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Bulletin

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PART ONE
SPECIAL FEATURES

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

ECU = European currency unit

BFR = Belgische frank / Franc belge

DKR = Dansk krone

DM = Deutsche Mark

DR = Greek drachma

FF = Franc français

HFL = Nederlandse gulden (Hollandse florijn)

IRL = Irish pound / punt

LFR = Franc luxembourgeois

LIT = Lira italiana

UKL = Pound sterling

USD = United States dollar

1. Commission programme

1.1.1. On 16 February the Commission President, Mr Thorn, presented to Parliament the *Fifteenth General Report on the Activities of the European Communities* and also outlined the Commission's programme for 1982-83.

This second outline programme identifies the essential tasks which the Commission will be performing during the months ahead, provides a framework for political action and traces the main guidelines for the Commission's activities in 1982 and early 1983. Work begun in 1981 will be continued and the lines of action emerging from the Commission's thinking on the May mandate will be respected.

The programme highlights five priorities:

- (i) continued efforts to find an agreement within the European Council on the May mandate;
- (ii) the fight against unemployment and inflation by action to promote convergence of economic policies;
- (iii) completion of the follow-up action to the mandate;
- (iv) political and institutional revitalization of the Community;
- (v) completion of the negotiations on enlargement of the Community and accession of Spain and Portugal.

1.1.2. The first priority is to complete the work on the mandate, which has dominated the Commission's activities over the past year. Here, the Commission intends to ensure that the failure of 25 January¹ does not disrupt the normal functioning of the Community. It will also press on with its efforts to expedite agreement within the European Council on the basis of its proposals.

1.1.3. As it has already pointed out in its mandate report, the Commission attaches special importance to the formulation and implementation of an overall economic strategy to open up new prospects for growth. The strategy involves promoting productive investment and boosting competitiveness—the only means of creating permanent jobs. At Community level, the Commission will undertake a range of measures de-

signed to ensure more effective coordination of national economic policies, to secure greater compatibility of Member States' objectives with Community needs and with the consolidation of the EMS, to develop the EMS as a stage towards economic and monetary union and to create a European Monetary Fund. Finally, it will endeavour to step up use of the NCI, in particular for the benefit of small businesses.

On the employment and social policy front, the Commission has plans for a number of operations but believes that the recovery in employment depends upon investment and the creation of new activities. Besides a review of the operation of the Social Fund—in order to facilitate increased intervention by this Community instrument, notably in the regions hardest hit by the decline of traditional industries—the outline programme also envisages a youth employment policy which will introduce a 'social guarantee' for the first two years after compulsory education. Every effort will be made to exploit to the full the possibilities of adjusting the annual volume of working time, with due account being taken of the need to maintain the competitiveness of the Community.

1.1.4. The Commission will make special efforts to consolidate and complete the internal market, promote healthy competition (transparency of public aids), simplify formalities at borders between Member States, develop environment policy and implement the second consumer protection programme.

Special attention is also paid to the development of strategies for industry, for energy and for scientific and technological research, notably because of their foreseeable impact on employment. A number of projects in industrial innovation, training, energy saving, technological demonstration and research may get Community financial aid.

In the important area of energy, the Commission will focus attention on the rational use of energy, prices and taxation, security

¹ Bull. EC 1-1982, points 2.1.1 and 2.1.2.

and diversification of supply, new energy sources, development of nuclear energy and cooperation with the developing countries.

In regional policy, revision of the Regional Fund will provide for an increase in the ERDF endowment in real terms, greater concentration of operations on regions with particularly serious structural problems or badly hit by problems of industrial decline. More consideration will be given to the regional impact of Community policies.

The Commission will also take action on agriculture (improvement of structures policy and veterinary legislation measures), fisheries (implementation of the new rules on the common organization of the market and efforts to secure a Council decision on an overall fisheries policy), transport (financial support for infrastructure and measures to facilitate border crossings for goods traffic) and budgetary matters (talks with Parliament and the Council on the classification of expenditure, thoughts about own resources and stronger financial control measures).

1.1.5. While the Community's internal cohesion is being strengthened, greater attention will be paid to the presentation of common positions on the world scene (common

commercial policy; coordination of export promotion policies; textile negotiations; relations with the United States and Japan; revival of the North-South Dialogue; the fight against hunger in the world; cooperation with Latin America; preparations for renewal of the Lomé II Convention).

1.1.6. With this package of political options the Commission hopes to provide the basis for revitalizing the Community. It considers, however, that to accompany these ideas, the institutional mechanisms must be improved. This fourth priority includes a stronger role for Parliament, progress towards an effective decision-making process within the Council and a better legislative conciliation procedure, all proposals and suggestions already contained in the communication of 7 October 1981.¹ If these conditions are met, the completion of the enlargement negotiations with Spain and Portugal—the fifth priority objective—will assume its full meaning and reflect the new-found spirit of the Community and its Member States.

¹ Bull. EC 10-1981, points 2.3.1 to 2.3.7.

2. Implementation of an energy strategy for the Community

1.2.1. The Commission's communication of 30 September 1981 on the development of an energy strategy for the Community outlined a framework for action allowing the Community to respond more effectively to the challenge of the energy problem.¹ On 10 February the Commission followed it up by sending the Council four further communications—on investment in the rational use of energy; on the nuclear aspects of the energy policy; on the role for coal; and on the security of natural gas supplies.

Investment in the rational use of energy

1.2.2. Both in the foreword to the fifth medium-term economic policy programme,² covering the period from 1981 to 1985, and in its recent communications on the development of Community strategies for energy¹ and industry,³ the Commission firmly

¹ Bull. EC 9-1981, points 1.1.1 to 1.1.8.

² Bull. EC 7/8-1981, points 1.2.1 to 1.2.10.

³ Bull. EC 10-1981, point 2.1.20.

stressed the need for the Community and the Member States to ensure that investment in energy, and particularly in its rational use, proceeds at a fast pace and a high level in the years to come.

The key role of investment and the need to promote investment

1.2.3. The Commission bases its arguments on the fact that, in spite of the downturn in energy imports over the last few years, the Community's economy is still heavily dependent on oil. It feels that even a modest economic upturn in the industrialized countries would soon be curbed, if not halted, by the effects of increased demand for oil in a market which is likely to remain tight. Energy policies must therefore seek to promote the rapid structural adjustment required to ensure effective demand management in particular. Adjustments of this type can be achieved only by substantial investment in the rational use of energy.

Provisional estimates suggest that, despite the ambitious efforts which some countries have already made, the overall level of energy investment within the Community is still no higher than in the 1960s. In all, the national programmes amount to some 2% of the Member States' GDP, only 0.4% of which is for investment in the rational use of energy. The Commission believes that the figure should be raised to 0.7% by 1985 and to approximately 1% by the end of the decade.

Within a relatively short time, investment on this scale would help firms to become more competitive on international markets by enhancing their energy efficiency. It would also open up new markets for industry in general. In the long term, it would significantly ease the constraints on growth which arise from balance-of-payments problems.

These benefits could combine to create between 300 000 and 500 000 jobs in the Community by 1985, though the full benefit will be felt only if the national programmes are coordinated and coincide.

The Member States' policies

1.2.4. There is wide scope for saving energy in the Member States; 15 to 20% of general industry's present energy consumption could be saved, and between 5 and 10% in the major energy-consuming industries. Savings of between 15 and 20% could be achieved in the building industries. Savings of between 15 and 20% could be achieved in the building industry and about 15% in transport.

Difficulties and obstacles

1.2.5. The general context in which investment decisions are made raises further problems such as the uncertainties about price levels and long-term trends in the relative prices of the various forms of energy; the fact that certain economic operators lack adequate training and information; financial channels and financing arrangements ill-suited to the requirements of some types of investor; high, unstable interest rates; the partitioning of the market; and in some cases over-centralized decision-making processes.

Over and above this, sectors such as the major energy-consuming industries, the building industry and small and medium-sized firms face special problems of their own.

Measures which could be taken or stepped up

1.2.6. In an effort to overcome every one of these difficulties and obstacles, the Commission has also put up a separate draft Council recommendation, proposing a wide range of measures with the aim of making promising initiatives already taken by one or more Member States general throughout the Community and of implementing a Community action programme to support the national measures. The proposed measures include:

- (i) improving the financial channels and financing arrangements;
- (ii) reducing price uncertainty;
- (iii) a major effort to provide better training and information, to prevent partitioning

of the market and to decentralize decision-making;

(iv) finally, the Commission has singled out categories of investment which are particularly important if the Community's energy targets are to be met and therefore warrant a specific effort on the part of the authorities; the list includes investment in raising heat for remote heating systems from process waste heat, in extracting energy from certain types of urban, agricultural and industrial waste and in the conversion of oil-fired industrial boilers to coal.

Nuclear aspects of energy strategy

1.2.7. In its communication on nuclear energy the Commission recalled the contribution which the atom can make, and is already making, to the security of the Community's energy supplies. It also stressed that the major energy-consuming industries in countries which reject the nuclear option or give it only limited acceptance would be at a competitive disadvantage. After all, each oil-fired kilowatt-hour is three times as expensive as its nuclear equivalent, with electricity from coal-fired stations occupying the middle ground (30 to 90% more expensive than nuclear electricity). Another point is that the development of nuclear energy is based far more on the concept of 'value added' in the Community than is oil or coal. Although there is no denying that the capital cost of nuclear energy is high, its fuel costs are low. Whereas investment accounts for one third of the price of electricity generated by coal or oil-fired plant, and fuel for the other two thirds, the figures are reversed in the case of nuclear electricity. Over and above that, nuclear power brings considerable benefits both in terms of jobs—with high value-added in Europe—and for the balance of payments, because of the lower costs of imported fuel.

Consequently, the Commission feels that Community action should be along the following lines:

(i) the Commission should step up its efforts to analyse the economics of nuclear

power in the Community context, by regularly publishing illustrative programmes;

(ii) the Community should adopt a new approach to the problem of supplying users in the Community with nuclear fuel as an attempt to overcome the difficulties which it is having in implementing Chapter VI of the Euratom Treaty;

(ii) steps must be taken to speed up the installation of facilities for the interim storage and reprocessing of irradiated fuel;

(iv) the rules for the application of the Euratom safeguards system by the Member States must be finalized;

(v) there must be more Community R & D; this, where nuclear fission is concerned, already concentrates almost exclusively on health and safety, safeguards, and the management and storage of radioactive wastes; the Commission intends to step up its efforts in the last-mentioned of these fields in particular and to capitalize on it by cooperating with other leading industrialized countries such as the United States and Japan;

(vi) the Community must make a greater contribution towards the essential task of supplying the public with objective information on all facets of nuclear energy.

Coal in the Community energy strategy

1.2.8. In its communication on the role for coal in a Community energy strategy the Commission expanded its ideas on the need to use coal—reserves of which are immense—in order to reduce dependence on oil. Despite the obvious need, coal consumption has not increased since the 1973 crisis. This lack of progress is due partly to the intrinsic nature of coal itself—weight for weight its calorific value is only 50 to 75% that of oil—and partly to the uncertainty about future price developments, the security of supplies and the role which coal will play in the energy policies of the Member States.

The Commission paper therefore examined what needs to be done to remove the main constraints on the demand side and to ensure secure and economic supplies.

Enhancing the prospects for growth in coal use

1.2.9. The Commission proposes taking the following action:

- (i) to improve coal price transparency in order to make it easier to understand the current price trends in the Community;
- (ii) to call on the Council to approve two draft recommendations aiming at encouraging investment in coal-fired equipment in general industry on the one hand and in public buildings and district heating systems on the other;
- (iii) to stress the vital role which R & D and demonstration projects can play in widening the scope for coal use; with this in mind, it will look into ways of releasing funds from the Community's general budget and not just from the ECSC budget.

Problems and prospects of the Community's coal industry

1.2.10. Today between 50 and 60 million tonnes (20 to 25%) of the Community's coal production capacity is profitable, between 140 and 150 million tonnes (60 to 65%) is unprofitable under current market conditions and 40 million tonnes (15%) is absolutely uncompetitive. A healthy Community industry is in the interests of consumers and mineworkers alike. The situation of the coal industry could be improved by further modernization, by gradually closing down pits that are not economically viable and by opening up profitable new production capacity. In order to achieve this, the Commission intends to continue to channel such Community aid as is available into the support of the objectives of modernization and rationalization. It will also continue to fulfil its responsibilities as regards the redeployment of mineworkers and to keep a vigilant watch for any new social problems which might arise. The long-term position of the industry could be improved if the national aid measures were to concentrate on promoting structural change and productivity enhancement.

The implications of importing more coal

1.2.11. Finally, much of the extra coal required in future will have to come from imports, which can be expected to treble or even quadruple over the next 20 years. The leading producers in the industrialized world will remain the main source of Community coal imports. Discussions on the problems which might hamper the development of the international coal trade should therefore become a major item on the agenda at the regular consultations between those countries and the Community. In order to help improve the general perception of market trends and to reduce the risk of unnecessary market tension in times of real or potential scarcity, the Commission feels that European coal suppliers should make appropriate arrangements (for example, establish a trade association) to hold regular exchanges of information about short-term market developments and the longer-term prospects, and about likely problems and possible solutions to them.

Later in the communication, the Commission acknowledged the useful role that the Community's financial instruments can play in support of investments in the infrastructure required for handling the growing trade in coal.

It also feels that, given the Community's growing dependence on external supplies of coal, it is time to join the Member States in examining present stocks policy and the procedures for handling any serious coal shortage.

The Community's natural gas supplies

1.2.12. The communication concerning measures to enhance the security of natural gas supplies to the Community is the response to the Council's request¹ for a follow-up to the paper put forward in September 1981.²

1.2.13. There have been a number of developments in the natural gas sector recently. First, the price increases have reduced the

¹ Bull. EC 10-1981, point 2.1.146.

² Bull. EC 9-1981, point 2.1.122.

demand for gas since greater efforts are now being made to save energy and to switch to other fuels. Second, the negotiations between several Community countries and Algeria and the Soviet Union have culminated in new import contracts providing further evidence of the steady advance of imports from non-Community countries, which are expected to take their share from its present 28% of all the Community's supplies to about 36% in 1985 and beyond 45% by 1990. This increasing dependence on imports calls for further measures to ensure the continuity of the Community's natural gas supplies.

Measures to overcome short-term imbalances between supply and demand

1.2.14. The Commission proposes that, wherever circumstances permit and with due regard to the arrangements for cooperation at Community level, the Member States should take the following measures:

(i) encourage further exploration for natural gas, thereby increasing the known reserves

and the scope for further indigenous production, bearing in mind long-term considerations;

(ii) diversify their sources of imports from non-member countries;

(iii) encourage research and development into the production of substitute natural gas;

(iv) ensure that big consumers make full use of interruptible contracts wherever possible;

(v) construct adequate storage facilities for natural gas;

(vi) ensure that there is enough production capacity in reserve;

(vii) make sure that the above measures are widely applied, by ensuring that the Community's natural gas grid has adequate capacity.

Once further studies have been undertaken, with the cooperation of the Member States, the Commission will send the Council specific proposals concerning the measures needed to enhance the security of the Community's natural gas supplies.

3. The Community and the United States

1.3.1. The constraints placed on economic and monetary policy in Europe by the high level of interest rates in the United States were the determining factor in relations between the Community and the United States in 1981. In addition, there were further sources of tension at the end of the year involving steel and the common agricultural policy.

In the steel sector, which was already a source of serious difficulties in 1980, anti-dumping suits covering a considerable proportion of Community exports to the United States have been filed by a number of American steel firms: the Commission, supported by the Industry Ministers of the Ten,¹ strongly contested the grounds for these

suits. As regards agriculture, the very foundations of the common agricultural policy are being questioned, with the American Administration systematically challenging the export refund machinery.

1.3.2. As Mr Thorn stated before Parliament, this situation 'could escalate into something much more serious than the present trade dispute, which has been exacerbated by the economic crisis and by domestic problems',² and it was in this context that the high-level consultations between the Commission and the American authorities took place at the beginning of February.

¹ Bull. EC 1-1982, point 2.2.24.

² Programme of the Commission for 1982-83.

Mr Haferkamp, Mr Davignon and Mr Dalsager had a series of talks in Washington on 8 and 9 February and also met members of the Senate and the House of Representatives. Their discussions with Mr Brock (Representative for Trade Negotiations), Mr Baldrige (Secretary of Commerce) and Mr Block (Secretary of Agriculture) covered, besides steel and agriculture, the state of bilateral relations, the next GATT ministerial meeting scheduled for November and relations with Japan.

With regard to agriculture, the Community stated that the results of the Tokyo Round allowed export subsidies as long as the country granting them did not as a result gain more than an equitable share of the world market. The Community has consequently rejected accusations by the United States that it has violated the subsidies code.

As regards steel, the Community insisted on the correct application of the procedures initiated following the filing of suits by American steel firms and also stated that it would make sure that the international rules in this field were adhered to scrupulously.

The Community and the United States also emphasized their shared views on the question of trade relations with Japan, notably on their assessment of the liberalization measures which had been announced.

Lastly, the two sides stressed how important it was that any differences should not result in confrontation at a time when the world political and economic situation made close cooperation more necessary than ever.

1.3.3. These consultations were followed on 17 and 18 February by the visit to Washington of Mr Martens, the Belgian Prime Minister, and Mr Tindemans, the President of the Council. Their talks with President Reagan, Vice-President Bush and Mr Haig, the Secretary of State, dealt mainly

with the political aspects of European-American relations. These visits, together with that of Miss Flesch, Luxembourg's Minister of Foreign Affairs, were discussed at the Council meeting held on 22 and 23 February.

1.3.4. Parliament has also been considering with some concern the growing tensions affecting trade relations between the Community and the United States. In two resolutions adopted on 18 February it rejected any attempts on the part of the American authorities to bring 'undue and unacceptable pressure to bear' and invited the Commission to continue its work in this field.¹

1.3.5. On 18 February the US International Trade Commission dismissed 49 of the 85 anti-dumping and countervailing duty suits filed by American steelmakers against European producers which had been accepted by the Department of Commerce.

However, since the cases dismissed were those which involved the lowest volume of trade, a considerable proportion of Community steel exports are still being investigated. The Commission has expressed its confidence that the detailed examination of the remaining suits by the Department of Commerce and by the International Trade Commission will result in their dismissal.

However, in the words of Mr Thorn to Parliament:

'This does not preclude keen competition between Europe and America. The strategy worked out with the United States is quite clear: preservation of an open trading system and strict compliance with the GATT rules. We will not waver in our determination to ensure that the rules of the game are applied without distinction by one and all.'²

¹ Point 2.4.13; OJ C 66, 15.3.1982.

² Programme of the Commission for 1982-83.

4. The Community, Australia and New Zealand

1.4.1. Mr Thorn's official visits to New Zealand from 22 to 25 February and to Australia from 25 February to 1 March were the first to be made by a President of the Commission to two countries which have exceptionally close political, cultural and economic ties with the Community.

The Community and New Zealand

1.4.2. The European market is an extremely important outlet for agricultural products from New Zealand. There are historical and political reasons for this, ties with the United Kingdom having always been very close. Although New Zealand has tried extremely hard to diversify its trade, the Community still remains its biggest customer (accounting for 25% of total exports) and its biggest supplier (21% of imports).

The Community's main imports from New Zealand are wool, butter, sheepmeat, raw hides and leather. Community exports include transport equipment, chemical and pharmaceutical products, textiles and metal products.

1.4.3. Political relations between New Zealand and the Community have always been very close, New Zealand regarding itself as a Western country. Successive New Zealand Prime Ministers visited the Commission in 1975 and 1977, and Commission Members met from time to time with New Zealand Ministers.

1.4.4. The purpose of Mr Thorn's visit to New Zealand in February, during which he had meetings with the Prime Minister, Mr Muldoon, and the Minister of Foreign Affairs, Mr Cooper, was to strengthen these ties, to discuss the need for free world trade, and to gain a better understanding of New Zealand's political role in the Pacific.

The meetings, which were preceded by consultations between Commission staff and the New Zealand authorities, covered all questions of mutual interest, with particular emphasis on agricultural matters. New Zealand stressed the importance it attaches to having

permanent access to Community markets for its dairy products and sheepmeat. Regarding the possibility of a long-term arrangement for export of these products, Mr Thorn underlined the difficulties which this would entail at the moment.

Mr Thorn stated at a press conference that while cooperation between New Zealand and the Community was satisfactory on the whole, it could be built up in several sectors, particularly as regards certain forms of development assistance in the South Pacific, where the Community fully appreciates that New Zealand has a special part to play.

The Community and Australia

1.4.5. After being major customers and suppliers of Australia in the years following the Second World War, the Community countries saw their exports to Australia decrease rapidly, and Australia, as a result of the United Kingdom's accession, saw its share of the Community market contract, particularly for agricultural products, even though its exports of raw materials increased.

The major points of friction between Australia and the Community arise from the structure of their trade: one is that Australia, which has a trade deficit with Europe, is applying protectionist measures in the automobile and footwear industries, where Community products are already in direct competition with Japanese or US imports; and another is that the country, which has not made any major effort to find new markets in the developing world, sometimes strongly criticizes the principles of the common agricultural policy.

1.4.6. Bilateral consultations with Australia have been established on a regular basis: after several visits by Members of the Commission to Australia, and several meetings in Brussels (in 1974 and 1977) with Australian Prime Ministers, it was decided that these consultations would take place annually at ministerial level. The most recent was in

Brussels on 30 November and 1 December 1981.¹

Considerable progress was made in 1981 in strengthening relations: a Commission Delegation was set up in Canberra in April,² an agreement on the transfer of nuclear materials was signed in September³ and reciprocal concessions were made regarding beef and veal and a number of industrial products.

1.4.7. Mr Thorn's visit to Australia in February included a series of intensive talks with the Prime Minister, Mr Fraser, the Deputy Prime Minister, Mr Anthony, the Minister for Foreign Affairs, Mr Street, and other Federal Ministers in Canberra; Mr Thorn also went to Western Australia, where he met the Premier, Mr O'Connor, and visited the Mount Newman operation, the largest open-cut iron ore mine in the world, and the bulk-grain-handling installations at the port of Kwinana.

Mr Thorn's discussions with Australian Ministers included a review of current international issues as well as matters of bilateral concern. There was broad agreement on the need for members of the Western group of countries to maintain their cohesion and unity of view in the face of current difficulties. Mr Thorn drew attention to the scale of the economic problems now faced by the Community and to the steps being taken to deal with them, including at Community level. The follow-up to the May mandate and the proposals which the Commission had put forward relating to the common agricultural policy were to be seen against this background.

The Ministers expressed their concern about certain aspects of the common agricultural policy, particularly the question of exports covered by refunds. Mr Thorn pointed to the Community's observance of the relevant international obligations and explained the steps which the Community was taking to reduce problems in this area.

Mr Thorn also drew attention to the difficulties which EEC firms faced owing to Australian protectionist measures affecting Community exports of cars, footwear, textiles and clothing. Bilateral and GATT Article XIX consultations were still being held in the hope of reaching a mutually satisfactory solution to the problem. More generally, it was clear that there were great opportunities for expanding complementary trade and industrial ties given the increasing development of and investment in Australia's raw materials.

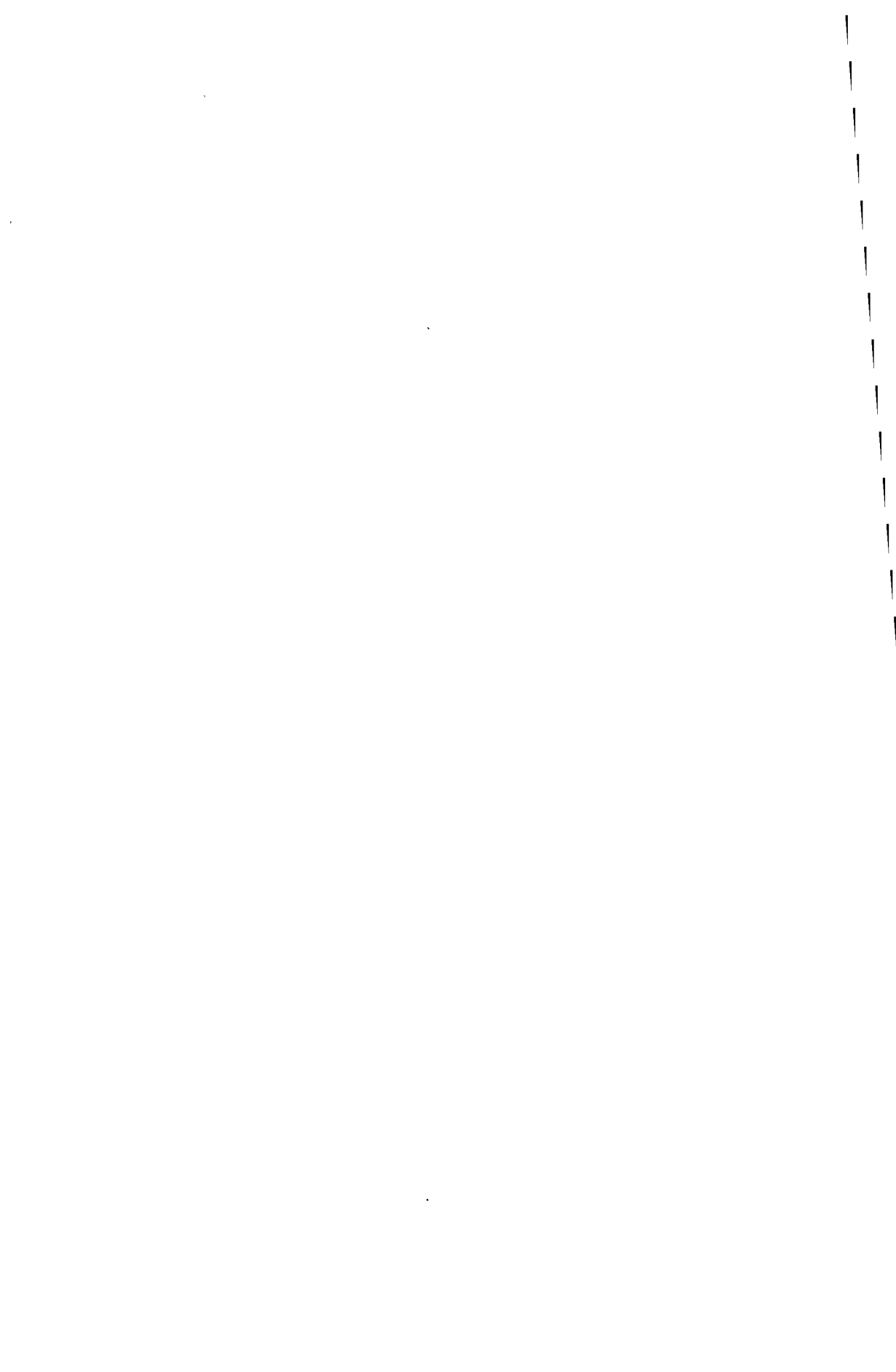
Mr Thorn made a speech before the National Press Club on 26 February in which he noted the major problems now confronting the Western powers and affecting relations between the Community, the United States and Japan, as well as reviewing relations between the EEC and Australia.

While in Australia Mr Thorn formally opened the Commission Delegation in Canberra.

¹ Bull. EC 12-1981, point 2.2.44.

² Bull. EC 4-1981, point 2.2.51.

³ Bull. EC 9-1981, point 2.1.127.





PART TWO
ACTIVITIES
IN FEBRUARY 1982

1. Building the Community

Economic and monetary policy

European Monetary System

Operation of the EMS

Realignment of central rates

2.1.1. On 21 February the Ministers and Central Bank Governors of the Member States agreed, following a common procedure in which the Commission took part and after consulting the Monetary Committee, to adjust central rates within the EMS:

- (i) the Belgian and Luxembourg francs were devalued by 8.5% and the Danish krone by 3% against the other currencies participating in the system;
- (ii) the bilateral central rates between the other participating currencies remained unchanged;
- (iii) the new ECU central rates resulting from this adjustment are as follows (units of national currency per ECU): BFR/LFR 44.6963, DM 2.41815, HFL 2.67296, DKR 8.18382, FF 6.19564, LIT 1 305.13, IRL 0.686799.

The communiqué issued after the meeting commented as follows:

'Notwithstanding any provision to the contrary, the Member States participating in the EMS for which monetary compensatory amounts will be created or amended as a result of these realignments will not ask for, and the Commission will not propose, any changes in the compensatory amounts so created before the conclusion of the present agricultural price-fixing procedure, recalling that such negotiations should normally be completed by 1 April.

The agreement reached on the Belgian franc was recognized as part of the measures being taken by the Belgian Government to deal with the structural problems of the Belgian economy. Other Member States wished to express their solidarity with Belgium in this effort, the success of which would contribute to the stability of the EMS as well as to the strengthening in the Community of the Belgian economy. Despite considerable differences in the underlying economic conditions, the Luxembourg Government accepted the need to follow the devaluation of the Belgian franc, in view of its longstanding monetary association with Belgium.

Ministers confirmed their intention to return at the next meeting of the Council (economic and financial affairs) on 15 March to those measures for the strengthening of the EMS which they identified at their February meeting. ... These were greater convergence through coordination of economic policies, improvements in the mechanisms of the System and wider use of the ECU. The Council will also consider the role of the Community loan facility, and of the New Community Loan Instrument, in the adjustment process.'

The Commission said that this agreement showed how much importance the Member States attached to the smooth operation of the EMS.

Further development of the EMS

2.1.2. On 15 February the Council held a wide-ranging discussion on the further development of the EMS.

Mr Ortoli, Vice-President of the Commission, reviewed three years of EMS operation and stressed two essential points:

- (i) the aim of monetary stability had been achieved both in relation to non-Community currencies and in comparison with the preceding period; and judicious use had been made of the element of flexibility in the system;
- (ii) the EMS had shown the importance of the framework of collective discipline to which it had contributed; this discipline could be seen in the work of the Monetary Committee and the Committee of Governors of the Central Banks, and on several occasions in the operation of the divergence indicators.

Mr Ortoli went on to recommend that the system should be developed and consolidated along the following lines:

- (i) development of the mechanisms of the system: limits to the acceptability of the ECU, and conditions for issuing, arrangements for interventions within the margins;
- (ii) opening of the system to the outside world: conditions in which non-Community institutions may hold ECUs, efforts to stabilize relations between the ECU and non-Community currencies;

(iii) private use of the ECU: encouraging the Community institutions to issue loans denominated in ECUs, removing national barriers to private issues denominated in ECUs;

(iv) greater convergence of economies: coordination of economic policies, active use of the Commission's powers to make economic policy recommendations, and follow-up to recommendations.

The Council also heard statements from the Chairman of the Monetary Committee and the President of the Committee of Governors of the Central Banks, who gave progress reports on the work being done in their committees on possible technical improvements; they pointed out in particular that further progress on convergence was a priority.

Following a wide-ranging discussion, the Council noted that work to date had pinpointed a number of ways of developing the system further that were technically feasible within the existing institutional framework.

The Council took the view that no technical adjustment could hope to succeed unless it was accompanied by an increased effort to orient economic policies in the direction of monetary stability. Further development of the EMS must strengthen the internal discipline of the system, develop the elements working for solidarity, help the Community to play a stabilizing role in the operation of the international monetary system and influence economic behaviour in accordance with the requirements of monetary stability.

The Council considered that measures to develop the system should cover all the four areas indicated by the Commission, which are currently being examined by the Monetary Committee and the Committee of Governors of the Central Banks: the mechanisms of the system, opening of the system to the outside world, private use of the ECU and greater convergence of economies.

The Council took note of the Commission's intention of making concrete proposals and invited the Monetary Committee and the Committee of Governors of the Central Banks to continue their proceedings on the basis of these proposals. The Council will

discuss this question at its next meeting as part of the preparation for the European Council meeting at the end of March.

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2.1.3. At its 15 to 19 February part-session Parliament adopted a resolution calling for the creation of a European currency authority.¹

Medium-term policy

2.1.4. At the February part-session Parliament adopted its opinion² on the draft fifth medium-term economic policy programme for 1981-85, which the Commission sent to the Council on 22 July 1981.³

Parliament stressed that in the present situation only a medium-term strategy hinging on an active policy of research, innovation, competitiveness, investment and exportation could ensure the recovery of economic activity in the Community without fuelling inflation; it approved the Commission's decision not to limit the fifth programme to an analysis and a projection for the next five years but to consider it a political act involving the Community as a whole.

Monetary Committee

2.1.5. The Monetary Committee held its 278th meeting in Brussels on 11 February with Mr Schulmann in the chair. After an exchange of views on the international monetary situation, it examined the possibilities for further developing the European Monetary System without making institutional changes.

¹ Point 2.4.9; OJ C 66, 15.3.1982.

² Point 2.4.8; OJ C 66, 15.3.1982.

³ Bull. EC 7/8-1981, points 1.2.1 to 1.2.10.

Internal market and industrial affairs

Free movement of goods

Removal of technical barriers to trade

Industrial products

2.1.6. On 15 February the Council adopted the Directive concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp,¹ which had been proposed by the Commission on 1 February 1980.²

2.1.7. On 25 February the Economic and Social Committee delivered a favourable opinion³ on the proposal⁴ to amend for the seventh time the Directive of 27 July 1976 relating to restrictions on the marketing and use of certain dangerous substances and preparations.⁵

Foodstuffs

2.1.8. On 2 March the Commission sent a proposal to the Council to amend for the second time its Directive of 19 June 1978 relating to certain partly or wholly dehydrated preserved milk for human consumption.⁶

2.1.9. Parliament approved on 19 February⁷ the proposal for a Directive relating to flavourings for use in foodstuffs and to source materials for their production.⁸

Small business—Business cooperation—Distributive trades

Small business

2.1.10. On 19 February Parliament adopted a resolution on the situation of small businesses in the Community.⁹

Free movement of persons and freedom to provide services

Mutual recognition of diplomas and access to occupations

Veterinary surgeons

2.1.11. The Advisory Committee on the Training of Veterinary Surgeons met on 16 February and drew up a questionnaire on the basic training of veterinary surgeons. The questionnaire contained one section on general national information and another on the teaching of veterinary medicine (number and selection of students, conditions of admission to training, training methods, etc.). The members of the Committee who are experts with the competent authorities in the Member States were asked to complete the questionnaire in conjunction with their other nationals on the Committee.

Industry

Steel

2.1.12. A number of Greek companies brought actions to have the Commission decisions laying down their production quotas for certain steel products for the first quarter of 1981, and subsequent amending decisions, declared void. The companies submitted that the Commission Decision of 30 October 1980 establishing the system of quotas¹⁰ did not apply to Greece and, in the alternative, was vitiated on account of insufficiency of reasons or infringement of Articles 14, 58 and 74 of the ECSC Treaty.

¹ OJ L 59, 2.3.1982.

² Bull. EC 1-1980, points 2.1.9 and 2.1.27; OJ C 104, 28.4.1980.

³ Point 2.4.29.

⁴ OJ C 288, 10.11.1981; Bull. EC 10-1981, points 2.1.12 and 2.1.76.

⁵ OJ L 262, 27.9.1976.

⁶ OJ L 206, 29.7.1978.

⁷ OJ C 66, 15.3.1982.

⁸ OJ C 144, 13.6.1982; Bull. EC 5-1980, point 2.1.7.

⁹ Point 2.4.15; OJ C 66, 15.3.1982.

¹⁰ OJ L 290 and L 291, 31.10.1980.

Some of the companies later withdrew their actions, only Halyvourgiki and Helleniki Halyvourgia maintaining theirs.

By a judgment given on 16 February the Court of Justice dismissed the actions¹ and awarded costs against the applicants, including the costs of the proceedings for interim relief that had been instituted (and then abandoned).

2.1.13. Two Italian companies (Metallurgica Rumi and Ferriera Padana) brought actions² against individual decisions of the Commission, which, under the system established by the Decision of 30 October 1980,³ had laid down their production quotas for certain steel products for the fourth quarter of 1980. The applicants adduced no grounds which were specific to the individual decisions: they sought declarations that the general decision was irregular.

Rumi also applied for the adoption of interim measures, but its application was dismissed by order of the President of the Court on 16 December 1980. By a judgment given on 16 February the Court dismissed the two main actions and awarded costs against the applicants, including, in the case of Rumi, the costs of proceedings for interim relief.

2.1.14. On 26 February, acting under Article 55 of the ECSC Treaty, the Commission sent to the Council for assent a memorandum on the implementation of a steel research programme.⁴

2.1.15. The ECSC Consultative Committee met in Luxembourg on 5 February and adopted a resolution⁵ in support of the Commission's action regarding the anti-dumping suits filed by American companies.⁶

Customs union

1982 programme for the attainment of the customs union

2.1.16. On 22 February the Commission transmitted to the Council its 1982 programme for the attainment of the customs union. It contains an analysis of the results obtained since the multiannual programme was set up in 1979⁷ and the priorities for

1982 — as regards both Council decisions and Commission proposals.

The Commission's aim is to fill the gaps in Community customs legislation, particularly as it affects relations with non-member countries, so as to end up with a structured Community customs code. This will facilitate the simplification of formalities within the Community and even the removal of certain checks at internal frontiers. The Commission has also proposed simplifying the Council's decision-making procedures through greater use of the delegation of implementing powers to the Commission.

Common Customs Tariff

Nomenclature

2.1.17. The Commission adopted regulations for the purpose of ensuring uniform application of the Common Customs Tariff nomenclature, concerning:

(i) conditions for the entry of natural sodium nitrate and natural potassic sodium nitrate falling within CCT subheadings 31.02 A and 31.05 A II a) respectively;⁸

(ii) the tariff classification of two premixes used in the preparation of supplementary animal feedingstuffs, one in CCT subheading 23.07 B I a),⁹ the other in subheading 23.07 C.⁹

Economic tariff matters

Tariff suspensions

2.1.18. On 15 February the Council adopted a Regulation temporarily suspending the autonomous Common Customs

¹ Joined Cases 39 and 85/81 and Joined Cases 43 and 88/81: OJ C 53, 12.3.1981; OJ C 114, 16.5.1981.

² Case 258/80: OJ C 332, 18.12.1980; Case 276/80: OJ C 26, 6.2.1981.

³ OJ L 290 and L 291, 31.10.1980.

⁴ Point 2.1.115.

⁵ Point 2.4.34.

⁶ Bull. EC 1-1982, point 2.2.24.

⁷ OJ C 84, 31.3.1979; Bull. EC 3-1979, points 1.4.1 to 1.4.5.

⁸ OJ L 16, 22.1.1982.

⁹ OJ L 21, 29.1.1982.

Tariff duties on certain coalfish falling within subheading ex 03.02 A I f) and certain fillets of coalfish falling within subheading ex 03.02 A II d).¹

General legislation

Duty-free arrangements

2.1.19. On 2 February the Commission informed the Member States of its views on the implications of the Court of Justice's *Butter ships* judgment.²

The Commission feels that the judgment rules out any exemption from customs duties, agricultural levies and direct taxes in connection with 'butter trips'.

As regards tax-free shops, which although not directly concerned by Case 158/80 are nevertheless affected by the Court's ruling, travellers are not entitled to exemption from customs duties or levies, in order to take account of Community preference. The Commission is continuing its examination of the fiscal aspect of tax-free shops (exemption from VAT, etc.).

Competition

Restrictive practices, mergers and dominant positions: specific cases

Distribution

2.1.20. The Commission has taken action on the opening of negotiations between the world's biggest sulphur exporter, the Canadian company Cansulex, and another sulphur producer, the Société Nationale Elf Aquitaine (Production) (SNEAP) to prevent the transfer of the sole distribution rights for Cansulex products in Western Europe and North Africa to SNEAP. The two companies abandoned the project after the Commission had expressed serious doubts about its compatibility with the competition rules of the EEC Treaty.

Cansulex has hitherto been one of the smaller suppliers of crude sulphur in the Community. Its sulphur was marketed by an independent sole distributor which was in competition with SNEAP. However, Cansulex's considerable potential and the political and economic situation (uncertainty about supplies of Polish sulphur, increasing demand, etc.) suggested that Cansulex would play an increasingly important role on the European market.

The proposed cooperation would have enabled SNEAP to control the sale of Canadian sulphur in Europe and thus not only restrict existing competition but also prevent the keener competition expected in the future.

The Commission had also to bear in mind that, by acquiring Texas Gulf, which has a stake in sources of sulphur supply in Arab countries (supplies which will be of relevance for Europe from 1983), SNEAP will further strengthen its market position. Only by ensuring that sulphur produced by Cansulex is sold in the Community through independent channels could the danger of a further deterioration of the market structure be averted.

This case again demonstrates the Commission's opposition to any form of cooperation between large competing manufacturers in the distribution of their products.

2.1.21. Following talks with the Commission in connection with the institution of a proceeding, Feldmühle AG of Düsseldorf and Stora Kopparbergs Bergslags AB of Falun, Sweden, have amended their newsprint agreements in order to remove various restrictions on competition.

Feldmühle and Stora had invested in a joint venture, Hylte Bruks AB of Hyltebruk, Sweden, for the purpose of producing newsprint. The firms had entered into long-term commitments, Stora and Hylte promising to supply Feldmühle and Feldmühle promising to buy from Stora and Hylte, and coordinated

¹ OJ L 46, 18.2.1982.

² Case 158/80 *Rewe v HZA Kiel*: not yet reported; Fifteenth General Report, point 828.

their common market sales policy for Hylte paper (certain Member States reserved for Feldmühle and others for Stora). In the Federal Republic of Germany, where they have supplied newsprint for many years, the two firms operated through a joint marketing organization. Purchase prices were based on the average of the list prices which a number of Finnish, Norwegian and Swedish manufacturers charged their customers.

The amended agreements provide that decisions on further investment in the joint venture no longer have to be endorsed by all the parties. The long-term supply and purchasing commitments may in future be renewed for a period of not more than three years. The practice of partitioning the common market into marketing areas reserved for Feldmühle and Stora has been stopped, and prices are now based on market prices.

The marketing organization in Germany, which was originally jointly owned, now belongs to Feldmühle alone and acts solely on that firm's behalf; Stora will in future be selling its own newsprint in Germany.

The Commission intends to monitor closely further developments on the EEC newsprint market in order to ensure that the EEC's competition rules are properly complied with.

Extension of an authorization for joint selling

2.1.22. On 8 February the Commission decided¹ to extend until 31 December 1986 the authorization for joint selling by Saarlör of fuel from Houillères du Bassin de Lorraine and Saarbergwerke AG. This authorization, which dates from 1959, has been extended several times, the last occasion being in November 1979.²

State aids

Industry aids

2.1.23. The number of instances of public aid being granted to the Community steel industry increased considerably in 1981. Few of the schemes submitted to the Commission

for approval conformed to the aids code from the outset. In most cases, consequently, the Commission had to initiate procedures aimed at adapting the aid schemes to the requirements of the code. In doing so it was confronted with reluctance on the part of all the Member States concerned to reduce production capacity sufficiently, a prerequisite of a return to viability and profitability for the industry. These were the principal findings of the report on the application of the rules for aids to the steel industry,³ transmitted by the Commission to the Council and to Parliament and the ECSC Consultative Committee.

Steel (France)

2.1.24. On 24 February the Commission decided to extend the proceeding initiated on 30 November 1981, concerning an equity-type loan made to the Compagnie Française des Aciers Spéciaux,⁴ to include a second similar loan totalling FF 150 million.

Without precise details of the firm's investment programme and of its prospects regarding competitiveness and financial viability, the Commission was unable to find that the aids notified were compatible with the provisions of Decision No 2320/81/ECSC.

The Commission considered also that the net reduction in production capacity planned by CFAS did not justify aids of the intensity proposed by the French Government.

Textiles (Belgium)

2.1.25. On 18 January the Belgian Government notified the Commission of its intention to grant aid to a firm in the textile and clothing industry whose main activity is combed wool spinning.

On 23 February the Commission decided to initiate the procedure provided for in the

¹ OJ L 63, 6.3.1982.

² OJ L 295, 22.11.1979; Bull. EC 11-1979, point 2.1.33.

³ Required by Decision No 2320/81/ECSC: OJ L 228, 13.8.1981.

⁴ Bull. EC 12-1981, point 2.1.43.

first subparagraph of Article 93(2) of the EEC Treaty in respect of the proposed aid scheme on the ground that it was incompatible with the common market for the following reasons: the firm in question does not satisfy the viability tests contained in the aid scheme for the textile and clothing industry, approved by the Commission, which has been in operation since 1 January 1982; the proposed restructuring plan provides for no reduction in the firm's production capacity at a time when the combed wool spinning business has to face Community-wide problems of overcapacity; and no details are given of the form of the aid.

Nevertheless, in view of the fact that the firm in question and its subsidiaries have a total of 802 employees, the Commission could decide not to object to an advance payment to the firm provided two conditions were met. First, the advance payment would be made for a period of not more than four weeks and would cover only the cost of the firm's continuing in business. In that event a new restructuring plan would have to be notified to the Commission within the four-week period. Second, the advance payment would take the form of a loan at the market rate of interest. It would be repaid in full if the new restructuring plan was not approved by the Commission. Should the Commission grant its approval, the advance would be deducted from the total amount of aid for which the firm qualified.

Financial institutions and taxation

Financial institutions

Insurance

2.1.26. On 22 February the Commission sent the Council an amended proposal for a Council Directive on the coordination of laws, regulations and administrative provisions relating to legal expenses insurance. The amended proposal incorporates technical changes to the original proposal of July 1979¹ to accord with the views expressed by

Parliament² and the Economic and Social Committee.³

Banks

Annual accounts

2.1.27. At its 24 and 25 February session the Economic and Social Committee gave an opinion⁴ on the proposal for a Directive concerning the annual accounts of banks and other financial institutions.⁵

Stock exchanges and other institutions in the securities field

2.1.28. On 15 February the Council formally adopted a Directive⁶ on information to be published on a regular basis by companies the shares of which have been admitted to official stock exchange listing,⁷ to which it had agreed on 14 December 1981.⁸

This Directive is a logical complement to two earlier Directives: the Directive of 5 March 1979 coordinating the conditions for the admission of securities to official stock exchange listing,⁹ and the Directive of 17 March 1980 coordinating the requirements for the drawing up, scrutiny and distribution of the listing particulars to be published for the admission of securities to official stock exchange listing.¹⁰

The purpose of these three Directives is to establish at Community level a genuine policy for information on listed securities. They will ensure more nearly equivalent protection for investors throughout the Commu-

¹ OJ C 198, 7.8.1979; Bull. EC 7/8-1979, point 2.1.38.

² OJ C 260, 12.10.1981; Bull. EC 9-1981, point 2.1.34.

³ OJ C 348, 31.12.1980; Bull. EC 11-1980, points 2.3.31 and 2.1.25.

⁴ Point 2.4.28.

⁵ OJ C 130, 1.6.1981.

⁶ OJ L 48, 20.2.1982.

⁷ OJ C 29, 1.2.1979; Bull. EC 1-1979, point 2.1.40; OJ C 210, 16.8.1980; Bull. EC 6-1980, point 2.1.36.

⁸ Bull. EC 12-1981, point 2.1.51.

⁹ OJ L 66, 16.3.1979; Bull. EC 3-1979, point 1.6.1.

¹⁰ OJ L 100, 17.4.1980; Bull. EC 3-1980, point 2.1.34.

ity, by providing them with regular and highly reliable information when securities are first admitted to official stock exchange listing (the 'listing particulars' Directive), when exceptional events likely to affect an investor's assessment of the listed securities occur (the 'conditions for admission' Directive), and during each accounting year (the 'regular information' Directive).

The Directive of 15 February 1982 also complements the 'listing particulars' and 'conditions of admission' Directives in that it should make securities more attractive for investors by ensuring adequate information. Like the other two Directives, it would also make it easier to list securities on several Community stock exchanges, and thus contribute to interpenetration between the Community securities markets. So it is a step towards creating a genuine European capital market.

The Directive provides that companies whose shares are listed must publish half-yearly reports on their activities and profits and losses during the first six months of each financial year.

The scope of the Directive is confined to companies whose shares are admitted to official listing on the stock exchange. It does not therefore apply to companies whose bonds only are listed: it was thought that bondholders could obtain all the information they needed from the company's annual accounts, which must be published pursuant to the Directive coordinating the conditions for admission to listing. The Directive of 15 February is to be implemented by 30 June 1983 at the latest.

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2.1.29. In February Parliament approved¹ and the Economic and Social Committee delivered an opinion² on the proposal for a Directive³ to put back until 30 June 1983 at the latest the date by which Member States are required to give effect to the Directives of 5 March 1979⁴ and 17 March 1980⁵ on conditions for admission and listing particulars respectively.

Taxation

Indirect taxes

Excise duties

2.1.30. On 23 February the Commission presented to Parliament the report it had requested on the implications of further harmonization of excises on manufactured tobacco. This report is the first of the sort on one of its own proposals; the Commission had undertaken to prepare it for Parliament, following Parliament's unfavourable opinion in June 1981⁶ on the proposal for a Directive for the third stage of harmonization of the excises on manufactured tobacco.⁷ The Economic and Social Committee had proposed a different approach to harmonization in this field in February 1981.⁸ The Commission's report demonstrates that the proposals for the third stage follow the principles for harmonization adopted for the previous stages and that the computing method used in the present mixed excise duty system is still the best way of arriving at a fair compromise among the national taxation systems.

It is understood that Parliament, in the light of this report, will deliver its opinion on the proposal for a Directive on the third stage of harmonization of the excises on cigarettes.

Employment, education and social policy

Employment

Employment and labour market

2.1.31. A meeting of the Assistants to the Directors-General for Employment and the

¹ OJ C 66, 15.3.1982.

² Point 2.4.32.

³ Bull. EC 1-1982, point 2.1.23.

⁴ OJ L 66, 16.3.1979; Bull. EC 3-1979, point 1.6.1.

⁵ OJ L 100, 17.4.1980; Bull. EC 3-1980, point 2.1.34.

⁶ OJ C 172, 13.7.1981.

⁷ OJ C 264, 11.10.1980; Bull. EC 6-1980, point 2.1.39.

⁸ OJ C 138, 9.6.1981; Bull. EC 2-1981, point 2.3.26.

Assistants to the Directors of Employment Services took place in Brussels on 10 February.

One of the items on the agenda was the setting up of a mutual information system on employment policies in Europe (MISEP) to collect, process and distribute information through a network of national correspondents. Consensus was reached on the usefulness of such a system; its scope and the procedures for setting it up would be determined at a meeting to be held in Maastricht in March.

The group also planned to hold a meeting of those responsible in the Member States for joint studies on employment with a view to maximizing the benefits derived from the studies.

The respective roles of this group (technical background) and of the Directors-General group (policy decisions) were made clear.

Financial instruments

European Social Fund

2.1.32. The Social Fund Committee, meeting in plenary session in Brussels on 12 February, examined 260 applications from the Member States for assistance by the Fund. It also gave its opinion on 26 study projects and pilot schemes and discussed the guidelines for the management of the Fund during the years 1983 to 1986.

Steel industry: social aspects

2.1.33. On 23 February the Council decided to transfer 62 million ECU from the general budget to the ECSC budget.¹ This transfer represents the second instalment in the 1981 financial year for social measures in connection with the restructuring of the steel industry, following the 50 million ECU approved by the Council on 7 December last.²

Social security — Living and working conditions

Social security and protection

The elderly

2.1.34. Referring to the fact that the United Nations is organizing a World Assembly on Ageing, to be held in Vienna this year, Parliament considered the situation and problems of the aged in the Community and adopted a resolution on 18 February calling on the Commission and the Council to focus their attention on the matter.³ The resolution emphasizes both the material difficulties faced by the elderly and their need to play an active role in society, having regard to a number of factors which have already been stressed in the resolutions on the position of women⁴ and on employment and the adaptation of working time.⁵

Paul Finet Foundation

2.1.35. At its 52nd meeting the Executive Committee of the Paul Finet Foundation examined 461 cases and awarded 385 grants for a total of BFR 4.9 million to the children of workers who were employed in an ECSC industry and died as a result of an accident at work or occupational disease since 30 June 1965.

Social security for migrant workers

2.1.36. On 17 February the Commission transmitted to the Council a proposal for a Regulation establishing special measures for the reimbursement of sickness insurance benefits in kind which were granted up to 31 December 1980 under Regulations No 1408/71 and No 574/72,⁶ in order to settle

¹ OJ L 74, 18.3.1981.

² Fifteenth General Report, point 272; Bull. EC 6-1981, point 1.4.3.

³ Point 2.4.15; OJ C 66, 15.3.1982.

⁴ OJ C 50, 9.3.1981; Bull. EC 2-1981, point 2.3.7.

⁵ OJ C 260, 12.10.1981; Bull. EC 9-1981, point 2.3.4 *et seq*; Bull. EC 12-1981, points 1.1.1 to 1.1.7.

⁶ OJ L 149, 5.7.1971; OJ L 74, 27.3.1972.

the debts and claims between the Italian institutions and those of the other Member States.

Living and working conditions

Housing

2.1.37. Under the ninth housing loan scheme (first instalment) for workers in ECSC industries, the Commission approved projects for a total of 1 603 797 ECU to finance the building of 432 housing units in Belgium, Denmark, the Federal Republic of Germany, France and Luxembourg.

Health and safety

Health and safety at work

2.1.38. The Commission sent to the Council, Parliament, the Economic and Social Committee and the ECSC Consultative Committee the fifth progress report of the Advisory Committee on Safety, Hygiene and Health Protection at Work, which covers the year 1980.

Health and safety (ECSC)

2.1.39. On 16 February the Commission decided to grant aid to ten research projects under the ECSC programme on technical measures to combat nuisances at the work place and on the vicinity of steel plants. Nine of these projects concern measures to combat atmospheric pollution in coking plants, especially as a result of hydrocarbon discharges; the other deals with noise reduction in electric arc furnaces.

2.1.40. On 15 February the Council adopted a Directive on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp.¹

Health and safety (Euratom)

2.1.41. On 8 and 9 February experts on ionizing radiation dosimetry met in Luxembourg to examine the progress of the inter-

comparison programme, work undertaken at international level and work planned for the future. It was proposed that this work be extended to cover non-radiation hazards, and this will therefore benefit from the experience gained in radiation protection.

Regional policy

Coordination and programmes

Regional Policy Committee

2.1.42. The Regional Policy Committee met on 11 February and adopted opinions on the regional development programmes for Italy, Denmark and Greece. It requested additional information on the United Kingdom programme and took note of new regional policy measures in Denmark. Finally, the Committee discussed a study entitled 'Centrality, peripherality and EEC regional development'.

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2.1.43. At its part-session of 15 to 19 February Parliament adopted three resolutions on the Community's regional policy.²

The first resolution is on the contribution of rural development to the restoration of regional balances in the Community. Parliament stresses the need for a systematic Community aid policy, concentrating on integrated regional projects, which should use the various Community Funds available for financing projects in agricultural and associated areas (processing industry, craft industry, tourism, vocational training, etc.).

In the second resolution, Parliament advocates a 'Mediterranean plan' and calls on the Commission to draw up, in collaboration with the Member States and the applicant countries, integrated development programmes for the severely disadvantaged

¹ OJ L 59, 2.3.1982; Bull. EC 1-1980, point 2.1.27.

² OJ C 66, 15.3.1982.

Mediterranean regions. The programmes should cover the creation of permanent jobs, the reform of agriculture (including afforestation schemes), the improvement of vocational training and the improvement of administrative efficiency.

In its resolution on the first periodic report on the social and economic situation of the regions of the Community,¹ Parliament said the report should be regarded as a first attempt at the analysis and dissemination of information about the regions. It criticized the regional breakdown as being too broad and called for the regular publication of more refined regional statistics.

Environment and consumers

Environment

Prevention and reduction of pollution and nuisances

Freshwater and marine pollution

Barcelona Convention

2.1.44. On 18 February the Commission recommended that the Council should authorize it to take part in the negotiations for a Protocol to the 1976 Barcelona Convention² concerning specially protected areas of the Mediterranean Sea. The Protocol — the fourth under the Barcelona Convention — will add a further component to a system which is intended to protect the entire Mediterranean environment. It provides for the establishment of specially protected areas of the Mediterranean Sea and of its coastline with a view to conserving the region's common natural heritage and the diversity of the endemic species, and to protecting certain natural habitats. The definitive version is to be adopted and signed early in April, at a special meeting of the Contracting Parties to the Barcelona Convention, of which the Community is one.

Action plan for the Caribbean

2.1.45. A further step was taken in UNEP's regional seas programme when an environmental action plan for the Caribbean was launched at an intergovernmental meeting held in Montego Bay, Jamaica, in April 1981. There are three parts to the plan — the first covering financial arrangements and institutions, the second assessing the state of the environment in the Caribbean and the management of its resources from the point of view of protecting the environment against pollution from various sources (against oil pollution in particular), and the third consisting of a Convention for the protection and development of the marine and coastal environment of the wider Caribbean area. Since the Community is already party to a number of other instruments concerning the protection of the marine environment, it is in a good position to play an active part in the plan and to help implement it. On 25 February the Commission therefore decided to ask the Council for authorization to open negotiations for the Community's participation in the plan and accession to the Convention.

Noise

2.1.46. At its 24 and 25 February session the Economic and Social Committee endorsed the proposal for a Directive on the limitation of noise emissions from helicopters, which the Commission sent to the Council on 13 October 1981.³

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

Land

2.1.47. On 18 February Parliament gave its opinion on the proposal for a Directive concerning the assessment of the environmental effects of certain public and private projects,

¹ Bull. EC 12-1980, point 2.1.61.

² Tenth General Report, point 291.

³ OJ C 275, 27.10.1981; Bull. EC 10-1981, point 2.1.72.

largely endorsing it. The Commission had put the proposal before the Council on 16 June 1980.¹

Consumers

Physical protection

Cosmetic products

2.1.48. On 11 February the Commission adopted a Directive² adapting to technical progress the Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products.³ The Directive will ban the use of acetylethyltetramethyltetraline (AETT), which is regarded as a potential health hazard.

Agriculture

Council meeting

2.1.49. On 15 and 16 February the Council held an initial exchange of views on the proposals for agricultural prices and related measures for 1982/83,⁴ prior to the start of real negotiations in March. There were fairly wide differences of opinion on prices and on the principle of production thresholds.

The Council continued its discussion of the adjustment of the *acquis communautaire* for Mediterranean products,⁵ in particular wine, fruit, vegetables and citrus fruit, and olive oil.

The following were also discussed: continuation of the programmes for the eradication of brucellosis, tuberculosis and leucosis in cattle;⁶ the price of natural gas for horticulture in the Netherlands; the level of the interest-rate subsidy for the modernization of farms;⁷ and national aids contemplated by France.

Imports of Italian wine into France

2.1.50. The Commission initiated infringement procedures against France last autumn because of the obstacles it was placing in the

way of imports of Italian wine.⁸ Later, a political agreement was sought between France and Italy and the situation eased following a compromise reached at Pisa in October. However, the Commission did not terminate the procedures as it was unable to conclude that the infringement was at an end.

The situation worsened at the end of January, and on 3 February the Commission decided to bring an action against France before the Court of Justice. The Commission also asked the Court to approve provisional measures to ensure the free movement of wine products for the duration of the proceedings (immediate suspension of systematic controls, customs clearance for all consignments presented at the frontier).

Economic aspects of the common agricultural policy

Agri-monetary measures

2.1.51. On 21 February the Finance Ministers and the Governors of the Central Banks of the Member States agreed on an 8.5% devaluation of the central rate for the Belgian and Luxembourg francs and a 3% devaluation of the central rate for the Danish krone.⁹ An alignment of the theoretical central rate for sterling (8.27% revaluation) was also agreed. The value of the ECU in relation to the other currencies it comprises was thus increased by 0.3%. The ministers also decided not to alter the representative rates before the end of the agricultural price review, which should be before 1 April.

¹ OJ C 169, 9.7.1980; Bull. EC 6-1980, point 2.1.85.

² OJ L 63, 6.3.1982.

³ OJ L 262, 27.9.1976.

⁴ Bull. EC 1-1982, points 1.1.1 to 1.1.11.

⁵ Bull. EC 10-1981, points 1.3.1 to 1.3.9.

⁶ OJ C 289, 11.11.1981; Bull. EC 10-1981, point 2.1.118.

⁷ Bull. EC 12-1981, point 2.1.115.

⁸ Bull. EC 9-1981, point 2.1.64.

⁹ Point 2.1.1.

2.1.52. As a result the Commission had to take a number of measures:

- (i) introduction of monetary compensatory amounts for the BLEU¹ (From 24 February) and Denmark² (from 1 March);
- (ii) updating of MCAs for the Federal Republic of Germany, the Netherlands, the United Kingdom and Italy;²
- (iii) introduction of transitional measures suspending advance fixing of the MCAs applicable in the BLEU and Denmark.³

2.1.53. At the meeting on 21 February an agreement was also reached to avoid the introduction of MCAs for France and Greece: the Council therefore temporarily suspended certain rules for calculating MCAs ('non-cumulation' rule).⁴

Agricultural holdings and incomes

2.1.54. On 15 February the Council adopted a Regulation on the organization of a survey on the structure of agricultural holdings for 1983.⁵

This survey will update the results of the one carried out in 1979/80. Special provisions have been laid down for Italy, which was unable to take part in the previous survey.

Market organizations

Prices and specific measures

Fresh fruit and vegetables

2.1.55. On 9 February the Commission fixed the reference prices for cucumbers for 1982 (average increase of about 9.2%) and the Community offer price for cucumbers applicable with regard to Greece.⁶

2.1.56. On 15 February it also introduced a corrective amount applicable to imports of Greek cucumbers into the other nine member countries.⁷

Milk and milk products

2.1.57. Under the programme for the use of funds accruing from the co-responsibility levy in the milk sector the Commission adopted for 1980/83 several regulations to

permit the continued financing of specific measures⁸ which had proved effective in expanding outlets for milk products both inside and outside the Community. They concern promotion and advertising;⁹ market research;⁹ the improvement of milk quality;⁹ technical assistance to develop the use and consumption of Community milk products outside the Community;⁹ sales promotion for Community milk products outside the Community.¹⁰

Beef and veal

2.1.58. On 1 and 2 February the Council adopted the estimates in respect of young male cattle for fattening and frozen beef for processing.¹¹ As the Council had already decided at its meeting on 19 January,¹² these estimates make it possible to open import quotas for 210 000 head (60 000 from Yugoslavia) and 60 000 tonnes of frozen meat (30 000 for canning).

2.1.59. On this basis, for the first quarter of 1982, the Commission on 2 February provided for the possibility of applying for import licences for 70 000 head of young male cattle and 15 000 tonnes of frozen meat for processing.¹¹

Sheepmeat

2.1.60. By Regulation of 22 February the Council laid down the arrangements applicable in 1982 to sheepmeat and goatmeat imports from the non-member countries with which no voluntary restraint agreements have so far been concluded.⁴ It placed a ceil-

¹ OJ L 52, 23.2.1982; OJ L 54, 25.2.1982 (corrigendum).

² OJ L 57, 1.3.1982.

³ OJ L 50, 22.2.1982; OJ L 53, 24.2.1982.

⁴ OJ L 55, 26.2.1982.

⁵ OJ L 59, 2.3.1982.

⁶ OJ L 37, 10.2.1982.

⁷ OJ L 44, 16.2.1982.

⁸ Regulations Nos 723/78, 1271/78 and 1993/78.

⁹ OJ L 28, 5.2.1982.

¹⁰ OJ L 61, 4.3.1982.

¹¹ OJ L 26, 3.2.1982.

¹² Bull. EC 1-1982, point 2.1.51.

ing on the levy and restricted the issue of import licences for certain products.

Olive oil

2.1.61. On 25 February the Commission sent the Council a programme setting out the measures the Commission proposes to take to promote olive oil consumption during the 1981/82 marketing year — mainly scientific research work on nutritional value and market surveys.

Processed fruit and vegetables

2.1.62. The Commission further extended the period during which dried grapes held by the Greek storage agencies may be sold at a price fixed in advance.¹

2.1.63. Similarly, because of the market situation, the Commission provided for the sale of dried figs held by the Greek storage agency at a price fixed in advance.²

Tobacco

2.1.64. On 25 February the Council introduced the special measures for raw tobacco³ which the Commission had proposed in October 1981⁴ to assist growers and undertakings affected by the earthquake in Italy in November 1980.

Cotton

2.1.65. On 15 February the Council formally adopted the Regulation concerning producer groups and associations thereof in the cotton sector⁵ which the Commission had presented to it last September.⁶

Flax

2.1.66. On 25 February the Commission sent the Council a programme setting out the measures it proposes to take to promote the use of flax fibres for 1981/82. The Commission considers it would be best to continue and intensify the measures now being taken, particularly those of an informative nature.

Structures

Adjustments to Directives

2.1.67. On 9 February the Commission proposed⁷ to the Council that the validity of the socio-structural Directives of 17 April 1972⁸ be extended until 31 December 1983. These Directives concern the modernization of farms, incentives to cease farming, and guidance and occupational skills for farmers.

Agricultural legislation

Veterinary legislation

2.1.68. By Decision of 3 February the Commission authorized the Member States to import fresh meat from Swaziland, subject to certain health conditions.⁹

2.1.69. On 4 February the Commission laid down the health conditions applicable to imports of fresh meat from Romania.⁹

2.1.70. On 26 February a meeting of the heads of veterinary services was held in the framework of the Standing Veterinary Committee. The outline of work in the veterinary and animal welfare sectors for 1982 and subsequent years was discussed.

Competition

2.1.71. Applying Articles 92 to 94 of the EEC Treaty, the Commission decided to initiate the procedure laid down in Article 93(2) of the Treaty in respect of a Sardinian bill concerning measures to assist the collective sale and special storage of durum wheat.

¹ OJ L 46, 18.2.1982; Bull. EC 1-1982, point 2.1.48.

² OJ L 27, 4.2.1982; OJ L 46, 18.2.1982.

³ OJ L 58, 2.3.1982.

⁴ OJ C 285, 7.11.1981; Bull. EC 10-1981, point 2.1.113.

⁵ OJ L 51, 23.2.1982.

⁶ OJ C 272, 24.10.1981; Bull. EC 9-1981, point 2.1.78.

⁷ OJ C 48, 23.2.1982.

⁸ OJ L 96, 23.4.1972.

⁹ OJ L 60, 3.3.1982.

2.1.72. The Commission decided to make no comment on the application of the following draft measures, notified by:

Belgium

Temporary aid for the horticultural sector to offset a proportion of fuel costs. The Commission authorized the aid after finding, on the basis of additional information supplied by the Belgian authorities, that the measure was in accordance with the Community energy guidelines.

Denmark

The 1981 budget of the fund for the improvement of vegetable seed. The fund is financed by the yield from the tax on sales of edible vegetable seed. The yield from the tax on unprotected varieties is used to finance research and to meet the costs of administering the fund.

Amendment of the 1981 budget of the 'pro mille' fund. The appropriation for services providing advice and assistance to farmers is to be increased.

Federal Republic of Germany

Baden-Württemberg: directive on the grant of aid for collective measures for the restructuring of vineyards, and for modernizing and developing vineyards. This includes land development measures, not covered by other Community provisions, aimed at improving wine quality and yield, and measures for combating phylloxera. The Commission believes that these measures could lead to lasting improvements in the sector.

Italy

Sicily: emergency measures to make good the damage caused by natural catastrophes. The measures provide for partial compensation for the losses sustained by stockfarmers, including losses in terms of livestock and feedingstuffs, as a result of the floods in January and February 1981. In reaching its decision the Commission also took into account additional information supplied by the Italian authorities.

United Kingdom

Isle of Man: aid for farms, intended mainly to provide for improvements to buildings and other agricultural structures and for the provision of facilities such as silos and related equipment, farm water supply systems, roads, bridges, etc., drainage and soil improvement. On the basis of additional information supplied by the United Kingdom authorities, the Commission did not approve aid for chicken rearing.

European Agricultural Guidance and Guarantee Fund

Guidance Section

2.1.73. The Commission fixed¹ the content and the form of applications for aid from the Guidance Section in connection with the common measures to improve infrastructure in certain less-favoured agricultural areas of the Federal Republic of Germany.²

Fisheries

Resources

Internal aspects

Technical measures

2.1.74. On 10 February the Commission sent to the Council a proposal for reintroducing technical measures for the conservation of fishery resources, which ceased to apply, as a Community Regulation, on 1 November 1981.³

2.1.75. Although Community rules have been lacking, the Member States have continued to refer to the Commission their national technical and quantitative measures for the conservation of fishery resources.

¹ OJ L 36, 9.2.1982.

² OJ L 197, 20.7.1981.

³ Bull. EC 10-1981, point 2.1.125.

The Commission thus decided not to raise any objections to:

(i) four Dutch measures prolonging for the first quarter of 1982 an interim system of catch quotas (but the Commission reminded the Netherlands Government of the need to manage its 1982 quotas in accordance with the Council Decision of 29 December 1981¹);

(ii) a Dutch measure opening a fishing quota of 300 tonnes of sprats in the North Sea in 1982 (earlier Commission proposals having given the Netherlands a small sprat quota).

2.1.76. The Commission also found that two Danish Orders prolonging the validity of the Regulation on technical measures (No 2527/80) in Greenland waters conformed to Community law and were in accordance with the common fisheries policy.

Other Member States (Federal Republic of Germany, United Kingdom) submitted national measures to the Commission which also repeated the terms of Regulation No 2527/80.

Catch quotas

2.1.77. The Commission took note of a Danish Order on the fishing of certain species in the North-East Atlantic from 1 January 1982 and raised no objection to the application of the quantitative provisions, where these were consistent with its proposals for the 1981 TACs. However, the Commission withheld approval of such provisions as it found to be inconsistent with those proposals.

External aspects

Bilateral relations

2.1.78. Following consultations between the Community and The Faeroes concerning reciprocal fishing arrangements for 1982, the Council adopted interim measures granting access to the Community zone to Faeroese fishing vessels,² pending the adoption of definitive rules for 1982 after consultation of Parliament.

The Faeroese authorities undertook to make similar arrangements granting access to their fisheries zone for vessels registered in the Community. The Faeroese agreed to limit their catches of salmon to 750 tonnes in 1981/82 and to 625 tonnes in 1982/83.

2.1.79. On 19 February consultations between the Community and Sweden were concluded by the initialling of a draft agreement on reciprocal fishery arrangements for 1982.

On the same day the Community, Sweden and Norway initialled a draft agreement on fishery conservation measures in the Skagerrak.

These two draft agreements still require Council approval before they can be implemented.

2.1.80. The Council adopted interim measures on 15 February granting access to the Community zone for Spanish vessels,² pending the adoption of definitive rules.

2.1.81. On 15 February the Council, acting under the fisheries agreement with Canada,³ allocated catch quotas between Member States for vessels fishing in Canadian waters.⁴

Markets and structures

Organization of the market

2.1.82. On 10 February the Commission adopted a regulation fixing the export refunds on fishery products.⁵ The products qualifying for such refunds and the amount of the refunds are to remain as previously.

2.1.83. On 4 February the Commission also amended the list of representative wholesale markets or ports for fishery products.⁶

¹ OJ L 379, 31.12.1981; Bull. EC 12-1981, point 2.1.134.

² OJ L 48, 20.2.1982.

³ OJ L 379, 31.12.1981; Bull. EC 12-1981, point 2.1.138.

⁴ OJ L 47, 19.2.1982.

⁵ OJ L 41, 12.2.1982.

⁶ OJ L 28, 5.2.1982.

Structures

2.1.84. On State aids the Commission raised no objection to the implementation in the United Kingdom of a scheme of investment grants for aquaculture in sea or brackish water exclusively for projects receiving aid from the EAGGF Guidance Section.

2.1.85. However, it initiated the examination procedure provided for in Article 93(2) of the EEC Treaty in respect of an aid for fuel in France in 1981 and 1982 and also in respect of the extension for the first half of 1981 of the aid for fuel granted in Italy in 1980. Under these procedures the Commission has requested all parties concerned other than the Member States to submit their comments.¹

2.1.86. The Commission published the French versions of its studies on Schleswig-Holstein and Jutland in the 'Internal information on fisheries' series.²

Transport

Inland transport

Infrastructure

2.1.87. The flow of goods traffic to and from Italy is regularly hampered by the problems created, above all, by certain weaknesses in the rail infrastructure in that country.³

In an attempt to bring about a lasting improvement in the situation, on 22 February the Commission sent Italy a recommendation calling on it to pursue its action effectively, bearing in mind the priority to be given to the work on the intra-Community rail links when implementing the *programma integrativo* to develop and modernize the Italian railways.

2.1.88. The Transport Infrastructure Committee met in Brussels on 18 February to consider a number of projects submitted by Luxembourg, the plans and programmes notified by the Member States, general traf-

fic flow matters and the studies undertaken by the Commission.

It also drew up a programme for implementing the Council Resolution of 15 December 1981, which called on the Commission to apply the methods of appraising the Community interest of infrastructure projects to a limited number of selected projects on an experimental basis.⁴ A working party was set up to examine a preliminary draft report from the Commission in May.

Approximation of structures

Roadworthiness tests

2.1.89. The group of government experts on roadworthiness tests for motor vehicles and their trailers met in Brussels on 18 February. The main purpose of the meeting was to give an account of the measures which each Member State is taking to implement the Directive of 29 December 1976⁵ in full by 1 January 1983. The experts also discussed the prospects for extending the Directive to other categories of vehicle than those now envisaged, and in particular to private cars, in the light of the current differences between the individual Member States and of their plans for the future.

Driving licences

2.1.90. The group of government experts on the Community driving licence met again on 23 and 24 February. It concentrated mainly on determining which licences were to be regarded as equivalent to the original licences when drivers take up residence in a Member State other than that in which they passed their test. They agreed on the general principles and discussed the conditions for exchanging category A, B and similar licences.

¹ OJ C 57, 5.3.1982.

² Bull. EC 9-1981, point 2.1.106.

³ Bull. EC 7/8-1980, point 2.1.116; Bull. EC 11-1981, point 2.1.121.

⁴ Bull. EC 12-1981, point 2.1.147.

⁵ OJ L 47, 18.2.1977.

Combined transport

2.1.91. On 25 February the Commission amended its proposal for a Directive on certain measures to promote the development of combined transport.¹ The Commission accepted the changes requested by Parliament last September,² which chiefly concerned the preparation of a new Directive specifically for sea and air transport and the participation of representatives of the transport unions in the committee which is to help the Commission in its future work on combined transport. The Economic and Social Committee gave its opinion on 24 September.³

Sea transport

2.1.92. The Commission sent the Danish Government an opinion⁴ on the bill and draft order concerning the implementation in Denmark of the Council Regulation of 15 May 1979 concerning Member States' ratification of, or accession to, the United Nations Convention on a Code of Conduct for Liner Conferences.⁵ The Commission found the measures acceptable, provided they explicitly stated that they were based on a Community Regulation and clearly identified the provisions of that Regulation.

*

Cooperation with non-member countries

2.1.93. On 23 February Mr Contogeorgis, the Member of the Commission with special responsibility for transport, received Mr Ante Zelić, Chairman of Yugoslavia's Federal Transport and Communications Commission (the equivalent of Minister of Transport) for talks on the transport policies of the Community and of Yugoslavia. More specifically, they joined in a detailed analysis of the cooperation agreement which the Community and Yugoslavia signed on 2 April 1980 and which is due to enter into force in mid-1982.⁶

Mr Contogeorgis particularly emphasized the new dimension which transport in general, and road and rail transport in particular, across Yugoslavia had taken on since Greece had joined the Community.

Mr Zelić stressed Yugoslavia's willingness to cooperate with the Community on all aspects of transport. He mentioned the need for greater cooperation on infrastructure in particular and emphasized the importance which he attached to making better use of the existing rail capacity.

A number of priorities emerged in the course of the talks: among other things, the two sides shared an interest in trying to reach an agreement on rail tariffs for coal and steel products, in further developing combined transport, in the system for charging for the use of road infrastructure, in the main routes and their cost and in the problems which sometimes arise at the frontier.

The Commission and the Yugoslav authorities agreed to hold regular exchanges of views on the progress made and to appoint experts on both sides to investigate specific problems with a view to pinpointing the causes and examining possible solutions to them.

Energy

Formulating and implementing a Community energy policy

2.1.94. Further to its communication of 30 September 1981 on the development of an energy strategy for the Community,⁷ the Commission transmitted on 10 February four communications on investment in the rational use of energy, on the nuclear and coal aspects of energy policy and on the security of natural gas supplies.⁸

¹ OJ C 351, 31.12.1980; Bull. EC 12-1980, point 2.1.116.

² OJ C 260, 12.10.1981; Bull. EC 9-1981, point 2.1.116.

³ Bull. EC 9-1981, point 2.3.38.

⁴ OJ L 65, 9.3.1982.

⁵ OJ L 121, 17.5.1979; Bull. EC 5-1979, point 2.1.120.

⁶ Bull. EC 4-1980, point 2.2.48.

⁷ Bull. EC 9-1981, points 1.1.1 to 1.1.8.

⁸ Points 1.2.1 to 1.2.14.

2.1.95. On 24 February the Commission adopted a communication on the energy situation in the Community — situation at end 1981 and outlook for 1982. The report shows that, with the European Community in the throes of an economic recession, energy consumption fell by some 4.6% in 1981. The largest fall was in respect of oil consumption, down by about 9%, with natural gas consumption dropping by around 5% and coal consumption by about 2%. In contrast, there was a substantial increase in available nuclear energy, which rose by over 32%. The Community's dependence on outside sources for its energy supplies was further reduced and is now about 50%.

The energy outlook for 1982 is dependent upon the recession and the degree to which there is an economic recovery in the Community and in the world at large. It is estimated that, assuming an increase in Community GDP of 2% in 1982, energy consumption will rise by 1.2%. In terms of the various fuels, little change is expected in general. However, the supply of nuclear energy is expected to increase by about 18%.

Specific problems

Saving and efficient use of energy

2.1.96. On 25 February the Commission adopted a third series of energy-saving demonstration projects to receive Community financial support under the Regulation of 12 June 1978.¹ This covers 18 projects, the sum involved being 6.8 million ECU.

Oil and gas

2.1.97. Further to the agreement reached in the Council on 27 October 1981,² the Commission sent to the Council on 11 February a communication on measures to mitigate the effects of a limited shortage of oil. The communication was accompanied by a proposal for a Directive and a proposal for a Decision:³

(i) the proposal for a Directive invites Member States, as a temporary protective

measure valid only for 1982, to endeavour to maintain stocks of the three categories of petroleum products specified in the Council Directive of 20 December 1968⁴ at a level corresponding to at least 90 days at the average daily rate of internal consumption recorded in 1980;

(ii) the proposal for a Decision lays down the procedures for consultation, for convening meetings and for taking decisions, and the legal framework in which any measures applicable in the event of a limited shortage of oil are to be implemented; a suitable system for gathering the information required to make it possible to monitor the trend in supplies and to assess the situation has also been introduced within this framework, so as to standardize the information with that collected in the other industrialized countries.

2.1.98. On 9 February the Commission updated the provisions for implementing the rules whereby imports of crude oil are registered in the Community,⁵ further to the adoption by the Council on 21 December 1981 of an amendment⁶ to the basic Regulation on this subject.⁷

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2.1.99. On 18 February Parliament passed a resolution on Russian exports of natural gas to various Member States.⁸

Coal

2.1.100. On 19 February Parliament gave its opinion⁸ on the draft Commission Decision amending the 1973 scheme of aids for coking coal and coke for the Community steel industry.⁹ Parliament approved the draft and was pleased to note that the Com-

¹ OJ L 158, 16.6.1978.

² Bull. EC 10-1981, point 2.1.145.

³ OJ C 55, 3.3.1982.

⁴ OJ L 308, 23.1.1968.

⁵ OJ L 37, 10.2.1982.

⁶ OJ L 373, 29.12.1981.

⁷ OJ L 220, 30.8.1979.

⁸ Point 2.4.12; OJ C 66, 15.3.1982.

⁹ Bull. EC 7/8-1981, point 2.1.143.

mission seems resolved to review coal policy, as has long been thought desirable, as an integral part of a coherent energy policy.

2.1.101. On the same date Parliament also adopted a resolution on the various aspects and conditions of the Community's coal supply.¹

Nuclear energy

2.1.102. On 10 February the Commission sent to the Council the report of the *ad hoc* Advisory Committee on the Reprocessing of Irradiated Nuclear Fuels,² together with a statement of its own views.

On the basis of this report the Commission recommended³ at the same time—pursuant to Article 124 of the Euratom Treaty—that the Governments of the Member States, the competent national authorities and developers and users should take a number of measures designed to promote the industrial development of reprocessing irradiated fuels.

New sources of energy

2.1.103. Concluding the long discussions,⁴ on the Commission's proposals regarding increased financial support for projects to exploit alternative energy sources and demonstration projects in the field of energy saving,⁵ the Council on 22 February agreed in principle to increase the total allocation for this purpose by 55 million ECU. It was agreed that the Commission would join the Member States in assessing what place projects of this type should occupy in energy policy and research policy, not only at Community level but also in each Member State.

Nuclear safety

2.1.104. On 24 February the Commission decided to evaluate the role that the Community could henceforth play in nuclear safety, taking into account the provisions of the Euratom Treaty and the state of development of nuclear energy in the Community.

Radiation protection

2.1.105. At its 3 February meeting the Commission considered steps to be taken to

improve implementation of the provisions of Chapter III of the Euratom Treaty (health and safety). These concern the harmonization of national provisions (Articles 30 to 33), the monitoring of radioactivity in the environment (Articles 35 and 36), evaluation of plans for the disposal of radioactive waste (Article 37) and the documentation and study of questions relating to health and safety (Article 39). The Commission approved a recommendation regarding the implementation of Article 37. Developments in nuclear techniques combined with those in the prevailing philosophy in the field of radiation protection have necessitated a revision of the recommendation of 16 November 1960 on the implementation of Article 37.

Siting of power stations

2.1.106. On 19 February Parliament passed a resolution⁶ urging the Commission and the Council to amend the Decision of 29 March 1977⁷ to the effect that the Commission will be empowered to raise loans for financing nuclear installations only if such projects have previously been subjected to the Community consultation procedure.⁸

Research and development

Development of the common policy

Coordination of national policies

2.1.107. On 25 and 26 February the Scientific and Technical Research Committee (CREST) delivered a favourable opinion on two Commission proposals for research and

¹ Point 2.4.15; OJ C 66, 15.3.1982.

² OJ L 52, 26.2.1980; Bull. EC 2-1980, points 2.1.90 and 2.1.91.

³ OJ L 37, 10.2.1982.

⁴ Bull. EC 10-1981, point 2.1.151; Bull. EC 1-1982, point 2.1.76.

⁵ Bull. EC 10-1980, point 2.1.96.

⁶ OJ C 66, 15.3.1982.

⁷ OJ L 88, 6.4.1977.

⁸ Resolution of 20 November 1980: OJ C 327, 15.12.1980; Bull. EC 11-1980, point 2.3.11.

development programmes in the fields of medicine and public health¹ and science and technology for development,² albeit with certain reservations about appropriations.

As regards medicine and public health, the Committee felt that the Commission's proposals were likely to consolidate and extend Community action already taken in this area and would permit more effective research thanks to the collaboration of national research centres and the coordination of their work in the fields of epidemiology, biomedical engineering, applied biology and health services.

As for science and technology for development, CREST felt the time was right to intensify Member States's research work in aid of the specific needs of developing countries. Coordination of the scientific activities of Member States would make for better utilization of national potential, and the proposed programme would generate greater activities in tropical agriculture and in medicine, health and nutrition in tropical zones.

The Committee also exchanged views on the development of the common science and technology policy with a view to preparing the Council meeting on research matters to be held in March.

The Committee also took note of the report on the public financing of R & D in Community countries for the period 1975-81. It emerged, in particular, that public R & D expenditure reached 22 900 million ECU in 1981 (some 16.4% up on 1980).

Cooperation with non-Community countries

2.1.108. A cooperation agreement concerning the implementation of a concerted action project on the treatment and utilization of sewage sludge (COST Project 68 *ter*)³ was signed on 16 February by the Community, Finland and Norway.

2.1.109. On 19 February the Parliament approved⁴ the draft recommendation concerning the registration of recombinant DNA work.⁵

Multiannual programmes and horizontal activities

Energy

Non-nuclear energy

2.1.110. The extended working party on the assessment of Community geothermal resources and reserves met on 9 and 10 February to discuss the mapping of geothermal reservoirs and recoverable reserves with a view to the subsequent publication of a geothermal resource atlas.

2.1.111. The Advisory Committee on Programme Management (Production and Utilization of Hydrogen) met on 9 February and discussed the general lines of a possible third R & D programme and its content. It also examined the report drawn up by a working party on synthetic fuels with a view to including this topic in a possible third R & D programme on energy.

Nuclear energy

2.1.112. After reviewing the contract-based radioactive waste programme (1980-84)⁶ from 17 to 19 February, the Advisory Committee on Programme Management (Management and Storage of Radioactive Waste) concluded that no revision of the initial objectives and allocations needed to be made. A study has been initiated in collaboration with the Member States on the evaluation of certain geological formations, such as granite, clay and salt, with regard to their performance for long-term confinement of radioactive waste.

Earlier, some 40 specialists from the Member States had been convened by the

¹ OJ C 291, 12.11.1981; Bull. EC 10-1981, point 2.1.156.

² Bull. EC 4-1981, point 2.1.91.

³ Fifteenth General Report, point 547.

⁴ OJ C 66, 15.3.1982.

⁵ OJ C 214, 21.8.1980; Bull. EC 7/8-1980, point 2.1.128.

⁶ OJ L 78, 25.3.1980; Bull. EC 3-1980, point 2.1.112.

Commission to consider the present situation regarding the radioactive cladding of remaining nuclear fuel rods once the rods had been cut for fuel reprocessing. Although it was necessary to continue improving waste conditioning methods, it was recognized that proper management of the waste was technically feasible.

Raw materials

2.1.113. About 16 million tonnes of waste paper are lost every year and become part of the Community's non-usable waste, thus necessitating costly imports. To develop new recycling processes, the Commission spent 2.9 million ECU between 1978 and 1981 as part of a multiannual research programme. The results of this programme were presented at a seminar held in Brussels from 8 to 10 February and were discussed by some 160 participants from research and industry in the Member States. It was agreed at the seminar that the research programme had provided results that could be put to concrete use, notably the de-inking of waste paper and the development of new products from waste paper that can no longer be recycled by the paper industry. Utilization of these new techniques on an industrial scale

called for major investments over a number of years, but they would help to reduce paper imports progressively by 5 to 7 million tonnes per year.

2.1.114. On 18 February the Commission sent the Council an amendment¹ to its proposal for a research and development programme (1982-85) in the raw materials sector.² The changes made were of a technical nature, to accord with the views expressed by Parliament in December 1981.³

Industrial competitiveness

ECSC research

2.1.115. On 26 February the Commission sent to the Council, for assent, and to the ECSC Consultative Committee, for consultation, under Article 55 of the ECSC Treaty, a memorandum concerning the implementation of an iron and steel research programme. Financial aid from the Community amounting to 19 million ECU would be allocated to 81 projects.

¹ OJ C 57, 5.3.1982.

² OJ C 170, 10.7.1981; Bull. EC 6-1981, point 2.1.137.

³ OJ C 11, 18.1.1982; Bull. EC 12-1981, point 2.1.169.

2. Enlargement and external relations

Enlargement and bilateral relations with applicant countries

Portugal

Accession negotiations

2.2.1. The sixth ministerial meeting of the negotiations for Portugal's accession took place in Brussels on 22 February, having been preceded by a meeting at deputy level

on 12 February. The first of the two 'minipackages'¹ to be negotiated before the end of June was concluded. It takes in about a third of the topics involved in the negotiations and covers the following areas: capital movements, economic and financial affairs, regional policy, transport and Euratom.

Agreement was reached in each of these five areas, though no decision was taken on the question of including the escudo in the ECU.

¹ Bull. EC 1-1982, point 2.2.1.

On capital movements, all outstanding questions were resolved. The transitional measures or temporary derogations envisaged will apply for five years, with the exception of those covering Portuguese direct investment and property investment in the Community, where the period of application will be seven years.

In the field of economic and financial affairs, Portugal agreed to establish before accession a foreign exchange market in Lisbon comparable to those in the present Member States. In addition, Portugal will be covered from accession by the system of short-term monetary support and the medium-term financial assistance machinery.

As the Community had sought, there will be no transitional measures or temporary derogations for Portugal in the regional policy field; however, the act of accession will include a protocol identical with that adopted when Ireland and Greece joined the Community. Portugal will participate in the European Regional Development Fund from accession.

With regard to Euratom, Portugal agreed to apply the supply provisions of the Treaty from accession, thus settling the only outstanding matter in this area.

Spain

Accession negotiations

2.2.2. On 19 February Mr Bayón, Spain's Industry Minister, visited the Commission, where he met Mr Natali and Mr Davignon. Discussions centred mainly on industrial matters, in particular the ECSC.

This visit was followed, on 26 February, by a further negotiating session at deputy level, at which the Community made statements on capital movements, economic and financial matters and the approximation of laws; the Spanish delegation replied with statements on the customs union (industrial sector), regional policy, right of establishment and freedom to provide services, capital movements and approximation of laws. At the preceding session (on 29 January) the

Spanish delegation had presented the bulk of its requests regarding agriculture.

Commercial policy

Implementing the common commercial policy

2.2.3. On 23 February the Council debated at length trade relations between the Community and the USSR; on 24 February the Commission adopted a proposal to cut imports of certain products from the USSR to half the 1980 level.¹

Import arrangements

Easing of restrictive measures

2.2.4. Under the Council Regulation of 4 December 1980 on import arrangements in respect of State-trading countries,² the Commission decided on amendments to the arrangements and on the opening of import quotas for 1982 in respect of the following products:

Italy/Romania: tractor engines; transmissions for tractors; front axles for tractors;³

Italy/USSR — Bulgaria — Hungary — German Democratic Republic — Poland — Czechoslovakia: aluminium alloy waste recast into ingots containing less than 97.5% aluminium;⁴

Federal Republic of Germany/Hungary: enamelled tiles;⁵

Federal Republic of Germany/People's Republic of China: ferrosilicon.⁶

Trade protection

2.2.5. On 5 February the Council adopted new rules for imports from non-member

¹ Point 2.2.45.

² OJ L 353, 29.12.1980.

³ OJ C 33, 10.2.1982.

⁴ OJ C 45, 19.2.1982.

⁵ OJ L 390, 31.12.1981.

⁶ OJ L 58, 2.3.1982.

countries other than State-trading countries, China and Cuba.¹

The new Regulation—which entered into force on 9 February—replaces Regulation (EEC) No 926/79;² it marks a major step forward in the Community's autonomous commercial policy in respect of non-member countries and is broadly in line with the proposals made in December 1980 by the Commission.

The main innovations are concerned with:

- (i) the Community investigation procedure, which will strengthen the Community's role *vis-à-vis* non-member countries, particularly in GATT, where the Commission will henceforth be in full possession of the facts of a case;
- (ii) criteria relating to the 'injury' concept;
- (iii) harmonization of protective arrangements: in urgent cases Member States may still adopt national interim protective measures; such measures will, however, inevitably be followed by a *post facto* investigation by the Commission;
- (iv) a list of residual restrictions: the new Regulation is based on the principle of general liberalization, except for the Member States' residual restrictions, which are now set out in a more easily understood form in a short 'negative' list; this list may be changed only by means of Community procedures.

2.2.6. The Commission decided to initiate an anti-dumping procedure concerning imports of certain pears in syrup originating in Australia.³

It also decided to terminate the anti-dumping procedure concerning imports of polyester/cotton bed linen from the USA.⁴

2.2.7. The Council decided to revise once again its Regulation of 22 December 1980 establishing a definitive anti-dumping duty on imports of certain polyester yarn originating in the USA.⁵

It also amended⁶ its Regulation of 18 December 1980 establishing a definitive anti-dumping duty on mechanical alarm clocks originating in the German Democratic Republic.⁷

Sectoral commercial policy measures

Textile products

Council decisions on textile policy

2.2.8. On 25 February the Council reached agreement on the outstanding points of textile trade policy, enabling the Community to accept the new protocol⁸ extending the Multifibre Arrangement (MFA).

The Council authorized the Commission to open negotiations for the renewal of the bilateral textile agreements and finalized the negotiating directives adopted on 17 November and 8 December last year,⁹ laying down the principles which are to govern the global import ceilings from 1983 to 1986 and specifying the way in which they are to be worked out. The new ceilings will be based on 1982 access levels, since the Community intends to incorporate in the new bilateral agreements a 'surge clause' to prevent sudden sharp increases of imports within quotas. The ceilings will be established in such a way as to give an overall view of all imports, whether from MFA, preferential or ACP countries, including those coming in under the outward processing system.

The Council also approved a Regulation establishing economic outward processing arrangements applicable to certain textile and clothing products reimported into the Community after working or processing in certain third countries.

The Commission will report to the Council by 30 September on its progress in the coming bilateral negotiations, and the Council will decide in the light of the report whether

¹ OJ L 35, 9.2.1982.

² OJ L 131, 29.5.1979.

³ OJ C 33, 10.2.1982.

⁴ OJ L 48, 20.2.1982.

⁵ OJ L 358, 31.12.1980.

⁶ OJ L 54, 25.2.1982.

⁷ OJ L 344, 19.2.1980.

⁸ Bull. EC 12-1981, points 1.5.1 to 1.5.4.

⁹ Bull. EC 11-1981, point 2.2.11; Bull. EC 12-1981, point 2.2.15.

the Community is to remain within the MFA; its continued participation depends on the conclusion of satisfactory bilateral agreements.¹

This represents a major step forward in the regulation of trade in textiles between the Community and its partners; a balance has been struck which should benefit both the Community's own textile industry and its Third World trading partners.

Development

Generalized preferences

2.2.9. A Commission delegation visited Thailand and Pakistan in February to take part in seminars intended to outline the broad principles of the Community's scheme of generalized preferences and the details applying this year. The seminar held in Bangkok for the five member countries of ASEAN was organized by the Thai Export Service Centre, the seminars held in Karachi and Lahore by the Export Promotion Bureau of Pakistan.

Each seminar was attended by about 100 participants covering a wide range of industrial sectors but also included government officials concerned with export promotion and customs administration.

The Commission delegation concentrated in particular on the important changes made to the GSP for the second decade of its operation, explained the benefits of simplified administration, greater operational transparency and greater security in the utilization of the GSP offer.

Commodities and world agreements

Unctad's Committee on Commodities

2.2.10. Unctad's Committee on Commodities met in Geneva from 8 to 12 February. The meeting was marked by the various regional groupings' moderate and cooperative stance. The Committee stressed the need to expedite work on the integrated pro-

gramme for commodities. In particular, the Committee agreed that the Secretary-General would informally contact major exporting and importing countries in order to relaunch the producer/consumer dialogue on minerals and metals. A similar initiative would be taken in the case of hides and skins. The Committee also discussed the secretariat study on a supplementary financing facility for commodity-related shortfalls in export earnings. Agreement was reached on the need to add to the secretariat studies by taking account of comments by governments. The Committee will hold another meeting to consider these supplementary studies. The Community for its part reiterated the importance it attaches to commodity export earning stabilization for developing countries but emphasized the need to pursue the matter within Unctad on a realistic basis, in the interest of the developing countries themselves.

Natural rubber

2.2.11. At a special meeting of the Rubber Council held at the end of February the Community requested that the 28 February deadline² for ratification of the International Natural Rubber Agreement be extended to 15 April. At the 22 February Council meeting the Italian and Belgian Governments gave assurances that they would do their utmost to ensure that ratification procedures were completed before expiry of the new deadline, while duly respecting the prerogatives of their respective parliaments.

Tin

2.2.12. At the 22 February Council meeting a statement was made by France emphasizing the urgent need for the Community to sign the Sixth International Tin Agreement: the negotiations on the Agreement had been completed in June³ and the Commission had asked the Council to sign in October.⁴ The Council would take a decision at its next meeting.

¹ Fifteenth General Report, point 637.

² Fifteenth General Report, point 668.

³ Bull. EC 6-1981, point 2.2.18.

⁴ Fifteenth General Report, point 669.

Food aid, emergency aid and exceptional aid

Food aid

2.2.13. On 22 February the Council, which established a common position on the proposal for a framework Regulation on food aid policy and management on 14 September,¹ held a conciliation meeting with a Parliament delegation on certain aspects of the proposal. The meeting was concerned in particular with the division of responsibilities between Parliament and Council concerning the budgetary aspects, the management powers to be granted to the Commission and the nature of the management committee. It was agreed that there would be informal contacts between the Presidents of the Council and Parliament in order to decide the move, as it was in the general interest for the procedure to be completed as quickly as possible.

Exceptional aid

Emergency aid

2.2.14. The Commission decided to grant the following aid:

- (i) 300 000 ECU via a group of NGOs (War on Want, Oxfam Belgique, Trocaire and Fonds pour la coopération au développement) to provide medical supplies and equipment for Namibian refugees in the camps in northern Angola;
- (ii) 150 000 ECU to the Algerian Government to supply cattle feed to help stockfarmers affected by the drought;
- (iii) 300 000 ECU to the Moroccan Government to provide cattle feed to help stockfarmers affected by the drought.

Relations with non-governmental organizations

2.2.15. In February 158 projects at a total cost of 17 582 130 ECU were submitted by 81 NGOs to the Commission. A Community grant of 2 254 585 ECU was committed for 20 projects, and an amount of 128 510 ECU was provided to cofinance five campaigns to

increase awareness among the European public.

International organizations and conferences

United Nations

Unesco

2.2.16. On 18 February Mr Thorn received the Director-General of Unesco, Mr Amadou M'bow, with whom he discussed cultural questions and the Community's participation in Unesco's development aid programmes.

United Nations Conference on the Law of the Sea

2.2.17. The Community took part in the intersessional meeting of the Third United Nations Conference on the Law of the Sea held in New York from 24 February to 2 March. Delegations resumed their discussions² following the United States' announcement of its new negotiating position. A preliminary general survey was devoted to the most sensitive problems concerning seabed exploration and exploitation.

This question, along with that of the participation of international organizations in the Convention, will be further examined during the eleventh session of the Conference, which is to be held in New York from 8 March to 30 April.

On 22 February, in preparation for the coming session, the Council reached a decision on seabed problems and stressed the need for common positions to be adopted by the Community and its Member States during the negotiations.

United Nations environment programme

2.2.18. On 25 February the Commission asked the Council for authorization to open

¹ Bull. EC 9-1981, point 2.2.16.

² Bull. EC 7/8-1981, points 2.2.39 and 2.2.40.

negotiations for the Community's participation in the environmental action plan for the Caribbean.¹

General Agreement on Tariffs and Trade

Consultative Group of Eighteen

2.2.19. The Consultative Group of Eighteen,² consisting of senior trade policy officials, met in Geneva from 10 to 12 February.

The issues discussed by the Group included the preparation of the next GATT ministerial meeting, scheduled to take place in November. It examined the proposals put forward by various delegations and by the GATT Secretariat and discussed how the ministers could help to strengthen and improve the multilateral trading system.

The Group took note of the schedule and preliminary work carried out by the preparatory committee which the GATT Council had set up to organize the meeting.

The preparatory committee met for the first time in January and agreed to meet each month to examine the topics which the ministers would be discussing in November.

The discussions of the Group of Eighteen concluded with general agreement as to the considerable political importance—in this present period of dangerous tension affecting international trade—of holding the first GATT ministerial meeting in nearly ten years. The last meeting took place in Tokyo in 1973 at the commencement of the Tokyo Round of multilateral trade negotiations, which were concluded in 1979.

Working Party on the Second Lomé Convention

2.2.20. The working party examining the present Convention between the Community and the ACP States (Lomé II) met on 22 and 23 February. The answers and clarifications given by the Community and the ACP States in response to the questions from the GATT Contracting Parties were regarded as satisfactory by the majority of those participating.

Committee on Government Procurement

2.2.21. The Committee on Government Procurement held its fifth meeting in Geneva on 2 and 3 February. The meeting was devoted mainly to an examination of problems of implementation of the Agreement on Government Procurement in a number of signatory countries, problems relating to the scope of the Agreement, consultation procedures and calculation of the threshold. These issues had previously been discussed at earlier meetings.

Conference on Security and Cooperation in Europe

2.2.22. The Madrid CSCE review meeting resumed on 9 February, having adjourned in December 1981.³ Most of the Foreign Ministers of the Western countries were in attendance in order to condemn the situation in Poland and the part played by the USSR in this regard.

Mr Tindemans made a statement on behalf of the ten Member States of the Community. The Eastern-bloc delegations, especially the Polish, resorted to procedural devices to try to prevent such statements being made; they were finally obliged to allow those delegations which so wished to state their views on the Polish situation.

Under these circumstances, there was no progress on substantive issues, and the question of at least a recess was raised by various neutral countries.

Industrialized countries

United States

2.2.23. On 8 and 9 February high-level consultations were held in Washington between the American authorities and the Community, represented by Mr Haferkamp, Mr Davignon and Mr Dalsager.⁴

¹ Point 2.1.45.

² Twelfth General Report, point 487.

³ Bull. EC 12-1981, point 2.2.38.

⁴ Points 1.3.1 to 1.3.5.

These talks, which took place against a background of difficulties (American complaints concerning steel exports, pressures against the common agricultural policy), were followed by a visit by Mr Martens, the Belgian Prime Minister, and Mr Tindemans, the Belgian Foreign Minister and President of the Council.

2.2.24. The Council discussed the results of these talks at its meeting of 22 and 23 February.

On 18 February Parliament adopted two resolutions on trade relations with the United States,¹ and the ECSC Consultative Committee, meeting on 5 February, held lengthy discussions on the American anti-dumping complaints concerning steel exports.²

Japan

2.2.25. Following the high-level consultations held at the end of January,³ the Commission presented a report to the Council in which it gave its assessment of the statements made by the Japanese authorities. The Commission considered that Japan now appreciated the political necessity for action to reduce the friction in external trade, but that no fundamental or lasting shift of policy was yet apparent which would permit the emergence of a more balanced trade relationship with the Community. The tariff and non-tariff steps which had been announced were likely to have little or no measurable impact on Community exports within the next two or three years. The Japanese statements on exports fell short of the Community's request for an assurance that there would be continued and effective moderation of Japanese exports in 1982 in certain sensitive sectors, so that there would be no worsening of the situation in the Community.

In the light of the above, the Commission considered that pressure on the Japanese authorities to open up their market should be pursued through the use of appropriate procedures.

The Commission proposed that the Community should hold consultations with the Japanese authorities within the GATT framework, on the basis of Article XXIII. As

regards the restraint of Japanese exports, reference was made to the proposal by the Commission in July 1980,⁴ which was aimed at creating conditions in which there could be a temporary restraint of certain Japanese exports while European industry restructures.

The Commission's report dealt also, in the light of exploratory talks that had been held, with the possibilities of increased industrial, scientific and technological cooperation between Japan and the Community.

2.2.26. At its 23 February meeting the Council endorsed the Commission's assessment of the measures announced by the Japanese authorities. Although they were a step in the right direction, these measures did not form the response expected by the Community, that is one which would inevitably lead to a basic change in the trend so far.

The Council confirmed the need for a Community strategy and action *vis-à-vis* Japan. The appropriate Council bodies were requested to examine the Commission proposals more closely, in preparation for further consideration by the Council at its 22 March meeting. It was suggested that the Council meeting on economic and financial affairs should consider the economic and monetary aspects of relations with Japan.

Australia and New Zealand

2.2.27. Mr Gaston Thorn paid official visits to New Zealand from 22 to 25 February and to Australia from 25 to 28 February.⁵

This was the first time that a Commission President had visited either of these countries. The occasion was marked by the official inauguration of the Commission Delegation in Canberra.

¹ Point 2.4.13; OJ C 66, 15.3.1982.

² Point 2.4.34.

³ Bull. EC 1-1982, point 2.2.26.

⁴ Bull. EC 7/8-1980, points 1.2.1 to 1.2.4.

⁵ Points 1.4.1 to 1.4.7.

Mediterranean countries

Turkey

2.2.28. At a political cooperation meeting held on 23 February the Foreign Ministers discussed the political situation in Turkey.¹

Yugoslavia

2.2.29. On 22 February the Council approved the texts—initialled on 15 January²—of the additional protocols to the EEC-Yugoslavia Cooperation Agreement and the ECSC-Yugoslavia Agreement to take account of Greece's accession. The two protocols should be signed in early April.

2.2.30. The Chairman of the Yugoslav Federal Committee for Transport, Mr Zelić, had talks in Brussels on 23 February with Mr Contogeorgis, Member of the Commission with special responsibility for transport, on the transport policies of Yugoslavia and the Community.³ As a result, certain priorities were established for cooperation in rail and road transport.

Maghreb

2.2.31. From 9 to 12 February Mr Natali paid an official visit to Tunisia, where he met President Bourguiba, members of the Government and representatives of farmers' organizations. The two sides reviewed EEC-Tunisia relations and the possible impact of enlargement upon them.

Particular attention was paid to the olive oil sector.

2.2.32. While in Tunis Mr Natali paid a courtesy call on the Secretary-General of the League of Arab States, Mr Chedli Klibi.

2.2.33. The Commission decided to grant emergency aid of 300 000 ECU to Morocco and 150 000 ECU to Algeria to help these two countries combat the serious drought that has hit agriculture in recent months.

Developing countries

ACP States and OCTs

ACP-EEC Conventions

Institutions

2.2.34. The Joint Committee of the ACP-EEC Consultative Assembly⁴ met in Harare (formerly Salisbury), Zimbabwe, from 1 to 4 February under the joint chairmanship of Mr Bersani and Mr Butagira (Uganda). One of the main points of the meeting was the adoption, without any opposing votes, of a resolution of particular political significance concerning the situation in Southern Africa, roundly condemning apartheid and the acts of aggression committed by South Africa in the front-line countries, demanding independence for Namibia,⁵ urging a total embargo on arms and oil, advocating an increase in economic assistance for the front-line countries, largely in the context of the Southern Africa Development Coordination Conference, and suggesting, after a fairly broad spectrum of views had been expressed, economic sanctions as part of a programme of increasing pressure against South Africa. The resolution, which was prepared by a joint ACP-EEC investigation team in certain front-line countries, also calls for the setting up of a special ACP-EEC committee to follow up this question.

Two other resolutions adopted concerned the campaign against hunger and ACP-EEC cooperation on energy.

The first placed the problem of hunger in the context of the North-South negotiations, pointed to the vital importance to be attached to agricultural and rural development and to the elaboration of food strategies; stated its support for the Commission's 'action plan'; and stressed the urgency of im-

¹ Point 2.2.48.

² Bull. EC 1-1982, point 2.2.30.

³ Point 2.1.93.

⁴ Bull. EC 9-1981, point 2.2.39.

⁵ On the basis of UN Security Council Resolution 435.

plementing a food security plan and the principle of the incorporation of food aid in rural development programmes and projects.

The resolution on energy stressed the need for greater cooperation in this sphere and expressed support for the programme of action on new and renewable sources of energy adopted in Nairobi in August 1981. It requested that energy balance-sheets be drawn up for all the ACP countries, that more account be taken of the energy component of projects, and that appropriate technology be developed for producing and using energy in the developing countries; it also stressed the value of small-scale hydroelectric projects and the advantages, for domestic consumption, of specially adapted domestic appliances.

The Joint Committee also adopted four resolutions concerning ACP sugar, cultural cooperation, industrial cooperation and the global negotiations with a view to a new economic order.

A discussion of the implementation of the second Lomé Convention focused on Stabex, the Technical Centre for Agricultural and Rural Cooperation, sugar, ACP-EEC trade, fisheries, the North-South Dialogue and the agreements which will follow Lomé II.

Regional cooperation

2.2.35. At the request of the governments concerned, the Commission organized meetings from 17 to 19 February to coordinate the views of donors and countries in the region concerned in respect of the two main East African through routes—the 'northern corridor' linking the Kenyan port of Mombasa with Uganda, Rwanda and Burundi, and the 'central corridor' linking the Tanzanian port of Dar-es-Salaam with Burundi, Rwanda, Uganda, Zaire and Zambia.

In addition to these seven ACP countries and the Commission, representatives or observers attended from 12 countries (including seven Member States), the Arab Bank for Economic Development in Africa, the Kuwait Fund, the African Development Bank, the European Investment Bank and the World Bank.

Discussions centred on the financing of projects involving the two routes and their coordination. The Member States present and the other donors stated their intentions as regards participation in carrying out the projects in question.

Export earnings

Stabex

2.2.36. The Stabex system is aimed essentially at stabilizing the ACP countries' earnings from exports to the Community of products on which their economies depend. Article 27 of the second Lomé Convention states that, if so requested by an ACP State, the Council may decide, on the basis of a report drawn up by the Commission, to apply the system to exports of a given ACP State's products to other ACP States. For the first time such a request has been received from an ACP State, namely Dominica, and the products in question are coconuts and coconut oil.

Production of these commodities, which are exported essentially to other ACP countries, will drop considerably in the next few years as a result of the hurricanes which hit the island in 1979 and 1980, destroying 70% of the plantations.

On the basis of the information presented by Dominica the Commission expressed a favourable opinion on the request in its report to the Council.

2.2.37. The Commission decided on 10 February to pay Kenya an advance of 7 500 000 ECU to offset losses on coffee export earnings in 1981.

Sugar Protocol

2.2.38. In February negotiations were concluded on the level of guaranteed prices applicable during the 1981/82 sugar year to cane sugar originating in the ACP States which are party to the Sugar Protocol.

At a meeting of the ACP-EEC Specialized Committee on Sugar held immediately after the conclusion of these negotiations, the outstanding problems concerning the application and operation of the Protocol were ex-

amined. A brief exchange of views was also held on the procedure being followed and the stage reached in the re-examination of the guaranteed purchase provided for in Article 2(2) of the Protocol, Zimbabwe's accession, the examination of the Ivory Coast's application for accession, the reallocation to Kenya, the Congo and Suriname of their agreed quantities, reduced wholly or partially owing to non-delivery.

European Development Fund

Financing decisions

2.2.39. In February the Commission took decisions involving the allocation of fourth and fifth EDF resources totalling 98 601 000 ECU, in respect of Commission-administered projects and programmes and emergency aid, to finance operations in the following sectors:

	<i>ECU</i>
Energy	185 000
Rural production	46 813 000
Stockfarming	7 500 000
Railways	9 800 000
Ports	6 000 000
Bridges	10 350 000
Training	8 192 000
Emergency aid	165 000
Trade promotion	1 800 000
Other	7 796 000
	98 601 000

Guinea

2.2.40. A ministerial-level delegation from the Republic of Guinea visited the Commission from 25 February to 1 March and was received by Mr Davignon, Mr Ortoli and Mr Pisani. Their discussions on cooperation between Guinea and the Communities focused on various aspects of rural, social, energy and mining development and in particular the Mifeourguy-Mount Nimba iron ore mining project.

Other African countries

2.2.41. At the meeting of the ACP-EEC Joint Committee¹ Mr Pisani, the Member of

the Commission with special responsibility for development policy, presented on behalf of the Commission a communication on the situation and development prospects of Southern Africa.

Mr Pisani denounced various South African policies (apartheid, destabilization of neighbouring States) and stressed the grave risks in the region. Namibia's accession to independence, in accordance with Security Council Resolution 435, will be a key factor in progress towards peace. The Community will then have to do its utmost to secure Namibia's economic future, just as it is doing all it can to support regional cooperation in Southern Africa through the SADCC.

2.2.42. Mr Pisani also visited, from 29 January to 14 February, six of the nine members of the Southern Africa Development Coordination Conference: Botswana, Zimbabwe, Mozambique, Malawi, Zambia and Angola. From the discussions he had there emerged almost unanimous agreement on the priority problems to be dealt with: a political and diplomatic settlement of the Namibian conflict to be found by 1983; support to be provided for the regional experiment being undertaken by the SADCC, in which each partner is responsible for a key economic sector; and the Community to be called upon to play a role in coordinating and encouraging donor countries and organizations.

In Angola and Mozambique the talks focused on possible cooperation between these two countries and the Community under the new Lomé Convention. Ministerial-level delegations are expected to visit Brussels in the next few months to hold more detailed exchanges of views.

Latin America

Brazil

2.2.43. The Brazilian Minister of Planning, Mr A. Delfim Netto, visited the Commission

¹ Point 2.2.34.

on 2 February and had talks with Mr Thorn, Mr Ortoli, Mr Haferkamp and Mr Davignon.

The main subject of these talks, which covered the economic situation in Brazil and in the world at large, was the Community's possible participation in financing the working of the Brazilian iron ore mines in the Carajas region. This could be done under Article 54 of the ECSC Treaty and would contribute to security of iron ore supplies for the European iron and steel industry.

State-trading countries

Poland

2.2.44. On 23 February the Council agreed to the proposal to transfer an appropriation of 8 million ECU to permit rapid intervention, via non-governmental organizations, to assist the most deprived sectors of the Polish population. After its Committee on Budgets had deliberated on the matter on 25 February, Parliament also gave its agreement. This emergency aid will be able to be implemented some time during March.

The appropriation thus authorized represents part of the 35 million ECU initially earmarked in the 1982 budget for the sale of agricultural products on special terms to Poland, which the Council decided in January to supply as gifts.¹ This will make it possible to deliver to Poland by May 6 400 tonnes of food, medical supplies and hygiene products.

The extent of the Community aid was assessed on the basis of information regarding urgent requirements for the period March to May. According to non-governmental organizations operating in Poland some 30 million ECU will be required; 40% of this amount is likely to come from NGOs outside the Community; 25% from the Community and 15% from NGOs in the Ten, the remainder coming from various sources, notably the Federal Republic of Germany.

This operation follows on from the humanitarian aid decided by the Community on 23 December.² An initial instalment of 1

million ECU, from the 2 million earmarked, has so far enabled nearly 600 tonnes of foodstuffs and hygiene products to be sent through Caritas organizations in five Member States and through Secours catholique français.

USSR

2.2.45. Again on 23 February the Council noted that a very large majority was in favour of a reduction in the Community's imports from the Soviet Union, to be carried out on the basis of Article 113. On 24 February the Commission adopted a proposal to that end, aimed at cutting the 1980 figure for imports of certain products from the USSR by 50%. These provisions would not apply to Greece, however. The proposed reduction affects about 100 tariff headings representing a 1980 import value of some 830 million ECU, i.e. approximately 8% of all imports from the Soviet Union, which stood at 10 838 million ECU in 1980. The Community's exports to the Soviet Union in 1980 amounted to 7 517 million ECU.

China

2.2.46. A delegation of senior Chinese officials headed by the Vice-Chairman of the State Science and Technology Commission, Mr Yang Jun, visited the Commission prior to making a fact-finding tour of the Community on energy matters.

This visit is the first of four cooperation activities decided in November 1981; the others are training of Chinese cadres in energy saving and two monographs.

By 17 March the Chinese delegation will have visited the United Kingdom, France, Italy, the Federal Republic of Germany and the Netherlands to study coal, oil and electricity projects, energy-saving techniques and energy planning, and to explore opportunities for cooperation in this field.

¹ Bull. EC 1-1982, point 2.2.38.

² Bull. EC 12-1981, points 1.4.1 to 1.4.6.

Diplomatic relations

2.2.47. The President of the Council and the President of the Commission received Their Excellencies Mr Noureddine Hached, Mr Jean Antoine Dardeau, Mr Ram Hari Sharma and Mr Abdullah Saleh Al-Mana, who presented their letters of credence as Head of the Republic of Tunisia's Representation to the EEC and Head of Tunisia's Mission to the ECSC and the EAEC, Head of the Republic of Haiti's Mission to the EEC, Head of the Kingdom of Nepal's Mission to the EEC and Head of the State of Qatar's Mission to the European Communities respectively, with effect from 2 February.

The two Presidents also received Mr Yaovi Adodo, the Togolese Republic's representative to the EEC and Head of the Togolese Mission to the ECSC and the EAEC, and Mr Harold Sahadeo, Head of the Mission of the Cooperative Republic of Guyana to the European Communities, with effect from 26 February.

The new ambassadors succeed Mr Abdelaziz Hamzaoui (Tunisia), Mr Pierre Pompee

(Haiti), Mr Ishwari Man Shrestha (Nepal), Khalifa Sultan Al-Asiry (Qatar), Mr Kodjovi Vinyo Dagadou (Togo) and Mr Samuel Rudolph Insanally (Guyana).

European political cooperation

2.2.48. At a ministerial meeting held in Brussels on 23 February the Foreign Ministers asked the Presidency to undertake a mission to Turkey to inform the Turkish authorities of their concern at developments in that country and to voice their firm hope that progress would very soon be made towards a rapid return to democracy and respect for human rights.

2.2.49. The Ministers decided to support Parliament's initiative in declaring 21 March 'Afghanistan Day' (Parliament's resolution of 17 December 1981¹). The Ten intend to issue a statement on that day.

¹ OJ C 11, 18.1.1982; Bull. EC 12-1981, point 2.3.12.

3. Financing Community activities

Budgets

General budget

2.3.1. The Council has brought an action before the Court of Justice challenging the Commission's first act in implementing the 1982 budget, namely a decision taken on 20 January concerning an EAGGF advance for the payment of premiums for the non-marketing of milk. The Council's object is to have an alternative course of action available should its case against Parliament¹ concern-

ing the conditions under which the 1982 budget was voted and adopted be judged inadmissible.

ECSC operating budget

2.3.2. On 23 February the Council adopted a decision concerning a 62 million ECU contribution from the general budget to the ECSC budget. Provided it is carried over to

¹ Bull. EC 1-1982, point 2.3.1.

1982, the 62 million ECU entered in supplementary and amending budget No 2/1981 can thus be transferred to the ECSC and used to finance social measures in connection with the restructuring of the steel industry.¹

Financial operations

ECSC

Loans raised

2.3.3. In February the Commission concluded a private placing in German marks for the equivalent of 9.1 million ECU.

Loans paid out

2.3.4. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission made loans in February amounting to 134.46 million ECU (industrial loans, subsidized housing and conversion loans).

Industrial loans

Netherlands

Estel-Hoogovens BV, IJmuiden: renovation and expansion of coke oven unit I with a capacity of 1.2 million tonnes per year.

Germany

Stahlwerke Peine-Salzgitter: continuous casting facility for blooms at Peine; a second continuous casting facility for slabs at Salzgitter; alloying and further metallurgic processing plant for steel in the moulding shop in the oxygen-blown plant at Peine.

Eschweiler Bergwerksverein AG, Herzogenrath: enlarging the winding capacity of the Emil Mayrisch pit and connecting it to the Westfalen pit.

Klöckner-Werke AG, Duisburg: wide hot-rolled strip mill and expansion of crude steel production at Bremen.

United Kingdom

National Coal Board: construction of a boiler testing plant at the Coal Research Es-

tablishment, Stoke Orchard; improving a covered test site at the Mining Research and Development Establishment, Swadlincote; mining training centre and medical centre.

National Coal Board: Ackton Hall colliery: reorganization of the pit; Hatfield colliery: adaptation of machines to new safety standards; Lynemouth/Ellington colliery: improvement of the ventilation system; Shirebrook and Pleasley collieries: opening up new reserves and connecting the pits; Dods-worth colliery: surface installations; discharge point at the Denby open-cast site: replacement of existing installations.

Italy

Nuova Italsider SpA, Genoa: programme for restructuring and modernizing the Bagnoli steel complex.

Cantieri Navali Riuniti SpA, Genoa: restructuring the shipyard.

Acc. e Ferr. Lombarde Falck SpA, Milan: programme for restructuring and modernizing the steelworks.

Acc. e Ferr. Trafilerie Cravetto SpA, Milan: modernizing the steelworks; installation of a continuous casting unit for billets.

Conversion loans

United Kingdom

Leyland Vehicles Ltd/Bus Manufacturers Ltd, Leyland, Preston, Lancashire (Working-ton project).

Subsidized housing

2.3.5. Loans paid out in February for the building of subsidized housing amounted to 1.01 million ECU.

NCI

Loans raised

2.3.6. In February the Commission concluded a private placing in Belgian francs for the equivalent of 22.6 million ECU.

¹ Bull. EC 12-1981, 2.3.37.

2.3.7. In February the Commission made a DM 200 million bond issue representing an equivalent of 82.4 million ECU. The twelve-year bonds, which will be redeemed after a four-year grace period in eight equal annual instalments, carry a coupon of $9\frac{3}{4}\%$. The issue price was 99%. The bonds will be listed on the stock exchanges at Frankfurt, Berlin, Düsseldorf, Hamburg and Munich.

Euratom

Loans raised

2.3.8. On 10 February the Commission signed a contract in Tokyo with a syndicate of Japanese banks for a yen 20 000 million bond issue (equivalent to 83.1 million ECU). The 8.3% bonds were issued at 99.65% and have a maturity of ten years; they will be listed on the Tokyo stock exchange.

4. Institutional and political matters

European policy and relations between the institutions

European policy

Referendum in Greenland

2.4.1. The consultative referendum organized by the Greenland executive on 23 February produced a majority in favour of seeking withdrawal from the Communities and negotiating a new type of relationship. The Commission noted these results with regret; it will state its own position as soon as it knows what action the Greenland authorities want Copenhagen to take and what is the reaction of the Danish Government.

European Foundation

2.4.2. After lying dormant for three years, the plan for establishing a European Foundation, first proposed by Mr Tindemans in the report which he presented to the European Council in December 1975,¹ has recently been revived by the French Government.²

In January Mr Tindemans told Parliament that Belgium would regard this project as a priority for its term in the Council chair and that it considered the Foundation to be of major importance in the promotion of a citizens' Europe.³ The Belgian Presidency intends to have the act establishing the Foundation signed at the next European Council, to be held on 29 and 30 March, which will mark the 25th anniversary of the signing of the Treaty of Rome.

The main tasks of the Foundation, whose headquarters will be in Paris, will be to foster mutual understanding between the peoples of the Community and to promote knowledge of the common European heritage. On 10 February the Commission set out its views on how the Foundation should initially be financed from the Community budget. The total Community contribution for a five-year period will be determined in an exchange of letters between the Commission and the Council after signature of the act establishing the Foundation. The ex-

¹ Ninth General Report, point 11; Supplement 1/76 — Bull. EC.

² Bull. EC 11-1981, point 3.5.1.

³ Bull. EC 1-1982, point 2.4.6.

change of letters will be concluded by the Council under Article 235 of the EEC Treaty.

European Union

2.4.3. The Foreign Ministers met on 23 February and began consideration of the Genscher/Colombo report on European Union on the basis of an interim report from the group chaired by Mr de Schoutheete, the Belgian Ambassador to Spain.¹ They emphasized the need for simultaneous progress on political matters, such as the mandate, and on European Union. The de Schoutheete group was asked to continue its work and present a revised report to the next meeting of Foreign Ministers, to be held on 24 May. They were asked to concentrate in particular on the following points:

- (i) closer links between Council meetings and meetings of ministers in political cooperation within the limits imposed by existing procedures and without any amendments to the Treaties;
- (ii) careful consideration of the question of voting in the Council;
- (iii) improvement of relations with the European Parliament;
- (iv) the need for the Member States to be able to discuss all matters of common concern, including security.

Interinstitutional relations

2.4.4. On 18 February Parliament passed a resolution on its role in the negotiation and ratification of treaties of accession and of other treaties and agreements between the European Community and other countries.²

Parliament asked the Council and the Commission to make interinstitutional agreements declaring that they would involve Parliament in the conclusion of all agreements concluded on the basis of the Treaties establishing the Community. There would be a simplified form of participation for agreements of an administrative and technical na-

ture. In the case of all other international agreements, the Council would need Parliament's agreement before concluding a treaty and so would be bound not to conclude a treaty which Parliament had not approved. Until Parliament had the right to ratify a treaty, texts of agreements would be submitted to it for its opinion, after negotiations had been completed but before signature. There would be a conciliation procedure for cases of disagreement.

Parliament also asked for an interinstitutional agreement on accession treaties under which the Council would consult Parliament before taking a decision on the application for accession and Parliament would hold a policy debate before the Commission was given a negotiating mandate. During the negotiations, the Member of the Commission responsible would make confidential and unofficial progress reports to the relevant committees. Parliament would then hold a ratification debate after the signature of a treaty of accession. The Council would undertake to try to persuade the Member States not to implement any treaty of accession that Parliament had rejected by a three-fifths majority of its members.

Finally, Parliament requested that interinstitutional agreements be concluded on the transfer of nuclear technology. These would provide for the Commission to consult Parliament and, if there was disagreement, to refrain from concluding the agreement or to open new negotiations.

The Council and the Commission were asked to give their reactions to these requests not later than the end of Parliament's June part-session.

*

2.4.5. On 17 February Parliament adopted two resolutions on the urgent need for progress in work on the May mandate.³

¹ Bull. EC 1-1982, point 2.4.1.

² OJ C 66, 15.3.1982.

³ Point 2.4.7; OJ C 66, 15.3.1982.

Institutions and organs of the Communities

Parliament

Strasbourg: 15 to 19 February¹

2.4.6. Prominent features of Parliament's February sittings were Mr Thorn's presentation of the Commission's programme for 1982, the ensuing debate on that programme and further discussions on the progress of work on the follow-up to the May mandate.

While the Council was reviewing the results of three years' operation of the EMS and finding that technical progress could be made within the present institutional framework,² Parliament was holding a broad debate on the need to press on with the EMS.

The House also considered the fifth medium-term economic policy programme, the situation of small and medium-sized businesses, wine problems, energy problems, certain aspects of regional development and the French measures for 'reconquering' the home market. On the last item, Mr Narjes reminded the House that the Commission was following events very closely with regard to both official communications from France and complaints lodged from economic sources against direct and indirect barriers to free movement. This question would also be discussed with the French Prime Minister, Mr Mauroy, when he visited the Commission in March.

Several debates revealed concern in the House over the deterioration in political and trade relations between the Community and the United States (steel, agriculture) and over the ties of dependence created between the Community and the Soviet Union (supplies of natural gas, sales of farm products).

Finally, Parliament adopted a report on its role in the negotiation and ratification of international agreements between the Community and non-member countries and expressed its intention of taking a greater part

in the conclusion of all agreements signed on the basis of the Treaties.³

On a purely internal matter, several members seized the opportunity provided by the resignation of Mr Clément (*EPD/F*) to protest against what was called the *EPD* Group's 'tourniquet' practice. The matter has been laid before the Committee on the Verification of Credentials and the Bureau.

Commission programme for 1982

2.4.7. Presenting the report on the activities of the European Communities in 1981 and the Commission's programme for 1982, the Commission President, Mr Thorn, struck a very serious note. The Community's future was tied up with the discussion on the follow-up to the May mandate. The Council needed to act on the Commission's mandate proposals to revive European integration, improve the common agricultural policy without jeopardizing its principles and resolve the budgetary difficulties of the United Kingdom. If the European Council at the end of March failed to do that, warned Mr Thorn, the Community would be confronted with 'an identity crisis' in which the Commission would have to face up to all its responsibilities.

Mr Thorn felt that the 20 years of the common agricultural policy had produced positive results. There was nevertheless a need

¹ 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 66, 15.3.1982, and the report of the proceedings is contained in OJ Annex 280. The political groups of members are indicated in brackets by the following abbreviations: *Soc* = Socialists; *EPP* = European People's Party — Christian Democratic Group; *ED* = European Democratic Group; *Com* = Communists and Allies; *Lib* = Liberals and Democrats; *EPD* = European Progressive Democrats; *Ind* = Group for the Technical Coordination and Defence of Independent Groups and Members; *NA* = Non-affiliated. The countries of origin are indicated as follows: B = Belgium, DK = Denmark, D = Federal Republic of Germany, GR = Greece, F = France, IRL = Ireland, I = Italy, L = Luxembourg, NL = Netherlands, UK = United Kingdom.

² Point 2.1.2.

³ Point 2.4.4.

for tighter controls on surpluses, and agreement must be reached on the kind of agriculture Europe wanted. Modernization should continue, but it must not lead to a massive flight from the land; this meant special measures for the incomes of small farmers and handicapped regions. Mr Thorn then turned to the 'British' problem against the background of the overall budgetary problem. If the compensatory payments to the United Kingdom were entered into the budget, they would 'use up' the entire margin still available and the own resources limit would be reached by 1983. New own resources must therefore be proposed; but for that, plans must be put to the Member States justifying a further transfer of resources.

After raising the question whether the failure of the negotiations under the mandate might not mask a waning commitment to Europe on the part of certain Member States, or at least fundamental differences on the structure and purpose of the Community, Mr Thorn went on to the problem of economic recovery. He emphasized the battle strategy to be deployed for the top priorities of employment and investment. He also emphasized other points, such as the need to develop the European Monetary System, trade with the Eastern bloc, relations with the United States and the North-South Dialogue.

In conclusion, Mr Thorn highlighted two major flaws in interinstitutional relations: Parliament's inadequate powers and the Council's inability to take decisions. Referring to the Genscher-Colombo initiative, he stressed that the aim must be to preserve what the Community had achieved and develop political cooperation, but this must not serve to hide the shortcomings of integration.

His final words were: 'There is no alternative to the Community because it is the only effective remedy for the ills that plague us. The Community has two options: it can admit defeat in the face of centrifugal forces, or it can fight on to attain a higher level of integration and hence of development. ...'

For the Socialist Group, Mr Glinne (B) was glad to hear the emphasis in the Commission's 1982 programme on the fight against unemployment. He pointed out, however, that it was not enough to promote investments. To win this fight, working time must also be reorganized. Mr Fanti (*Com/I*) was 'dissatisfied'. The Commission had said nothing about the causes of the crisis. Supported here by Mr Bangemann (*Lib/D*), he maintained that the existing budgetary imbalances must be corrected, not by repayments, but by revitalizing policies. Repayments led to diabolical mechanisms which cost more than the costs of the Regional and Social Funds put together.

The new Chairman of the European Democrats, Sir Henry Plumb (UK), found that the Commission's weakness did not lie in the quality of its proposals but in its inability to convince the Council and the governments of their merit. The Commission was not to act as a secretariat to the Council. The spokesman for the EPD Group, Mr Fanton (F), found the Commission's programme 'disappointing'. It failed to diagnose the real trouble, which was that the United Kingdom was blackmailing the Community one year after another. Instead of devising technical measures, the Commission should be as firm as Mrs Thatcher, even at the risk of a crisis, which would be better than the 'pernicious anaemia' sapping the Community today.

Mr Pannella (*Ind/I*) made a striking statement: 'This Europe, this value, this hope and this reality could be depicted surrealistically by the impossible picture of a crumbling swamp. It is the logic of things which defeats us. The values no longer have force. We are henceforth the troubled, perhaps rather unwitting, notaries of the holocaust; the holocaust of hope — at world level, the holocaust of 1930. I say it again, we vanquished Nazism as a power, but it still dominates us as a culture.'

Having replied to the criticisms, notably those of Mr Fanton and Sir Henry Plumb, Mr Thorn declared that the 1984 elections would turn essentially on the decisions shortly to be taken in connection with the mandate. What would be at stake for MPs

and electors would be the very essence of the Community.

At the end of the debate Parliament passed two resolutions on 'the urgent need for progress on the 30 May mandate'. One, presented by Mr Hopper (*ED/UK*) and others, regretted the present impasse but 'welcomed the tentative agreements on the non-budgetary and non-agricultural aspects of the mandate exercise'; the other, moved by Sir Henry Plumb (*UK*) on behalf of the European Democrats, 'requests the Commission to present a special action programme before 1 June 1982 for making full use of the executive powers conferred upon it by the Treaties in particular in the social, economic, commercial, agricultural and industrial fields with a precise calendar for action'.

Fifth medium-term economic policy programme

2.4.8. Presenting his report on the fifth medium-term economic policy programme,¹ Mr Herman (*EPPB*) endorsed the main lines of the programme. He hoped the Commission would have the strength and the courage to honour its commitments to promote a European medium-term strategy, the only way, in his view, of reducing unemployment without fuelling inflation. It would indeed have to be a European strategy, for all the States must follow one and the same path, neither monetarist nor Keynesian, failing which the effects of divergent experiments would cancel themselves out. If growth rates were to be raised, a great deal more productive investment would be required, which could only be achieved through a different distribution of available resources, in other words limitations on social transfers and the acceptance of lower incomes.

Mr Moreau (*SodF*) regretted that Mr Herman had not insisted that the fifth programme be remodelled to make the reduction of unemployment the Commission's main concern. Mr Van Rompuy (*EPPB*) supported Mr Herman's report and stressed the need for an active policy on investment, research and exports. He considered that the programme presented by the Commission

amounted to a package of non-binding proposals on a macroeconomic scale too broad to be applied effectively.

Mr Deleau (*EPDF*), pointing out that none of the objectives of the fourth programme had been attained, contended that in the steadily worsening economic situation the Member States were absolutely duty bound to pursue a determined policy by coordinating their economic and monetary policies. He also regretted that the fifth programme did not incorporate the Commission's communication on technological innovation. A common industrial policy was sorely needed. The competitiveness of businesses must be boosted, with more scope for creating jobs and better conditions for financing, particularly for small and medium-sized businesses. Regretting that the debate on a matter of such vital importance had been so short, Mr Ortoli took up a number of aspects of the programme. He agreed, however, that the 'present outlook is not too good'. A return to growth required a broad consensus, especially on account of 'an external environment which is outside our control'.

European Monetary System

2.4.9. While the Council on 15 February was adopting conclusions, prompted by suggestions from the Commission, for the development of the EMS,² a debate began on the report by Mr Purvis (*ED/UK*). This paper called for a European currency authority to be set up to issue and manage the ECU, as an exchange and reserve instrument, intended eventually to become a currency of legal tender in all the Member States. The Member States were urged to eliminate exchange controls and the United Kingdom and Greece to join the EMS. The Commission was to present a proposal within a year for setting up this European currency authority and making the ECU a European currency in its own right. It was also to develop proposals for a concerted

¹ Bull. EC 7/8-1981, points 1.2.1 to 1.2.10.

² Point 2.1.2.

Community response to the effects of US monetary policy.

Mr Bonaccini (*Com/I*) endorsed the main lines of the Purvis report and emphasized the need for economic convergence as the foundation for the consolidation of the EMS. Mrs Scrivener (*Lib/F*) felt that all the Member States must be in the EMS and that they should ultimately make their payments, between themselves and with non-member countries, in ECUs. Mr Deleau (*EPDF*) believed that the second stage of the EMS could not yet be achieved. Economic construction must be consolidated first. But no progress was being made with convergence and two Member States were still not fully participating in the EMS.

Replying for the Commission, Mr Ortoli declared that the EMS was already an 'astonishing success'. The plans for the second stage were to consolidate the credit mechanisms within the European Monetary Fund and to promote the ECU to the status of a fully fledged reserve asset. He pointed out that certain parts of the second stage were in fact being implemented without any great publicity. But it was not possible at this juncture to contemplate setting up the European currency authority recommended in the Purvis report, for not all the Member States were in the EMS and in any case the monetary environment was not favourable. But this view certainly did not reflect a lack of ambition on the part of the Commission, which was here showing a stubborn tenacity. In conclusion, he highlighted the progress made at the Council meeting on 15 February.¹ If this progress could be translated into something concrete at the next European Council, Mr Ortoli would be a very happy man.

With some slight amendments Parliament passed the resolution contained in the Purvis report.

The 'wine war'

2.4.10. Adopting the resolution of Mr Ligios (*EPP/I*) at the end of the topical and urgent debate, Parliament considered that France had violated the principle of free

movement and urged the Commission to take steps to restore the unity of the market permanently.

Two other resolutions, one by Mr d'Ormesson (*EPP/F*), also tabled with the support of several French members of the EPD and Liberal Groups, and the other by Mr De Pasquale (*Com/I*), were rejected. Mr d'Ormesson was proposing a countervailing tax of 80% between the ex-vineyard price and the activating price, intended to offset the considerable difference between the prices of Italian and French table wines, the proceeds to be redistributed to the producers.

In his speech Mr d'Ormesson said that they must look further than the question of the barrier to free movement. The problem was an economic and social one; it stemmed from the lack of a quality policy in France and a wine register in Italy.

Mr De Pasquale, followed by Mr Gatto (*Sod/I*), felt that this was a 'systematic and deliberate protectionist policy'. France was violating a principle, the only one still upheld in the common market.

For Mr Martin (*Com/F*), the flood tide of imports was intolerable and was caused by the difference in prices between Italian and French wines.

Mr Eyraud (*Sod/F*) spoke of incomplete customs papers and traces of asbestos in the wine and saw salvation in the establishment of a wine office.

For the Commission, Mr Dalsager endorsed the positive ideas of preventive distillation and raising production prices. He stressed that any improvement of the market would require radical changes in the regulations, changes already proposed by the Commission to the Council in October 1981.

Exports of food to the Soviet Union

2.4.11. Parliament examined the report by Mr Aigner (*EPP/D*), the Chairman of Parliament's Committee on Budgetary Control, on

¹ Point 2.1.2.

exports of farm produce to the Eastern bloc, and in particular to the Soviet Union. The vote was postponed until the next part-session.

The report claimed that the subsidies and refunds granted on low-price exports, particularly of butter, to the Soviet Union, sometimes exceeded the 'scandalous' level of 1 000 million ECU. The Commission's data on the market were inaccurate. In an attempt to somehow get rid of surpluses, which were expensive to store, the Commission had allowed the Soviet Union and certain Community exporters to dictate the terms.

To combat speculation Mr Aigner called for a genuine export policy towards the CMEA countries and the abolition of the system of fixing refunds in advance for exports to those countries. Mr Aigner's conclusions were endorsed by Mr Key (*SodUK*), Mr Marck (*EPPB*) and Mr Nyborg (*EPD/DK*).

For the French Communists, Mr Martin attacked the report, which smacked of 'cold war strategy'. He suggested to Mr Aigner that he report on free imports of American soya and vegetable fats into the Community or on the flouting of Community preference by certain multinationals.

Reacting on behalf of the French Socialists, Mrs Destouches endorsed the criticism but not the comments of the report. How was it possible to accuse the Commission of making 'panic sales' and to claim that the Soviet Union was negotiating from a position of strength? How could sales be made on market conditions when the USSR determined demand (in 1973, for example, it was the only customer)?

Mr Dalsager looked at the matter from the commercial angle. He pointed out that the Commission was working with a tendering system and that refunds varied according to sector and purchasing country. In some cases sales to Russia involved no refunds.

Soviet gas

2.4.12. The contracts signed by several Member States with the Soviet Union for supplies of natural gas were examined on

the basis of two motions for resolutions presented by the EPD Group (Mr de la Malène, F) and the Liberals (Mr Berkhouwer, NL). The topical and urgent debate which followed revealed two sharply contrasted attitudes: on one side were the groups which feared energy dependence on the supplier country (*EPD*, *Lib*, *ED* and *EPP*) and thought the moment to be politically ill chosen, and on the other stood those who, relying on figures, denied any dependence, like Mr Fuchs (*SodF*), or spoke of peaceful coexistence by means of trade between countries with different social systems, like Mr Damette (*ComF*). The European Progressive Democrats felt that since the risk of shortage of gas really existed only for the period 1985-90, the present contracts were scarcely rational and their conclusion particularly ill-timed.

The Liberals' resolution, the only one to be passed by the House, condemned the negotiations conducted separately by the Member States, a criticism echoed by Mr Müller-Hermann (*EPPD*), Mr Seligman (*EDUK*) and Mr Penders (*EPPNL*). For Mr Berkhouwer, the crucial thing was to avoid uncoordinated initiative. In the face of the Russian terror by proxy in Poland, the Europeans were continuing to trade as usual with the Soviet Union. Russian gas which would be supplied to France would come from Afghanistan, he added.

The Commission's position in regard to these contracts was restated by Mr Davignon. The Commission had nothing to say on the political background. It assessed these contracts in the light of the objectives of diversifying energy sources and would simply point out that the companies entering into the contracts must consider three criteria: prices, security of supply and reserves.

Steel: anti-dumping suits in the United States

2.4.13. The anti-dumping suits brought by the American steel industry against Community exports¹ were the focus of a debate

¹ Points 1.3.1 to 1.3.5; Bull. EC 1-1982, point 2.2.24.

based on two motions for resolutions. The resolution tabled by Mr Wagner (*Soc/D*) and others expressed concern and maintained that the problems affecting the American steel industry could not in any way be ascribed to Community exports, which account for barely 5% of American consumption. The second resolution, tabled by Mr Deleau (*EPDF*), was in the same vein but used stronger terms, referring to the 'aggressive' attitude of the United States in agriculture and industry alike. Mr Deleau called for urgent measures from the Community and, if these failed, a joint riposte by all the Member States.

Mr Van Aerssen (*EPPB*) and Mr Purvis (*ED/UK*) believed that the GATT procedures were more appropriate for settling the present dispute. Mrs Wiczorek-Zeul (*Soc/D*) saw the situation not as a number of marketing skirmishes but as a deliberate strategy against the Community on the part of the United States. Alluding to the cases brought against European steel products before the International Trade Commission, Mr Davignon said that the spirit of the trade agreements must be respected. The proceedings in themselves were already a penalty against the European steel industry. We had to be firm with the Americans, who, in fact, should appreciate the efforts in Europe to pull out of the crisis.

The House adopted Mr Wagner's resolution and another text presented by the EPP, ED and Liberal Groups in place of the EPD motion tabled by Mr Deleau. The new text reaffirmed support for the conclusions of the Ottawa Summit¹ in regard to maintaining the open trading system and resisting 'protectionist pressures'. It stressed that GATT provided the proper forum 'for the resolution of such problems and notes that a panel has been established' and considered that 'failure to respect the principles of GATT would result in a trade war which would cause incalculable harm to the livelihood of millions of workers'.

2.4.14. The House approved the following Commission proposals:

(i) the conditions for the admission of securities to official stock exchange listing;²

(ii) limitation of noise emitted by hydraulic excavators and loaders;³

(iii) assessment of the environmental effects of certain private and public projects;⁴

(iv) flavourings for use in foodstuffs;⁵

(v) special aid in the tobacco sector following the earthquake in Italy in November 1980;⁶

(vi) an amendment to the Regulation on the common organization of the sugar market;⁷

(vii) an amendment to Decision 73/287/ECSC concerning coking coal and coke intended for the steel industry;⁸

(viii) import arrangements for sheepmeat and goatmeat;⁹

(ix) registration of work involving recombinant DNA.¹⁰

2.4.15. The House passed resolutions on:

(i) the situation of small and medium-sized businesses, which must be offered Community loans, export aid, better integration into the economic and social environment, and administrative and taxation conditions which do not penalize them;¹¹

(ii) the situation and problems of the aged; Parliament hoped to see fewer inequalities and measures to enable elderly people to continue to live in their own surroundings;

(iii) the first periodic report on the economic and social situation of the Community regions;¹²

(iv) the contribution of rural development to the restoration of regional balance in the Community: Parliament called for coordination of projects in agriculture and associated areas (processing industry, craft industry,

¹ Bull. EC 7/8-1981, point 1.1.3.

² Point 2.1.28; OJ C 210, 16.8.1980.

³ OJ C 302, 21.11.1981.

⁴ Point 2.1.47; OJ C 169, 9.7.1980.

⁵ Point 2.1.9; OJ C 144, 13.6.1980.

⁶ Point 2.1.64; OJ C 346, 31.12.1981.

⁷ OJ C 346, 31.12.1981.

⁸ Point 2.1.100; OJ C 285, 7.11.1981.

⁹ OJ C 331, 18.12.1981.

¹⁰ Point 2.1.109; OJ C 214, 21.8.1980.

¹¹ Bull. EC 12-1980, point 2.1.15.

¹² OJ C 36, 9.2.1979.

tourism and land development) and also proposed that the EIB should set up a rural finance department;

(v) the establishment of integrated development plans for the Mediterranean countries and the applicant countries, so as to reduce the gap between rich and poor regions: it called for the creation of a development fund to operate at regional level;

(vi) aspects and requirements of coal supplies: the House considered that the use of coal in industry must be encouraged; new technology in the fields of exploitation and utilization must be promoted and producers must be offered sure markets;

(vii) the floating of Euratom loans to help in financing nuclear power stations;¹

(viii) damage and emergency aid following natural disasters in Ireland, France and Madagascar.

Council

2.4.16. The Council held four meetings in February. 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. The footnotes refer to the points in the Bulletin where a more detailed account is given of decisions taken, agreements reached, positions adopted and questions discussed.

¹ Point 2.1.106.

Table 1 — Council meetings in February 1982

Number, place and date of meeting	Subject	President	Commission	Main items of business
753rd Brussels 15 February	Economic and financial affairs	Mr Willy de Clercq	Mr Ortoli	<i>European Monetary System.</i> Wide-ranging discussions on measures for developing EMS. ¹
754th Brussels 15 and 16 February	Agriculture ²	Mr Paul de Keersmaecker	Mr Dalsager	<i>Agricultural prices and related measures.</i> First round of discussions. <i>Adjustment of secondary legislation in respect of Mediterranean products.</i> Policy debate. <i>Modernization of farms</i> (level of interest subsidy). Commission invited to make new suggestions. <i>Brucellosis, tuberculosis and leucosis in cattle.</i> No agreement on continuation of eradication programmes; dossier held over for next meeting. <i>National aids</i> (France; horticulture in the Netherlands). Discussions.

Table 1 (continued)

Number, place and date of meeting	Subject	President	Commission	Main items of business
755th Brussels 22 and 23 February	Foreign affairs	Mr Leo Tindemans	Mr Haferkamp, Mr Natali, Mr Davignon, Mr Tugendhat, Mr Pisani, Mr Narjes	<i>Japan.</i> ³ General discussion on measures announced by Japan and on Commission's proposals for action. <i>Poland.</i> ⁴ (i) Humanitarian aid: favourable reaction and arrangement on Council's part to proposed transfer of necessary funds; (ii) American measures and commercial policy measures with regard to USSR: discussions. <i>United States.</i> ⁵ Discussion on trade relations. <i>Steel.</i> ⁶ Decision, subject to confirmation, to transfer a second tranche (62 million ECU) from general budget (supplementary and amending budget No 2 for 1981) to ECSC budget to finance social measures. <i>Exploitation and demonstration projects in energy field.</i> Decision to increase allocation of funds. ⁷ <i>Conciliation discussions</i> with parliamentary delegation on food aid framework Regulation also held. ⁸
752nd Brussels 25 February	Textiles	Mr Mark Eyskens	Mr Haferkamp, Mr Davignon	Agreement on outward processing traffic and global ceilings; acceptance of MFA Protocol. ⁹

¹ Economic and monetary policy.² Agriculture.³ Industrialized countries.⁴ State-trading countries.⁵ Point 1.3.1 *et seq.*⁶ Employment, education and social policy.⁷ Energy.⁸ Development.⁹ Commercial policy.

Commission

Interim measures

2.4.17. On 2 February Mr Michael O'Kennedy asked for leave to absent himself from his duties as a Member of the Commission

because he was standing as a Fianna Fáil candidate in the Irish general election on 18 February. During his absence, his responsibilities were taken over by the President, Mr Gaston Thorn, with Mr Frans Andriessen deputizing if necessary.

Decisions, communications and proposals

2.4.18. In addition to adopting its work programme for 1982-83,¹ the Commission approved the annual programme for achieving customs union and the 1982 information programme. The main communications and proposals adopted in February concerned:

- (i) energy policy (nuclear energy, a role for coal and encouragement of the rational utilization of energy);²
- (ii) the non-application of MCAs to France following changes in EMS central rates;³
- (iii) humanitarian emergency aid for Poland and commercial policy measures on certain imports from the Soviet Union;⁴
- (iv) the establishment of the European Foundation.⁵

The Commission also adopted a number of reports, including one on health protection under the Euratom Treaty, one on the harmonization of excise duties on manufactured tobacco⁶ and another on the application of rules on aids to the steel industry.

Discussions, policy debates and work in hand

2.4.19. The Commission discussed budgetary matters, mainly in preparation for the conciliation meeting between Parliament and the Council on the classification of expenditure, and negotiations on the accession of Portugal.⁷ It considered a number of French measures to revive various industries (the

'reconquest' of the French domestic market) and took note of the results of the consultative referendum arranged by the authorities in Greenland.⁸ It will adopt a final position on this when it has received official notification from the Danish Government.

On the external relations front, the Commission reviewed relations with the United States in the light of the meeting between three of its members and members of the US Administration.⁹ It also held a policy debate on relations with Japan.¹⁰

Relations with workers' and employers' organizations

2.4.20. A preliminary consultation meeting with representatives of the Committee of the Transport Workers' Unions in the Community considered recent developments in the common transport policy.

Representatives of the European Trade Union Confederation continued their work on the Community's industrial policy.

¹ Points 1.1.1 to 1.1.6.
² Points 1.2.1 to 1.2.14.
³ Point 2.1.1.
⁴ Points 2.2.44 and 2.2.45; Bull. EC 1-1982, point 2.2.38.
⁵ Point 2.4.2.
⁶ Point 2.1.30; Bull. EC 6-1981, point 2.1.42.
⁷ Point 2.2.1.
⁸ Point 2.4.1.
⁹ Points 1.3.1 to 1.3.5.
¹⁰ Point 2.2.25.

Court of Justice¹

2.4.21. **New cases**

Case	Subject	Basis
59/82 — Schutzverband gegen Unwesen in der Wirtschaft v Weinvertriebs-GmbH ¹	Compatibility of the requirement of a minimum alcohol content for imported vermouths with Article 30 <i>et seq.</i> of the EEC Treaty	Article 177 of the EEC Treaty

¹ 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).

Case	Subject	Basis
Steel		
65/82 — Halyvourgiki Inc. v Commission ²	Decision fixing production quotas for steel products	Article 33 of the ECSC Treaty
Customs union		
39/82 — A.M. Donner v Netherlands (PTT) ¹	Does the prohibition of charges having an effect equivalent to customs duties, laid down in Article 13 of the EEC Treaty, apply to amounts entered in the accounts by the Netherlands postal services?	Article 177 of the EEC Treaty
47/82 — Gebr. Vismans BV v Inspecteur der Invoerrechten en Accijnen ³	Tariff classification of 'green gram' and 'black gram' beans	Article 177 of the EEC Treaty
Competition		
43/82 and 43/82 R — Vereniging ter Bevordering van het Vlaamsche Boekwezen, Antwerp v Commission ²	Commission Decision of 25 November 1981 concerning a proceeding under Article 85 of the EEC Treaty	Article 173 of the EEC Treaty
63/82 and 63/82 R — Vereniging ter Bevordering van de Belangen des Boekhandels, Amsterdam v Commission ³	Commission Decision of 25 November 1981 concerning a proceeding under Article 85 of the EEC Treaty	Article 173 of the EEC Treaty
67/82 — Landbouwschap, The Hague v Commission	Commission Decision of 15 December 1981 concerning a proceeding under Article 92 of the EEC Treaty	Article 173 of the EEC Treaty
68/82 — Kwekerij Gebr. van der Kooy BV, Zevenhuizen, and Others v Commission	Commission Decision of 15 December 1981 concerning a proceeding under Article 92 of the EEC Treaty	Article 173 of the EEC Treaty
70/82 — Netherlands v Commission	Commission Decision of 15 December 1981 concerning a proceeding under Article 92 of the EEC Treaty	Article 173 of the EEC Treaty
Social security for migrant workers		
76/82 — S. Maltifano, Licata v Institut national d'assurance maladie-invalidité, Brussels	Interpretation of Article 48(1) of Regulation No 1408/71 concerning periods of insurance of less than one year	Article 177 of the EEC Treaty
Freedom of movement for workers		
77/82 — Mrs A. Peskeloglou, Böblingen v Bundesanstalt für Arbeit, Nuremberg	Does the second paragraph of Article 45(1) of Greece's Act of Accession authorize a Member State to reinforce its national provisions on the granting of work permits?	Article 177 of the EEC Treaty

Case	Subject	Basis
Agriculture		
45/82 — Netherlands v Commission	Annulment of the Commission Decisions of 16 November 1981 concerning the clearance of accounts submitted by various Member States in connection with the expenditure for 1974 and 1975 financed by the EAGGF Guarantee Section	Article 177 of the EEC Treaty
46/82 — Federal Republic of Germany v Commission ⁴	Annulment of the Commission Decisions of 16 November 1981 concerning the clearance of accounts submitted by various Member States in connection with the expenditure for 1974 and 1975 financed by the EAGGF Guarantee Section	Article 177 of the EEC Treaty
61/82 and 62/82 — Italy v Commission ³	Annulment of the Commission Decisions of 16 November 1981 concerning the clearance of accounts submitted by various Member States in connection with the expenditure for 1974 and 1975 financed by the EAGGF Guarantee Section	Article 177 of the EEC Treaty
64/82 — Tradax Graanhandel BV v Commission	Proceedings for failure to act, the Commission having failed to communicate the data on which its calculation of the levy on certain imports of cereals was based, and proceedings for annulment of the Commission's reply to its request for information	Articles 175 and 173 of the EEC Treaty
66/82 — Sté Fromançais SA v FORMA	Validity of regulations concerning the sale of butter at a reduced price and supervision of the purpose for which it is used	Article 177 of the EEC Treaty
71/82 — Bundesanstalt für landwirtschaftliche Marktordnung v Fa H. & J. Brüggem ³	Possibility of extending an export licence in respect of which the refund has been fixed in advance	Article 177 of the EEC Treaty
73/82 — Council v Commission	Proceedings for annulment of the Commission Decision of 20 January 1982 concerning the advance of funds for the payment of non-marketing subsidies for milk and milk products and premiums for the conversion of dairy herds, financed by the EAGGF, declaring the Community budget for 1982 to be inapplicable as having infringed Article 203(9) of the EEC Treaty	Articles 173 and 146 of the EEC Treaty and Article 33 of the ECSC Treaty
Fisheries		
50-58/82 — (1) Administrateur des affaires maritimes; (2) Procureur de la République v José Dorca Marina and Others	Validity, in relation to earlier international commitments, of a number of Community fisheries regulations and, where such regulations are valid, their applicability to Spanish nationals	Article 177 of the EEC Treaty

Case	Subject	Basis
Budget		
72/82 — Council v Parliament	Proceedings for annulment of the Community budget for 1982, as adopted by act of the President of Parliament of 21 December 1981, for infringement of the procedural requirements (fixing of the maximum rate of increase for appropriations in respect of non-compulsory expenditure)	Article 173 of the EEC Treaty and Article 146 of the EAEC Treaty
73/82 — Council v Commission	Proceedings for annulment of the Commission Decision of 20 January 1982 concerning an advance from the EAGGF, declaring the Community budget for 1982 to be inapplicable as having infringed Article 203(9) of the EEC Treaty	Article 173 of the EEC Treaty, Article 146 of the EAEC Treaty and Article 33 of the ECSC Treaty
Infringements		
40/82 — Commission v United Kingdom ⁵	Newcastle disease	Article 169 of the EEC Treaty
41/82 — Commission v Italy ⁶	Manufactured tobacco/taxes	Article 169 of the EEC Treaty
42/82 — Commission v France ⁶	Barrier to imports of Italian wine	Article 169 of the EEC Treaty
49/82 — Commission v the Netherlands	Inward processing arrangements for butter	Article 169 of the EEC Treaty
69/82 — Commission v France	Health protection charge and organization of the market in meat	Article 169 of the EEC Treaty
74/82 — Commission v Ireland	Newcastle disease	Article 169 of the EEC Treaty
78/82 — Commission v Italy	Marketing of manufactured tobacco	Article 169 of the EEC Treaty
81/82 — Commission v Belgium	Lawyers' freedom to provide services	Article 169 of the EEC Treaty

Disputes between the Community and its staffv Commission: 44/82,⁴ 48/82,² 60/82 and 75/82

v Court of Auditors: 79/82

¹ OJ C 57, 5.3.1982.² OJ C 60, 10.3.1982.³ OJ C 67, 16.3.1982.⁴ OJ C 62, 12.3.1982.⁵ OJ C 56, 4.3.1982.⁶ OJ C 54, 2.3.1982.

2.4.22. Judgments

Date and case	Held
Steel	
16.2.1982, 258/80 — Metallurgica Rumi v Commission	Application for annulment dismissed
16.2.1982, 276/80 — Ferriera Padana v Commission	Application for annulment dismissed
16.2.1982, 39/81 and 85/81 — Halyvourgiki v Commission; 43/81 and 88/81 — Helleniki Halyvourgia v Commission	Applications for annulment dismissed
10.2.1982, 74/81 — Rudolf Flender and Others v Commission	There are no grounds for a ruling on this appeal from a decision which has had no harmful effects for the appellants and which, since it has expired, can no longer have such effects
Customs union	
16.2.1982, 204/80 — Procureur de la République and Others v Guy Vedel and Others	The description 'apéritif with a wine base' is not at present covered by a Community regulation precluding the application of national law. Regulation (EEC) No 816/70 of 28 April 1970 does not prevent a national law on the preparation of apéritifs with a wine base from including a provision of the type referred to by the national court
3.2.1982, 248/80 — KG Fa Gebrüder Glunz v Hauptzollamt Hamburg-Waltershof ¹	Examination of the Annex to Regulation (EEC) No 2500/77 of 7 November 1977 has disclosed no factor of such a kind as to affect its validity; in the case of the importation of goods into a Member State with a strong currency, customs duties expressed in units of account should be converted into the national currency of the Member State into which the goods were imported in accordance with the rules and should not be limited to the amount which would have had to be levied in the case of importation into the Member State with the weakest currency
18.2.1982, 277/80 — Società Italiana Cauzioni v Amministrazione delle Finanze dello Stato	Article 35 of Council Regulation No 542/69 of 18 March 1969 on Community transit, as supplemented by Article 1 of Regulation No 1079/71 of 25 May 1971, must be interpreted as meaning that, where the customs administration has not notified the guarantor, within 12 months of the date of registration of a T1 declaration, of the non-discharge of that document, the guarantor is always released from his obligations, provided that he has not been guilty of any fraudulent practices
11.2.1982, 278/80 — Chem-Tec B.H. Naujoks v Hauptzollamt Koblenz ¹	A double-sided adhesive strip must be classified under CCT heading No 35.06 (under adhesives); the strip of paper separating the adhesive strips wound on to a spool may be regarded as packaging

Date and case	Held
<p>Freedom to provide services</p> <p>10.2.1982, 76/81 — SA Transporoute et Travaux v Ministre des travaux publics¹</p>	<p>Directive 71/305/EEC prevents a Member State from requiring a tenderer established in another Member State to furnish evidence of his good repute and professional qualifications by other means than those laid down in the Directive. Where the tenders submitted seem abnormally low, the contracting authority, before awarding the contract, is required to request the tenderer to furnish explanations for his prices within a reasonable period</p>
<p>Social security for migrant workers</p> <p>9.2.1981, 7/81 — A. Sinatra v Fonds national de traite des ouvriers mineurs</p>	<p>A recalculation of the benefits in accordance with Article 46 of Regulation No 1408/71 is required if there is any alteration in the benefits paid by a Member State, except where this is due to one of the reasons for adjustment laid down in Article 51(1) of the Regulation, which do not include changes in the personal circumstances of the insured</p>
<p>18.2.1982, 55/81 — C. Vermaut v Office national des pensions pour travailleurs salariés</p>	<p>The competent national institution for retirement pensions must take into account periods of insurance of less than one year completed by an employee under the legislation of other Member States, even where entitlement to a pension arises only under national legislation. A Member State is not entitled to require payment by the employee of contributions corresponding to the periods of insurance referred to in Article 48 of Regulation No 1408/71 and completed under the legislation of other Member States, or the transfer of contributions in respect of those periods paid in such Member States</p>
<p>3.2.1982, 62/81 and 63/81 — SECO and Desquenne & Giral v Etablissement d'assurance contre la vieillesse et l'invalidité¹</p>	<p>Community law prevents a Member State from requiring an employer established in another Member State and temporarily undertaking work in the first Member State, employing workers who are nationals of non-Community countries, to pay social security contributions in respect of those workers, where the employer is already liable for payment of similar contributions in respect of the same workers and the same periods of employment under the legislation of the State in which he is established</p>

Date and case	Held
<p>Equal treatment for men and women</p>	
<p>9.2.1982, 12/81 — E. Garland v British Rail Engineering Limited²</p>	<p>Where an employer, without being required to do so by contract, provides special travel facilities to its former male employees to enjoy after retirement, this constitutes discrimination, within the meaning of Article 119, with regard to its former female employees who are not given the same facilities. Where the national court can establish, on the basis of the criteria of equal work and equal pay and without the intervention of Community or national measures, that the granting of special travel facilities only to retired male employees constitutes discrimination on the ground of sex, the provisions of Article 119 of the Treaty are directly applicable to the situation</p>
<p>16.2.1982, 19/81 — Arthur Burton v British Railways Board</p>	<p>The principle of equal treatment laid down in Article 5 of Council Directive 76/207 of 9 February 1976 applies to the conditions governing eligibility for redundancy benefit paid by an employer to an employee who wishes to terminate his employment. The sole fact that eligibility for voluntary redundancy begins only in the five years preceding the minimum pensionable age laid down under the national social security legislation and that this age is not the same for men and women cannot be regarded as discrimination on the ground of sex, within the meaning of Article 5 of Directive 76/207</p>
<p>Agriculture</p>	
<p>18.2.1982, 77/81 — Zuckerfabrik Franken GmbH v Federal Republic of Germany</p>	<p>The recipient of a denaturing premium certificate under Commission Regulation No 100/72 is obliged to use the denatured sugar only for animal feed. He is liable for any use other than for that purpose by third parties</p>
<p>Fisheries</p>	
<p>10.2.1982, 21/81 — Openbaar Ministerie v (1) Daniël Bout, Kortgene; (2) BV I. Bout en Zonen, Kortgene</p>	<p>Validity of national conservation measures without the prior agreement of the Commission; retroactivity of the regulations</p>
<p>Commercial policy</p>	
<p>9.2.1982, 270/80 — Polydor Ltd and RSO Records Inc. v Harlequin Record Shops Ltd¹</p>	<p>The free trade agreement between the Community and Portugal does not have the effect of setting aside the application of a national law providing for import restrictions intended to protect copyright against imports of products lawfully manufactured and marketed in Portugal</p>

Date and case	Held
Administrative and institutional questions	
9.2.1982, 229/81 — CODEMI v Commission	The application by the President of the Varese Court is inadmissible, since no provision of the Treaties or the instruments adopted for their implementation gives the Court of Justice or its President the power to order the enforcement of a decision of a national court
Disputes between the Community and its staff v Commission	
4.2.1982, 817/79 ³	Application dismissed
4.2.1982, 828/79 ¹	Application dismissed
4.2.1982, 1253/79 ¹	Application dismissed
18.2.1982, 67/81	Judgment for the plaintiff
5.2.1982, 10/82R	Judgment for the defendant
Infringements	
17.2.1982, 224/81 — Commission v France	Order for removal from the Court Register (tariff classification of espadrilles)
17.2.1982, 134/81 — Commission v Germany	Order for removal from the Court Register (knitting yarns)
2.2.1982, 68/81, 69/81, 70/81, 71/81, 72/81, 73/81 — Commission v Belgium	Belgium has failed to fulfil its obligations under the EEC Treaty by not adopting within the prescribed period the measures necessary to comply with six Directives (environment)
Order for removal from the Court Register	
17.2.1982, 130/81 — Italy v Commission	
¹ OJ C 57, 5.3.1982.	
² OJ C 60, 10.3.1982.	
³ OJ C 56, 4.3.1982.	

Court of Auditors

2.4.23. On 4 February the Court of Auditors adopted a special report on the expatriation and foreign residence allowance (Article 69 of the Staff Regulations of Officials of the European Communities).

2.4.24. On 18 February the Court of Auditors adopted an opinion on a proposal for a Council Regulation amending the Financial Regulation (budget nomenclature).¹

Economic and Social Committee

195th plenary session

2.4.25. The Economic and Social Committee held its 195th plenary session on 24 and 25 February with Mr Roseingrave in the chair. Mr Hansenne, President of the Council, took part in the debate on the coordina-

¹ OJ C 158, 27.6.1981; Bull. EC 6-1981, point 2.3.54.

tion of labour market instruments and Mr Andriessen, Member of the Commission, in the one on competition policy.

Opinions

Labour market

2.4.26. The Committee unanimously adopted an own-initiative opinion on the coordination of labour market policies in which it put forward a number of concrete suggestions including improvements in the comparability of statistics, the drafting and dissemination of surveys, support for schemes for the training of employment service personnel, improvements to the system for communicating job vacancies and applications, a review of procedures for cooperation between employment services and the allocation of Social Fund resources to pilot schemes for the creation of new jobs involving new skills and manufacturing processes.

In his speech, Mr Hansenne referred to the Council resolution of 27 June 1980¹ and called for improved coordination of national and Community instruments and training schemes better matched to the requirements of the labour market. The revision of the Social Fund, on which the Committee would be consulted, would provide an opportunity for a general review of policy in this area. The ensuing debate emphasized the importance of both centralized and decentralized approaches, the link between training and employment and the importance of small and medium-sized businesses in job creation.

Competition policy

2.4.27. In the opinion on the *Tenth Report on Competition Policy* (1980), which it adopted by a large majority on 24 February, the Committee noted that there were considerable social, economic and political disparities between the Member States which had a sizeable impact on competition policy. The Member States used State aids or discriminatory measures in the fields of taxation or business regulation in an attempt to thwart the principle of common access to the market. The Committee had reservations about the Commission's idea of authorizing

specific anti-crisis measures for reorganizing certain industries to enable them to adapt to the requirements of the world market, because it felt that such a criterion could lead to the escalation of State aids. It felt that the harmonization and enforcement of the rules on aids would be better.

Mr Andriessen emphasized that the Commission had tackled new areas such as shipping and air transport, and he advocated a fresh approach to mergers.

Annual accounts of banks and other financial establishments

2.4.28. Although it opposed the Directive in its present form,² the Committee agreed with the principle that credit institutions have a duty to provide their staff, customers, shareholders and the public at large with all relevant information concerning their activities. The Committee would welcome specific rules on the annual accounts of banks and other financial establishments instead of new rules simply being tacked onto the fourth Directive.

Use of dangerous substances in toys

2.4.29. The Committee unanimously approved the Commission's attempt to limit the use of dangerous substances in toys, novelties and jokes designed for children.³ It recommended that the safeguard clause should be extended promptly to the whole of the Community to prevent the disposal of stocks of dangerous substances. It requested that these stocks should be included in the Directive on toxic waste and the Member States warned quickly of the dangers to which the public is exposed.

Organization of the wine market

2.4.30. The Committee gave a favourable opinion on the Commission's proposed amendments⁴ to the organization of the wine

¹ OJ C 168, 8.7.1980; Bull. EC 6-1980, point 2.1.42.

² OJ C 130, 1.6.1981; Bull. EC 3-1981, point 2.1.31.

³ OJ C 288, 10.11.1981; Bull. EC 10-1981, points 2.1.12 and 2.1.76.

⁴ OJ C 277, 29.10.1981; Bull. EC 10-1981, points 1.3.3 to 1.3.5.

market concerning compulsory distillation, measures on plantings and a levy on sucrose used for enrichment. The Committee approved the compulsory distillation measures although it stipulated that these should be geared to the maintenance of quality, for which alcohol content was not the sole criterion, and implemented at prices which would ensure that winegrowers' incomes are not too hard hit. It rejected the proposal for a levy on the utilization of sucrose, preferring continuation of aid for users of concentrated musts.

Organization of the fruit and vegetable market

2.4.31. By an overwhelming majority, the Committee adopted an opinion on two proposals¹ for changes to the Regulation of 18 May 1972 on the common organization of the market in fruit and vegetables.² The Commission's proposals would make permanent the scheme for start-up aids to be granted for five years and would allow the Member States to extend, at the request of a producers' association, the production and marketing rules accepted by the association's members to all producers in an area. The proposals would also strengthen the intervention system in the event of a serious crisis.

In its opinion, the Committee insisted on the need for quality controls and their enforcement. It pointed out that the Commission's proposals for the extension of rules accepted by a producer's association do not take account of how representative an association may be in an 'economic area', and it feared that the same guarantees of observance of the competition rules would not be offered. The Committee hoped that the intervention scheme in the event of crisis would be accompanied by an improvement in safeguards against imports from non-member countries and changes in the method of calculating the entry price of certain products.

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2.4.32. The Committee also adopted opinions on a number of Commission proposals concerning:

- (i) a specific action on housing within the framework of an integrated operation in Belfast, Northern Ireland;³
- (ii) the coordination of conditions for the admission of securities to official stock exchange listing and the conditions for the scrutiny and distribution of the prospectus;⁴
- (iii) the limitation of noise emissions from helicopters;⁵
- (iv) the organization of a survey on the structure of agricultural holdings for 1983;⁶
- (v) the amendment of Directives 71/118/EEC and 77/99/EEC concerning personnel responsible for health inspections of poultrymeat and meat products;⁷
- (vi) the notification of animal diseases;⁸
- (vii) an amendment to the Directive of 15 February 1971⁹ on health problems affecting trade in fresh poultrymeat;¹⁰
- (viii) a Directive on health problems relating to residues of antibiotics in fresh meat of Community origin;¹⁰
- (ix) an amendment to the Directive introducing a supplementary Community measure for the eradication of brucellosis, tuberculosis and leucosis in cattle;¹¹
- (x) an amendment to the Regulation of 22 May 1978¹² laying down special measures for peas and field beans used in the feeding of animals;¹³
- (xi) an amendment to the Regulation laying down special measures for improving the

¹ OJ C 281, 4.11.1981; Bull. EC 10-1981, points 1.3.6 to 1.3.8.

² OJ L 118, 20.5.1972.

³ OJ C 346, 31.12.1981; Bull. EC 11-1981, point 2.1.68.

⁴ Bull. EC 1-1982, point 2.1.23.

⁵ OJ C 275, 27.10.1981; Bull. EC 10-1981, point 2.1.72.

⁶ OJ C 314, 31.12.1981.

⁷ OJ C 262, 14.10.1981; Bull. EC 9-1981, point 2.1.83.

⁸ OJ C 248, 29.9.1981; Bull. EC 9-1981, point 2.1.85.

⁹ OJ L 55, 8.3.1971.

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

¹¹ OJ C 289, 11.11.1981; Bull. EC 10-1981, point 2.1.118.

¹² OJ L 142, 30.5.1978; OJ L 259, 22.9.1978.

¹³ OJ C 329, 16.12.1981.

production and marketing of Community citrus fruit in view of enlargement.¹

ECSC Consultative Committee

225th meeting

2.4.33. The ECSC Consultative Committee held an extraordinary meeting in Luxembourg on 5 February with Mr Robert in the chair. The main items on the agenda were the financing of the social measures for the steel industry and a report on the rules relating to conversion, but, as it turned out, most of the meeting was given over to discussing the American complaints against the Community's steel exports to the United States.

American complaints

2.4.34. The Committee stressed the irregular nature of the American complaints and adopted a resolution² in which it:

(i) formally disputes the contention that these imports took place under conditions which violated the rules of international trade and were prejudicial to the interests of the American steel industry,

(ii) stresses that imports of ECSC products showed a more marked decrease in 1981 than did the apparent consumption or the total imports of the USA,

(iii) is concerned about the serious consequences which the initiation of these proceedings could have on the restructuring of the Community steel industry and on the level of employment,

(iv) urges the Commission to use every means available to it to put an end to this situation, which constitutes a violation both of the consensus adopted in November 1977 by all the member countries of the OECD and of the letter and spirit of GATT rules.³

Social aspects of the steel policy

2.4.35. The Committee discussed arrangements for the financing of early retirement and short-term working: of the 112 million ECU needed for 1981, an initial 50 million ECU has already been released from national contributions. An amending budget (No 2-1981) has been adopted to cover the balance of 62 million ECU, but the money cannot be transferred to the ECSC budget without

unanimous approval from the Council; the Committee stressed the urgency of this decision³ and the need for the Council to make up its mind promptly on how the social measures for 1982 are to be financed in view of the very limited resources at the disposal of the ECSC.

Conversion programme

2.4.36. After examining the Commission's report on the rules relating to conversion the Committee passed a resolution² calling on the Commission to step up its efforts to create as many new jobs as possible and to appeal to the other Community institutions. It also asks the Commission to encourage the Member States to involve the Community in the preparation of conversion operations.

European Investment Bank

Operations in January and February

2.4.37. In January and February the European Investment Bank announced loans totalling 213.3 million ECU.⁴ The breakdown was as follows: 106.2 million ECU for investments in Italy, 49.4 million in the United Kingdom, 40.2 million in Greece and 17.5 million in Ireland. Outside the Community the Bank lent 4.35 million ECU to the ACP States (Barbados 4 million, Benin 350 000).

Community

Italy

2.4.38. LIT 138 500 million was lent for industrial development, energy saving, road

¹ OJ C 276, 28.10.1981; Bull. EC 10-1981, point 1.3.9.

² OJ C 62, 12.3.1982.

³ Transfer of the 62 million ECU to the ECSC budget was approved by the Council on 23 February: point 2.1.33.

⁴ The conversion rates at 31 December used by the EIB in statistics for the current quarter were: 1 ECU = BFR 41.75, DKR 7.94, DM 2.44, DR 62.23, FF 6.20, IRL 0.69, LIT 1 304, LFR 41.75, HFL 2.68, UKL 0.57, USD 1.09.

construction and reconstruction of the November 1980 earthquake area.

LIT 42 500 million was for industrial development in the Mezzogiorno: LIT 30 000 million, in the form of two global loans, was granted for small and medium-scale ventures to the Banco di Napoli — Sezione di Credito Industriale (LIT 20 000 million) — and to EFIBANCA — Ente Finanziario Interbancario (LIT 10 000 million). LIT 12 500 million was for modernizing and expanding two factories manufacturing hygiene products at Pescara, Abruzzi, and Patrica, Latium.

LIT 41 000 million will contribute towards investments in eleven cement works of the Italcementi group located in Friuli Venezia — Giulia, Emilia Romagna, Liguria, Tuscany, the Marches, Latium, Trentino — Alto Adige and Sardinia. The purpose of these investments is to promote the use of coal in place of oil for firing furnaces, in line with Community efforts to reduce dependence on imported oil. It is estimated that the coal investments programme mounted by Italcementi in these works and in four others in Sicily, for which the Bank lent LIT 14 000 million last December, will save nearly 640 000 tonnes of oil a year.

LIT 40 000 million was granted for construction of the Carnia-Pontebba stretch (32 km) of the Friuli motorway. Running from Udine to the Austrian frontier, this motorway will link up the Italian, Austrian and German motorway networks and promote the economic development of Friuli, severely affected by earthquakes in 1976.

The Bank also granted a LIT 15 000 million loan for connecting drinking water supply and sewage disposal facilities to resettlement centres in Campania and Basilicata. This loan carries a 3% interest subsidy pursuant to the Council's decision to grant special aid for reconstruction in these southern areas hit by the November 1980 earthquakes.

United Kingdom

2.4.39. Loans totalling UKL 28 million were granted for infrastructure and industry. UKL 19.9 million went to the National Water Council for water supply and sewerage

schemes in Merseyside, Greater Manchester and Kendal, in the Lake District, and for improving water supplies and sewage treatment in South Yorkshire and Humberside; these projects are aimed at facilitating industrial development and at the same time reducing sea pollution.

UKL 2 million was also granted for the expansion of Birmingham airport, where over 60% of the traffic is to or from other Community countries, Spain and Portugal. UKL 6.1 million was lent towards construction of a factory in Leeds where Systime Ltd will manufacture microprocessor-based computer systems.

Greece

2.4.40. Loans totalling DR 2 500 million were granted for investment in small and medium-scale industrial ventures and to finance construction of a hydroelectric power station. The National Bank of Greece received DR 1 250 million in support of small and medium-scale investments to help regional development or convert existing activities. DR 1 250 million will go towards the installation of two hydro-generating units, each of 75 MW capacity, on the Akhelóos River downstream from Stratos (north of Agrinio). When completed, this project is expected to produce 140 000 toe a year.

Ireland

2.4.41. Loans totalling IRL 12 million were granted in Ireland. IRL 10 million went to the State for improvements to the road network — to remove traffic bottlenecks between industrial areas and the ports of Dublin and Cork and to improve access to tourist areas in the south, south-west and north-west. A global loan of IRL 2 million was made to the Industrial Credit Company Ltd, which will be on-lent to help finance small and medium-scale tourist enterprises. The loan for the road network carries a 3% interest subsidy pursuant to the provisions adopted when Ireland joined the European Monetary System.¹

¹ OJ L 200, 3.8.1979; Bull. EC 7/8-1979, point 2.1.2.

Outside the Community

2.4.42. Under the second Lomé Convention the EIB lent 4 million ECU to the Barbados Development Bank for financing small and medium-scale industrial and tourist ventures in Barbados.

2.4.43. In Benin 350 00 ECU was lent from risk capital provided for by the Convention and managed by the Bank for a feasibility study on opening up oil-bearing rock formations in Seme.



PART THREE
DOCUMENTATION

1. ECU

Values in national currencies of one ECU

26 February 1982 ¹	
Belgian franc and Luxembourg franc (convertible)	44.4936
Belgian franc and Luxembourg franc (financial)	48.2056
German mark	2.42523
Dutch guilder	2.66148
Pound sterling	0.559404
Danish krone	8.10851
French franc	6.18130
Italian lira	1 302.77
Irish pound	0.687159
Greek drachma	62.6775
United States dollar	1.01700
Swiss franc	1.92517
Spanish peseta	105.157
Swedish krona	5.88810
Norwegian krone	6.10960
Canadian dollar	1.24918
Portuguese escudo	71.0880
Austrian schilling	17.0042
Finnish mark	4.62530
Japanese yen	240.743
Australian dollar	0.948071
New Zealand dollar	1.29554

¹ OJ C 52, 27.2.1982.

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

February 1982	
National currency	Value in national currency of one ECU
Belgian franc and Luxembourg franc	40.7985
Danish krone	7.91917
German mark	2.65660
	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.

2. Additional references in the Official Journal

3.2.1. This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. EC 1-1981

Point 2.1.34

Proposal for a Council Directive amending for the third time Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products

OJ C 32, 9.2.1982

Bull. EC 10-1981

Point 2.1.138

Proposal for a Council Decision concluding the Agreement on the International Carriage of Passengers by Road by means of Occasional Coach and Bus Services (ASOR)
OJ C 31, 8.2.1982

Bull. EC 11-1981

Point 2.1.9

Proposal for a Council Directive amending 17 Directives on the approximation of the laws of the Member States relating to wheeled agricultural or forestry tractors
OJ C 346, 31.12.1981

Point 2.1.30

Commission Decision of 25 November 1981 relating to a proceeding under Article 85 of the EEC Treaty (IV/428 — VBBB/VBVB)
OJ L 54, 25.2.1982

Point 2.1.31

Commission Decision of 17 November 1981 relating to a proceeding under Article 85 of the EEC Treaty (IV/29.972 — Langenscheidt/Hachette)
OJ L 39, 11.2.1982

Point 2.1.32

Commission Decision of 26 November 1981 relating to a proceeding under Article 85 of the EEC Treaty (IV/29.236 — Sopelem-Vickers)
OJ L 391, 31.12.1981

Point 2.1.36

Commission Decision of 17 November 1981 relating to a proceeding under Article 15 of Council Regulation No 17 (IV/30.211 — Comptoir commercial d'importation)
OJ L 27, 4.2.1982

Point 2.1.68

Proposal for a Council Regulation instituting a specific action on behalf of housing of Northern Ireland within the framework of an integrated operation in Belfast
OJ C 346, 31.12.1981

Bull. EC 2-1982

Bull. EC 12-1981

Point 2.1.4

Proposal for a Council decision applying for the first time a decision empowering the Commission to contract loans for the purpose of promoting investment within the Community
OJ C 29, 6.2.1982

Point 2.1.10

Commission opinion of 10 December 1981 on the draft Convention on bankruptcy, winding-up, arrangements, compositions and similar proceedings
OJ L 391, 31.12.1981

Point 2.1.28

Commission Directive of 17 December 1981 laying down certain provisions for implementing Council Directive 79/695/EEC on the harmonization of procedures for the release of goods for free circulation
OJ L 28, 5.2.1982

Point 2.1.31

Amended proposal for a Council Regulation on the control of concentrations between undertakings (merger control Regulation)
OJ C 36, 12.2.1982

Point 2.1.52

Proposal for a Council Decision establishing a prior information and consultation procedure for tax matters
OJ C 346, 31.12.1981

Point 2.1.64

Council Resolution of the representatives of the Governments of the Member States of the European Communities meeting within the Council of 21 December 1981 on the social integration of handicapped people
OJ C 347, 31.12.1981

Point 2.1.91

Council Decision of 3 December 1981 concerning the conclusion of the Convention on the conservation of European wildlife and natural habitats
OJ L 38, 10.2.1982

Point 2.1.119

Commission Decision of 23 December 1981 amending Decision 79/277/EEC as regards animal health conditions governing the import of mastic muscles from Argentina, Brazil, Uruguay and Paraguay

OJ L 41, 12.2.1982

Point 2.1.124

Commission Decision of 15 December 1981 on the preferential tariff charged to glasshouse growers for natural gas in The Netherlands

OJ L 37, 10.2.1982

Point 2.1.131

Commission Decision of 3 December 1981 on applications for reimbursement and the payment of advances in respect of the development of agricultural advisory services in Italy

OJ L 391, 31.12.1981

Point 2.1.149

Commission Decision of 18 December 1981 authorizing the United Kingdom to grant exemptions from Council Regulation (EEC) No 543/69 on the harmonization of certain social legislation relating to road transport

OJ L 29, 6.2.1982

Points 2.1.162 and 2.2.42

Agreement in the form of an exchange of letters between the European Atomic Energy Commu-

ity (Euratom) and the Government of Canada intended to replace the 'Interim Arrangement concerning enrichment, reprocessing and subsequent storage of nuclear material within the Community and Canada' constituting Annex C of the Agreement in the form of an exchange of letters of 16 January 1978 between Euratom and the Government of Canada

OJ L 27, 4.2.1982

Point 2.2.24

Council Decision of 21 December 1981 on the conclusion of the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA), concerning aid to refugees in the countries of the Near East

OJ L 392, 31.12.1981

Bull. EC 1-1982

Point 2.1.7

Amended proposal for a Council Directive amending Council Directive 71/316/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control

OJ C 44, 18.2.1982

3. Infringement procedures

Initiation of proceedings for failure to implement Directives

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

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 (Italy, Netherlands, Federal Republic of Germany);

Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species² (France);

Council Directive 78/319/EEC of 20 March 1978 on toxic and dangerous waste³ (Luxembourg);

¹ OJ L 26, 31.1.1977.

² OJ L 225, 12.10.1970.

³ OJ L 84, 31.3.1978.

Council Directive 78/176/EEC of 20 February 1978 on waste from the titanium dioxide industry¹ (Italy);

Council Directive 80/51/EEC of 20 December 1979 on the limitation of noise emissions from subsonic aircraft² (France);

Council Directive 75/362/EEC of 16 June 1975 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services³ (Federal Republic of Germany).

Reasoned opinions

3.3.2. In February the Commission delivered ten reasoned opinions concerning five Member States in the following cases:

Council Directive 78/686/EEC of 25 July 1978 concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of practitioners of dentistry, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services⁴ (Belgium, Luxembourg, Federal Republic of Germany);

Council Directive 78/687/EEC of 25 July 1978 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of dental practitioners⁴ (Belgium, Federal Republic of Germany);

Council Directive 79/1005/EEC of 23 November 1979 amending Directive 75/106/EEC on the approximation of the laws of the Member States relating to the making-up by volume of certain pre-packaged liquids⁵ (Italy, Belgium);

Council Directive 79/663/EEC of 24 July 1979 supplementing the Annex to Council Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations⁶ (Italy);

Council Directive 79/694/EEC of 24 July 1979 amending Directive 74/150/EEC on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors⁷ (Italy);

Council Directive 78/1015/EEC of 23 November 1978 on the approximation of the laws of the Member States on the permissible sound level and exhaust system of motorcycles⁸ (Ireland).

¹ OJ L 54, 25.2.1978.

² OJ L 18, 24.1.1980.

³ OJ L 167, 30.6.1975.

⁴ OJ L 233, 24.8.1978.

⁵ OJ L 308, 4.12.1979.

⁶ OJ L 197, 3.8.1979.

⁷ OJ L 205, 13.8.1979.

⁸ OJ L 349, 13.12.1978.

The Agricultural Situation in the Community

1981 Report

This report is the seventh published version of the annual Report on the Agricultural Situation in the Community. It contains analyses and statistics on the general situation (economic environment and world market), the factors of production, the structures and situation of the markets in the various agricultural products, the obstacles to the common agricultural market, the position of consumers and producers, and the financial aspects. The general prospects and the market outlook for agricultural products are also dealt with.

Published in:

Danish, Dutch, English, French, German, Greek, Italian

419 pages

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Publications of the European Communities

2 – 1982

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IT: 1 - 12

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The catalogue is divided into three parts, as follows :

Part I – The classified list provides a subject classification of the titles included under 20 headings each divided into subheadings (see below).

Under each subheading, monographs and series are listed first in alphabetical order; there then follows a similar list of periodical titles.

Full entries for monographs and series appear only once; otherwise cross-references are given to the full entries identifying them by the sequence numbers already described. Periodical titles 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.

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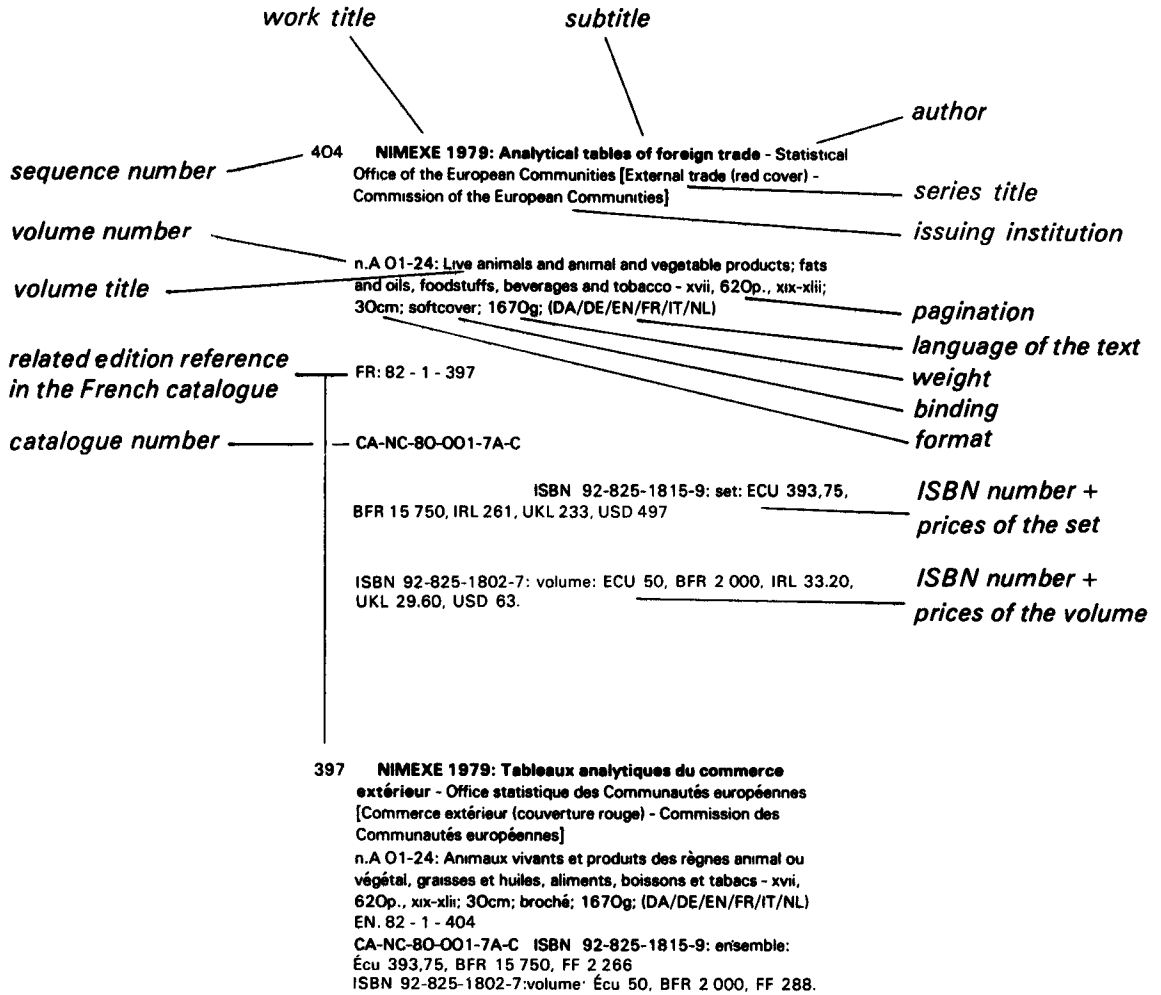
DA Danish	GA Irish
DE German	IT Italian
GR Greek	NL Dutch
EN English	ES Spanish
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A string of such symbols separated by diagonal strokes denotes a publication in which different language versions of the same text appear under one cover.

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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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Classified list

1 General, political and institutional matters

MONOGRAPHS AND SERIES

- 1 **Comment fonctionnent les institutions de la CE** - Noël, E.
Secrétaire général: Commission des Communautés européennes - 39p., 7ill.: 23cm: agrafé: 90g: (FR)
DE:82-2-2
CB-31-80-320-FR-C ISBN 92-825-2725-5: gratuit.
- 2 **Twenty-eighth review of the Council's work (1 January - 31 December 1980)** - Council of the European Communities: General Secretariat
1980 - 289pp.: 21cm: softcover: 380g: (EN)
DE:82-2-1. FR:82-1-2. IT:82-2-2. NL:82-2-1
BX-32-81-665-EN-C ISBN 92-824-0078-6: ECU 7,26,
BFR 300, IRL 5, UKL 4, USD 7.60.

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.
Eorascáil.
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 Κανόντητα.

2 Customs union

MONOGRAPHS AND SERIES

- 3 **List of authorised customs offices for community transit operations** - Commission of the European Communities: Customs Union Service - 348p.: 30cm: loose leaf: 1740g: Amendment No. 15 - 1.9.1981 (DA/DE/GR/EN/FR/IT/NL)
DA:82-2-3. DE:82-2-3. FR:82-2-2. GR:82-2-3. IT:82-2-3.
NL:82-2-3
CB-32-81-835-7C-C : ECU 7,26, BFR 300, IRL 5, UKL 4, USD 7,60.

3 Agriculture, forestry and fisheries

MONOGRAPHS AND SERIES

- 4 **The Agricultural Situation in the Community: 1981 Report** - Commission of the European Communities
1981 - 419pp., 12graphs: 23cm: softcover: 700g: (EN)
DA:82-2-4. DE:82-2-4. FR:82-2-3. GR:82-2-4. IT:82-2-4.
NL:82-2-4
CB-32-81-841-EN-C ISBN 92-825-2707-7: ECU 19,60,
BFR 800, IRL 13.50, UKL 11.50, USD 21.50.

PERIODICALS

Agricultural Markets: Prices.

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Crop production.

EC-agricultural price indices (Output and Input).

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Official Journal of the European Communities, series L: Legislation.

Reports of Cases before the Court of Justice.

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6 Tertiary sector

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Agricultural Markets: Prices.

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7 Transport

8 Competition

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5 Supervision of the securities markets in the Member States of the European Community - Reports on the national systems of control: Part II: United Kingdom, Italy, Luxembourg, Netherlands - Annex: USA - Wymersch, E. (Prof.) - 218pp.: 25cm: softcover: 550g: (EN) [Studies. Competition: Approximation of legislation: 33 - Commission of the European Communities] CB-NP-79-033-EN-C ISBN 92-825-2290-3: ECU 6, BFR 250, IRL 4, UKL 3.50, USD 8.75.

9 Taxation

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10 Economic affairs

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European Economy.

European Economy: complete series of supplements.

European Economy - Supplement - Series A: Recent economic trends.

European Economy - Supplement - Series B: Economic prospects: Business survey results.

European Economy - Supplement - Series C: Economic prospects: Consumer survey results.

European Economy and supplements A B C.

Eurostatistics: Data for short-term economic analysis.

Industrial short-term trends.

Results of the business survey carried out among managements in the Community.

11 External relations

PERIODICALS

Le courrier: Afrique-Caraïbes-Pacifique - Communauté européenne.

EC Trade with the ACP States and the South Mediterranean States.

Monthly external trade bulletin.

12 Energy

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Electrical energy: monthly bulletin.

Energy statistics: Monthly bulletin a) Coal, b) Hydrocarbons, c)

Electrical energy.

Hydrocarbons: monthly bulletin.

13 Industry

MONOGRAPHS AND SERIES

- 6 **Pig iron and steel** - Commission of the European Communities: European Coal and Steel Community 1981 - 180p.: 18cm: softcover: 250g: List of steel producers (DA/DE/GR/EN/FR/IT/NL) DA:82-2-6. DE:82-2-7. FR:82-2-4. GR:82-2-6. IT:82-2-6. NL:82-2-7 CB-32-81-673-7C-C ISBN 92-825-2574-0: ECU 10,80, BFR 450, IRL 7.55, UKL 6, USD 11,50.

PERIODICALS

Industrial short-term trends.

Iron and steel: monthly bulletin.

Iron and steel: quarterly and monthly bulletins.

Iron and steel: quarterly bulletin.

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

Wages and incomes - Rapid information.

14 Regional policy

MONOGRAPHS AND SERIES

Yearbook of regional statistics: 1981

12

15 Environment and consumer affairs

16 Scientific and technical research

MONOGRAPHS AND SERIES

- 7 **Actions against smoking in the Member States of the European Communities** - Directorate-General Research, Science and Education: Directorate Health and Safety - iv, 74pp.: 30cm: stapled: 260g: Situation on 30 June 1981 (EN) [Medicine - Commission of the European Communities: Directorate-General Information Market and Innovation] EUR 7531 FR:82-2-7 CD-NJ-81-006-EN-C ISBN 92-825-2715-8: ECU 6,14, BFR 250, IRL 4.20, UKL 3.60, USD 6.70.
- 8 **État du droit minier et de la fiscalité des actinides dans les pays membres de la Communauté** - Commission des Communautés européennes: Direction générale Marché de l'information et innovation: Université de Lille, Faculté des sciences juridiques, politiques et sociales - iii, 235p.: 30cm: broché: 715g: (FR) EUR 7155 CD-NX-81-013-FR-C ISBN 92-825-2677-1: ECU 15,93, BFR 650, IRL 11, UKL 9.40, USD 17,50.
- 9 **Faisabilité d'un code européen modèle pour les économies d'énergie dans le chauffage des bâtiments** - Association pour l'initiation à la recherche dans le bâtiment, Paris: Direction générale Marché intérieur et affaires industrielles: Blachère, G.: Neirac, F.P. - viii, 239p.: 23cm: broché: 400g: (FR) [Énergie - Direction générale Marché de l'information et innovation: Commission des Communautés européennes] EUR 7439 CD-ND-81-097-FR-C ISBN 92-825-2671-2: ECU 15,96, BFR 650.

PERIODICALS

Euro-Abstracts, Section I - Euratom and EEC Research. Scientific and technical Publications and Patents.

Euro-Abstracts, Section II: Coal - Steel.

Euronet Diane News.

17 Education and cultural policy

PERIODICALS

Europa-Informationen für die Jugendpresse.
Fiches pédagogiques "30 jours d'Europe".

18 Statistics

MONOGRAPHS AND SERIES

- 10 **Balances of payments - Global data 1969-1980** - Statistical Office of the European Communities [National accounts, finance and balance of payments (violet cover) - Commission of the European Communities]
1981 - 95pp.: 30cm: softcover: 280g: (EN/FR)
FR:82-2-9
CA-32-81-762-2A-C ISBN 92-825-2711-5: ECU 9,80,
BFR 400, IRL 6.75, UKL 5,75, USD 10,75.
- 11 **Definitions of registered unemployed** - Statistical Office of the European Communities - 172p.: 30cm: softcover: 550g:
(DA/DE/EN/FR/IT/NL) [Population and social conditions (yellow cover) - Commission of the European Communities]
DA:82-2-13 DE:82-2-13. FR:82-2-10. IT:82-2-12.
NL:82-2-13
CA-32-81-722-6A-C ISBN 92-825-2699-2: ECU 12,28,
BFR 500, IRL 8.40, UKL 7.30, USD 13.50.
- 12 **Yearbook of regional statistics** - Statistical Office of the European Communities [General statistics (grey cover) - Commission of the European Communities]
1981 - cx, 258pp.: 15maps: 30cm: softcover: 960g:
(DA/DE/EN/FR/IT/NL)
DA:82-2-14. DE:82-2-14. FR:82-2-8. IT:82-2-10.
NL:82-2-14
CA-32-81-075-6A-C ISBN 92-825-1402-1: ECU 24,20,
BFR 1000, IRL 16.80, UKL 13, USD 27,40.

PERIODICALS

Agricultural Markets: Prices.
Animal production.
Balances of payments: Quarterly data.
Coal: monthly bulletin.
Crop production.
EC-agricultural price indices (Output and Input).
EC Trade with the ACP States and the South Mediterranean States.
Electrical energy: monthly bulletin.
Energy statistics: Monthly bulletin a) Coal, b) Hydrocarbons, c) Electrical energy.
Eurostat-news.
Eurostatistics: Data for short-term economic analysis.
Fisheries: Quantity and value of landings in the EC.
Hourly earnings: Hours of work.
Hydrocarbons: monthly bulletin.
Industrial short-term trends.
Iron and steel: monthly bulletin.
Iron and steel: quarterly and monthly bulletins.
Iron and steel: quarterly bulletin.

Monthly external trade bulletin.
Unemployment: Monthly bulletin.
Wages and incomes - Rapid information.

19 Bibliography and documentation

PERIODICALS

Bulletin: European Documentation Centres - Depository Libraries.
Documentation bulletin A.
Documentation bulletin B.
Documentation bulletin C.
Dokumente und Publikationen.
EF dokumentation.
List of additions to the Library of the CEC.

20 Miscellaneous

PERIODICALS

Euro-Abstracts, Section I - Euratom and EEC Research. Scientific and technical Publications and Patents.
Supplement to the Official Journal of the European Communities, series S.

Periodicals

- P1 30 jours d'Europe** - Commission des Communautés européennes - Paris - 28cm: (FR) - mensuel.
abonnement: *Prix pour étudiants: FF 30.*
- P2 Agricultural Markets: Prices** - Commission of the European Communities: Directorate-General Agriculture - 30cm: (DA/DE/GR/EN/FR/IT/NL) - monthly.
DA:82 - 2 - P69. DE:82 - 2 - P2. FR:82 - 2 - P66. GR:82 - 2 - P2. IT:82 - 2 - P65. NL:82 - 2 - P63
subscription: ECU 61,39, BFR 2500, IRL 42, UKL 36.40, USD 71.50.
- P3 Animal production** - Statistical Office of the European Communities: Commission of the European Communities - 30cm: (DA/DE/EN/FR/IT/NL) - quarterly.
DA:82 - 2 - P2. DE:82 - 2 - P76. FR:82 - 2 - P71. IT:82 - 2 - P70. NL:82 - 2 - P17
ISSN 0250-6580: subscription: ECU 27,01, BFR 1100, IRL 18.50, UKL 16, USD 31.50.
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