) LTD)

OJ L 94, 8.4.1982

Bull. 12-1981*Point 2.1.16*

Proposal for a Council Regulation concerning the indication of the origin of certain textile products imported from third countries

OJ C 93, 14.4.1982

Point 2.1.38

Commission Decision of 4 December 1981 relating to a proceeding under Article 86 of the EEC Treaty (IV/29.971 — GEMA statutes)

OJ L 94, 8.4.1982

Point 2.1.39

Commission Decision of 11 December 1981 relating to a proceeding under Article 15 of Council Regulation No 17 (IV/AF 512 — SA National Panasonic (Belgium) NV)

OJ L 113, 27.4.1982

Bull. 1-1982*Point 2.1.18*

Commission Decision of 6 January 1982 relating to a proceeding under Article 85 of the EEC Treaty (IV/28.748 — AEG-Telefunken)

OJ L 117, 30.4.1982

Bull. 2-1982

Draft Council recommendation concerning the encouragement of investment in the rational use of energy

OJ C 107, 28.4.1982

Points 1.2.8 to 1.2.11

The role for coal in Community energy strategy

OJ C 105, 26.4.1982

Point 2.1.8

Proposal for a Council Directive amending for the second time Directive 76/118/EEC on the approximation of the laws of the Member States relating to certain partly or wholly dehydrated preserved milk for human consumption

OJ C 84, 3.4.1982

3. Infringement procedures

Initiation of proceedings for failure to implement Directives

3.3.1. In April the Commission sent letters of formal notice to Member States for failure to implement Directives in the following five cases:

Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions¹ (The Netherlands);

Council Directive 74/561/EEC of 12 November 1974 on admission to the occupation of road haulage operator in national and international transport operations² (France);

Council Directive 74/562/EEC of 12 November 1974 on admission to the occupation of road passenger transport operator in national and international transport operations² (France);

Council Directive 80/51/EEC of December 1979 on the limitation of noise emissions from subsonic aircraft³ (Ireland);

Council Directive 80/767/EEC of 22 July 1980 adapting and supplementing in respect of certain contracting authorities Directive 77/62/EEC coordinating procedures for the award of public supply contracts⁴ (Italy).

¹ OJ L 39, 14.2.1976.

² OJ L 308, 19.11.1974.

³ OJ L 18, 24.1.1980.

⁴ OJ L 215, 18.8.1980.

Reasoned opinions

3.3.2. In April the Commission delivered eight reasoned opinions concerning five Member States, in the following cases:

Parafiscal charges on flowers, ornamental plants and nursery products (France);

Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of harmful organisms of plants or plant products¹ and Commission Decision 81/973/EEC of 9 November 1981 authorizing Italy to adopt temporarily protective measures against the introduction of *Erwinia Amylovora* (Italy);

Preferential treatment in respect of public contracts given to certain trade associations and organizations (France);

Difficulties encountered by exhibitors of equipment which did not comply with German safety requirements and technical standards at trade fairs and exhibitions organized in Germany (Federal Republic of Germany);

Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions² (Denmark);

Sixth VAT Directive 77/388/EEC of 17 May 1977 concerning the minimum basis of assessment for new and ex-demonstration vehicles³ (Belgium);

Feedingstuffs—Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs⁴ and Council Directive 74/63/EEC of 17 December 1973 on the fixing of maximum permitted levels for undesirable substances and products in feedingstuffs⁵ (Federal Republic of Germany);

Specimen tender for public contracts (Belgium).

¹ OJ L 26, 31.1.1977.

² OJ L 39, 14.2.1976.

³ OJ L 146, 13.6.1977.

⁴ OJ L 270, 14.12.1970.

⁵ OJ L 38, 11.2.1974.

4. Memorandum on strengthening the instruments of the common commercial policy

3.4.1. Last autumn the French Government submitted to its partners and to the Commission a set of proposals designed to give a fresh impetus to the construction of Europe in all fields of economic and social activity.¹

Clearly national efforts, indispensable as they are, are not sufficient to provide a satisfactory solution to the serious problems confronting the Member States. To combat the crisis and overcome the difficulties hampering the development of common policies the European dimension is more than ever necessary. But the Community must dispel the doubt felt by public opinion in the various States as to the usefulness and effectiveness of the Community. It must therefore equip itself with the resources which it now lacks.

The French memorandum stressed the need for better organization of the unit which is Europe so that all the Member States could make optimum economic use thereof. Action to that end must go hand in hand with a more active and dynamic common external commercial policy. In the view of the French Government such a policy is a pre-

requisite for industrial development of the Community and job creation. Its twin aims must be promotion of EEC exports and the devising of more effective means to enable the Community to confront its chief competitors on equal terms.

Some of the Community's trading partners have adopted laws or regulations designed to combat 'unfair' imports; others have a set of commercial rules which are so complex as to be a real barrier to trade. This is in contrast to the transparency of Community procedures. While it is naturally out of the question that the Community should resort to protectionist measures, the French Government believes that it cannot remain helpless in the face of certain practices.

It therefore proposes to its partners that the system of statistical surveillance of imports be stepped up and that the Community create a new instrument enabling it to thwart unfair commercial practices on the part of third countries where it is unable to do so under existing regulations.

¹ Bull. EC 11-1981, point 3.5.1.

*Stepping up the system
of statistical surveillance
of imports into the Community*

Without prejudice to the implementation of safeguard measures and measures to combat dumping or subsidies,¹ the French Government wishes the Community system of statistical surveillance of imports to be stepped up.

Imports of certain products are already subject to statistical surveillance and the Commission sometimes draws up reports on the situation in sectors under threat. It is regrettable that the Council does not make periodic reviews of this information, which would lead to a better understanding of the causes of import trends and their consequences for the European economy.

Some of the Community's trading partners—notably the United States—have legislation providing for systematic assessment of the effects of trade policy measures taken by the government. Their impact on the economic and commercial situation in the sectors concerned is thus periodically measured (effectiveness of measures taken under safeguard clauses, effect of voluntary restraint agreements, etc.).

The French authorities propose that the Commission's studies of trends in sectors, which have been the subject of surveillance,² be systematic and submitted to the Member States for examination. The Commission should draw up periodic reports, at least one per year, for discussion in the relevant Council working party.

These reports should be prepared on the basis of information supplied by the Member States and by Community undertakings concerned. They would cover the following points in particular: import trends and reasons for their progression, situation of the Community's trade balance in the sectors concerned, consequences of imports for Community production, utilization of production capacity and level of employment.

In the light of the conclusions of these reports the Commission should take action or make appropriate proposals to the Council.

These reports would also reveal any breaches in EEC commercial policy (abrupt rises in imports, social dumping, etc.). They would be the starting point for scrutiny of the effectiveness of the instruments of the common commercial policy and subsequent means of strengthening them.

*Introduction of new regulations
for better defence of
the Community's commercial interests*

Some unfair commercial regulations or practices inhibit international trade even though they can-

not be clearly prohibited under a specific provision of the General Agreement on Tariffs and Trade or under a non-tariff code concluded under the aegis of GATT.

To apprehend and combat them, this absence of any legal instrument should be remedied.

In this connection, the French Government notes that the United States has managed to devise effective means. Certain provisions of United States legislation (in particular Section 301 of the 1979 Trade Agreement Act) give the President of the United States and the foreign trade administration considerable powers to combat such commercial regulations or practices. The United States Administration can hold consultations with foreign governments and have recourse to the procedures for settlement of disputes provided for in the whole set of GATT agreements. If there is no agreement which applies, recommendations are made to the President, who can take any action to eliminate the offending practices.

The French Government believes that it would be useful to introduce into Community regulations similar provisions to those existing in the United States. Such a move would be particularly desirable in regard to practices or policies which hamper Community trade or create unwarranted distortions of competition (privileged access to certain raw materials, obstacles to Community exports, etc.).

*

Adoption of these measures would mean a restoration of balance of major importance. It would be a token of the Community's commitment to defence of the interests of European producers as effective as that enjoyed by their chief competitors.

In taking this course the Community, which is an economic unit more open to international trade than any other in the world, could not be suspected of protectionism since the projected measures are aimed solely at a better analysis of the EEC's external trade and the legitimate defence of producers who are the victims of irregular practices.

¹ Community anti-dumping and anti-subsidy regulations must be used without restriction. In this connection France is in favour of expanding the Commission departments responsible for conducting anti-dumping and anti-subsidy investigations.

² Unless only one Member State was concerned.

Publications of the European Communities

Publications of the European Communities

4 — 1982

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 only listed 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.
Danish,	

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 only appear in the classified list as cross-reference entries, full entries being found in Part II.

Part II — The list of 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 :

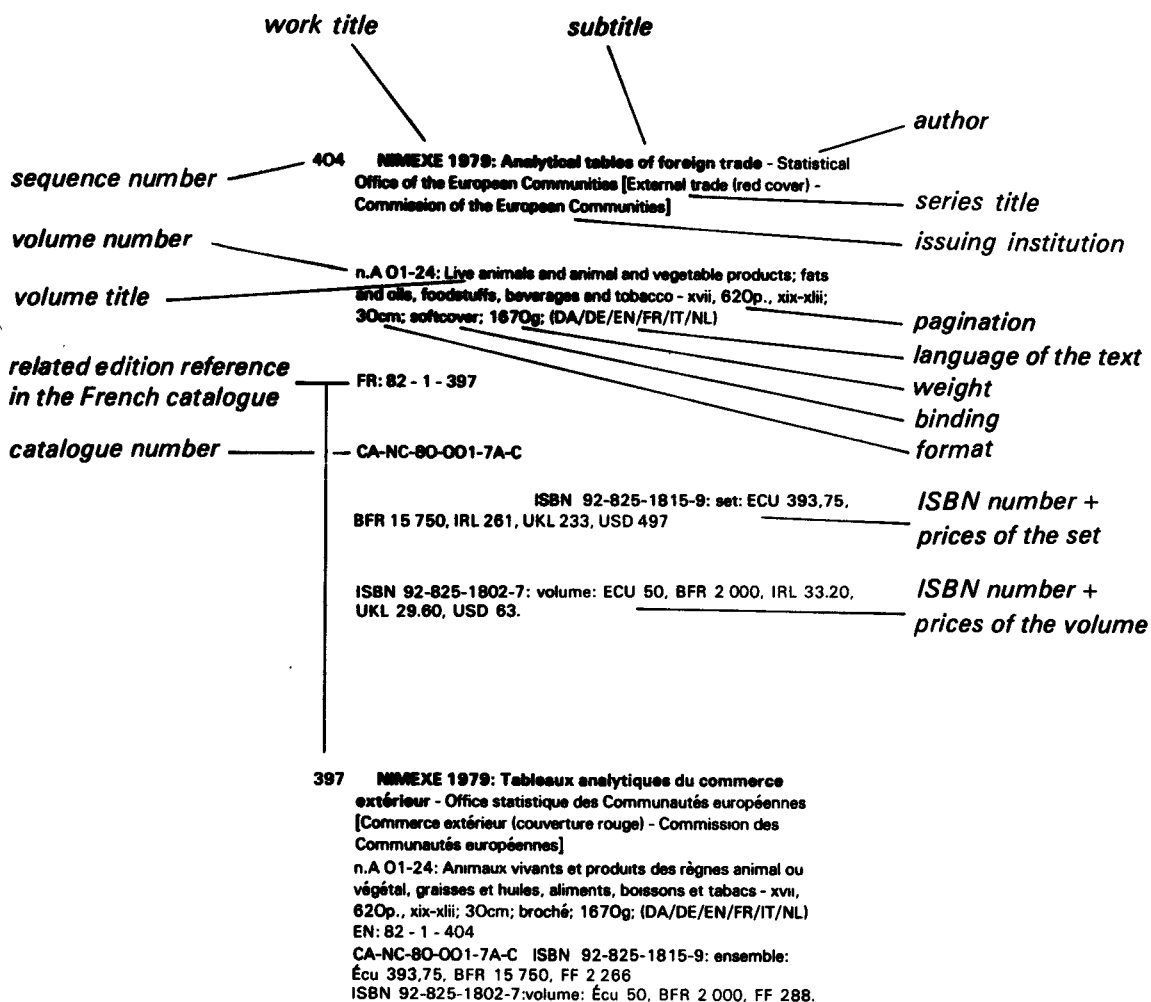
DA Danish	GA Irish
DE German	IT Italian
GR Greek	NL Dutch
EN English	ES Spanish
FR French	PT Portuguese

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 :

BFR Belgian franc	HFL Dutch guilder
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



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New York, NY 10017
Tel. 371 38 04

Classified list

1 General, political and institutional matters

MONOGRAPHS AND SERIES

- 1 **Amendments to the 1978 edition of the "Treaties establishing the European Communities" - All Institutions - 32pp.: 17cm: stapled: 35g: Mainly arising from the Act concerning the Conditions of Accession of the Hellenic Republic. (EN)**
DA:82-4-1. DE:82-4-1. FR:82-4-3. IT:82-4-3. NL:82-4-5
FX-32-81-851-EN-C ISBN 92-824-0008-5: ECU 1,95,
BFR 80, IRL 1.40, UKL 1.10, USD 2.
- 2 **Economic and Social Committee: Annual Report - Economic and Social Committee**
1981 - 96pp., 3graphs: 21cm: softcover: 150g: (EN)
DE:82-4-4. FR:82-4-1. IT:82-4-1
EX-33-81-126-EN-C ISBN 92-830-0035-8: free of charge.
- 3 **European Union: Annual reports for 1981 - 23pp.: 25cm: stapled: 70g: (EN) [Bulletin of the European Communities : Supplement: 81/3 - Commission of the European Communities]**
DA:82-4-4. DE:82-4-2. FR:82-4-4. IT:82-4-5. NL:82-4-3
CB-NF-81-003-EN-C ISBN 92-825-2832-4: ECU 1, BFR 40,
IRL 0.70, UKL 0.62, USD 1.40.

Financial report: European Coal and Steel Community: 1980

7

PERIODICALS

30 jours d'Europe.
Avrupa.
Background Report.
Berichte und Informationen.
Bulletin of the European Communities.
Committee Reports of the European Parliament.
Communauté européenne: Lettre d'information du Bureau de Genève.
Communauté Européenne Informations.
Community file: Current activities of the institutions of the European Communities summarised for the information of Member State Embassies in South and South-East Asia.
Comunidad europea.
Comunidades Europeias: Informação.
Comunità europea.
Debates of the European Parliament.
Dokumente und Publikationen.
Échos de l'Europe.
Economic and Social Committee: Bulletin.
EF-avisen.
EG Magazin.
EIB-Information.
Eoracái.
Eur info.
Europa.
Europa-Informationen für die Jugendpresse.
Europa van morgen.

Europe 81.
European File.
European news.
European Parliament.
Eurostat-news.
Fiches pédagogiques "30 jours d'Europe".
Information on the Court of Justice of the European Communities.
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.
The week in Europe.
Εβδομαδιαία Κοινότητα.

2 Customs union

MONOGRAPHS AND SERIES

- 4 **Explanatory notes to the Customs tariff of the European Communities: 18th amending supplement (1.11.1981) - Commission of the European Communities - 144pp.: 30cm: loose leaf: 360g: (EN)**
DE:82-4-5. FR:82-4-5
CB-33-81-077-EN-C : ECU 3, BFR 125, IRL 2.10, UKL 1.70,
USD 3.50.

3 Agriculture, forestry and fisheries

MONOGRAPHS AND SERIES

- 5 **Energy use in EEC agriculture and food processing - 82pp.: 25cm: stapled: 170g: (EN) [Studies. Energy series: 5 - Commission of the European Communities]**
IT:82-4-7
CB-NH-81-005-EN-C ISBN 92-825-2645-3: ECU 3,63,
BFR 150, IRL 2.52, UKL 2.00, USD 3.80.
- 15 **Fisheries: Catches by region 1968-1980: 1982**
- 6 **Ultrasonic techniques for describing carcass characteristics in live cattle - Directorate-General Agriculture - iv, 78pp., 7fig. and 32tab.: 23cm: softcover: 145g: (EN) [Agriculture. Coordination of agricultural research - Directorate-General Information Market and Innovation: Commission of the European Communities] EUR 7640**
CD-NK-82-003-EN-C ISBN 92-825-2912-6: ECU 5,66,
BFR 250, IRL 3.90, UKL 3.20, USD 6.

PERIODICALS

- Agricultural Markets: Prices.
 Animal production.
 Crop production.
 EC-agricultural price indices (Output and Input).
 Fisheries: Quantity and value of landings in the EC.

4 Law

MONOGRAPHS AND SERIES

- ACP-EEC Conventions of Lome: Compilation of texts (V - 1 January 1980 - 31 December 1980) 8
 Amendments to the 1978 edition of the "Treaties establishing the European Communities" 1
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PERIODICALS

- Information on the Court of Justice of the European Communities.
 List of laws and regulations adopted in the Member States of the Communities in application of acts adopted by the Communities.
 Official Journal of the European Communities, series L: Legislation.
 Reports of Cases before the Court of Justice.

5 Social affairs

MONOGRAPHS AND SERIES

- Demographic statistics 1980: 1982 13

PERIODICALS

- Euro-Abstracts, Section II: Coal - Steel.
 Hourly earnings: Hours of work.
 Unemployment: Monthly bulletin.
 Vocational training: Information bulletin.
 Wages and incomes - Rapid information.
 Women of Europe - Information bulletin.

6 Tertiary sector

PERIODICALS

- Agricultural Markets: Prices.
 Pig-irons and steels: Basic prices - basic document situation as of 1 January and amendments.

7 Transport

MONOGRAPHS AND SERIES

- European transport: crucial problems and research needs - A long-term analysis 9

8 Competition**9 Taxation**

MONOGRAPHS AND SERIES

- Explanatory notes to the Customs tariff of the European Communities: 18th amending supplement (1.11.1981) 4

10 Economic affairs

MONOGRAPHS AND SERIES

- 7 Financial report: European Coal and Steel Community - Commission of the European Communities 1980 - 53pp., 1 ill.(col.), 4graphs (col.): 30cm: softcover: 190g: (EN)
 FR:82 - 4 - 8
 CB-33-81-295-EN-C ISBN 92-825-2854-5: ECU 8,40, BFR 360, IRL 5.80, UKL 4.80, USD 9.50.
 National accounts ESA - Detailed tables by sector 1970-1979: 1981 16
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10 Fourth report on the activities of the Committee for Information and Documentation on Science and Technology of the European Communities (1978-80) - 37s.: 30cm: stapled: 140g: (EN) [Information management - Directorate-General Information Market and Innovation: Commission of the European Communities] EUR 7658

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