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(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTION No 636/75

by Sir Brandon Rhys Williams

to the Commission of the European Communities

(12 December 1975)

Subject: Borrowings negotiated by the Commission's personnel

What is the value and purpose of all borrowings negotiated directly by the Commission's own personnel since the inception of the treaties?

Answer

(21 May 1976)

1. Apart from a US $ 40 million borrowing by the Euratom Commission to finance two loans for the construction of nuclear power stations between 1959 and 1963, the Community's borrowing and lending operations have hitherto been confined to ECSC transactions and Community loans under Council Regulation (EEC) No 397/75 [1].

2. ECSC borrowings between 1954 and 1975 total 2 609·96 million u.a. (ECSC unit at rates obtaining at 31 December 1974). Community borrowings total US $ 1 300 million, broken down as follows:

— a public bond issue totalling US $ 300 million,

— a public bond issue totalling DM 500 million,

— a US $ 300 million in the form of bank loans at variable rates,

— a private loan of US $ 500 million.

3. All the funds raised by these loans were re-lent as follows:

ECSC loans

2 109·36 million u.a. in the form of industrial loans,

327·33 million u.a. in the form of loans for conversion operations,

173·27 million u.a. in the form of loans for social purposes.

Further loans for social purposes were granted from own resources.

Community loans

US $ 1 000 million to Italy,

US $ 300 million to Ireland.

[1] OJ No L 46, 20. 2. 1975, p. 1.

WRITTEN QUESTION No 688/75

by Mr Glinne

to the Council of the European Communities

(16 January 1976)

Subject: Commission representation (observer status) at the United Nations in New York

In addition to the functions entrusted to it under Article 116 (1) and Article 229 of the Treaty establishing the European Economic Community, the Commission has a certain responsibility resulting from the status of observer accorded to the Community at the United Nations in New York. The inadequate definition of this responsibility, together with the lack of political vision in the formulation of the representative's terms of reference, make it extremely unlikely, under present circumstances, that observer status will serve to promote Community Europe.

Could the Council answer the following questions:

1. What is the exact status of an observer?

2. What instructions does he receive? Is it true that he only has an uncoded telex, so that the secrecy of communications cannot be assured?

3. How many persons has the Commission established in New York as members of its UN delegation? For comparison, how many persons are engaged on representation and information duties on behalf of the Community in Washington, with the US Government? What is the scope of the individual duties of the members of the Commission's delegation to the UN in New York and how are they allocated? Can a satisfactory 'presence' and 'performance' reasonably be expected of such a delegation?

4. In what General Assembly committees does the Commission tangibly discharge its representational duties? Is it true that the latter are confined to certain economic and social questions, 'political' issues — inextricably linked though they are with numerous socio-economic problems — being excluded from the representative's terms of reference?

5. Is the Commission considering upgrading the status of the representative and improving his operating and working means? Does not the Commission consider this an urgent matter?

6. Is it true that the present representative, a competent but junior official, cannot attend certain committee meetings — important though they are — without exceeding his terms of reference? What committee meetings does he actually attend? From which committees is he barred?

7. Is it true that members of the Commission visiting New York themselves consider that they cannot speak at committee meetings even though ministers of EEC governments do so fairly frequently? Have they done so since observer status was granted?

8. In which committees did the Commission actually speak at the 30th UN General Assembly? In which committees did COMECON representatives speak at the same Assembly?

9. How well are the Nine able to cooperate on political questions at the level of the General Assembly and its various bodies? How did the Nine vote on the issues placed before the 30th General Assembly? In what cases did the Nine vote unanimously? What proportion of the votes does this represent, excluding consensus and procedural votes?

10. How many times have members of the Commission enquired on the spot, in New York, into the way in which observer status is and should be exercised, since it was granted?

Answer

(5 May 1976)

1. In its resolution 3208 (XXIX) adopted on 11 October 1974, the General Assembly requested the Secretary-General to invite the European Economic Community to participate in the sessions and work of the General Assembly in the capacity of observer. When proposing to the Assembly that it adopt this resolution the Permanent Representative of France, which at the time held the office of President of the Council of the Community, gave the assurance that the European Economic Community would comply in all respects with United Nations rules and customs, according to which observers do not speak as such before the Assembly but may ask to speak in its committees, conferences and working groups.

He emphasized that the Community wished to play an active role in the sessions and work of the Assembly, i.e., in the latter's working bodies; given the scope of the questions covered by the Treaty of Rome, EEC participation could not be confined to the work of the Second Committee alone.

Observer status, therefore, is held by the European Economic Community as such and not by one or other of its institutions.

The European Economic Community appears in a special section (No XIII) of the UN yearbook, New York edition, which is worded in accordance with the arrangements specified in resolution 3208 (XXIX).

Moreover, the Community's observer status, as defined in that resolution and outlined in the yearbook, is not to be mistaken for the establishment of a permanent mission of observer.

The Community has laid down the following arrangements for its representation at the proceedings of the General Assembly.

The task of representing the Community is entrusted to a representative of the country holding the office of President of the Council and a representative of the Commission. The role of the Community spokesman is exercised by the representative of the country holding the office of President and by the Commission representative, the division of duties being decided at the same time as the Community position is defined, according to circumstances and the matters in hand. It has been agreed that the Commission will normally be Community spokesman on matters connected with common policies, but that different arrangements may be agreed upon if circumstances so require.

It is not for the Council to reply to the question in so far as it concerns the role played by the New York office of the delegation of the Commission of the European Communities to the United States.

2 to 8 and 10. Since these questions have been put to the Commission, it is not for the Council to reply to them.

9. [1] 1. For several years now, the proceedings of the United Nations General Assembly have been subject to very careful preparation and constant scrutiny in accordance with the political cooperation procedures of the Nine. The same is true of all specialized agencies in so far as they are concerned with political problems. There is close cooperation at both government level and at the headquarters of specialized agencies and in New York, particularly during sessions of the General Assembly. At the end of each General Assembly, the results of these efforts are studied and lessons learnt from them.

Thus it was that, after an initial discussion on the assessment of their contribution to the seventh special session and the 30th General Assembly, the Nine were able to feel satisfied with the general course of their cooperation at both of these sessions.

They were also able to note their growing impact on and influence with the other United Nations member countries.

A series of measures has now been taken to consolidate the political cooperation of the Nine and to assert their identity in the light of the forthcoming 31st General Assembly.

2. Of the 211 votes cast on substantive issues at the 30th General Assembly, the votes of the Nine were identical in 175 cases (82·94 % as against 80·00 % at the 29th General Assembly).

[1] Point 9 has been answered by the Conference of Foreign Ministers of the Member States of the European Communities, within whose competence it falls.

Allowing for consensus votes — 110 at the 30th General Assembly and 89 at the 29th — the percentage of votes in common is 64·35 as compared with 60·90 at the 29th General Assembly.

It should be noted that the cooperation of the Nine is manifest not only in voting but also, increasingly, to statements, explanations of why they voted as they did (35 at the 30th General Assembly as against 15 at the 29th) and joint initiatives.

WRITTEN QUESTION No 699/75

by Mr Glinne

to the Commission of the European Communities

(19 January 1976)

Subject: Condemnation of sugar refineries by the Court of Justice

On 16 December 1975, the Court of Justice of the Communities finally gave a ruling on the fines imposed on 24 sugar refineries which had resorted to restricted practices in violation of Articles 85 and 86 of the Treaty of Rome. The Court confirmed the culpability of the companies concerned, but reduced the amount of the original fines imposed.

Could the Commission state:

1. On what dates each of the companies concerned will have paid up the fines?

2. What Community and national measures have been taken to better counteract and prevent a repetition of the offending practices?

3. What measures have been taken to improve the common organization of the market in sugar so as to ensure that in future national production quotas are not exploited as mitigating circumstances by cartels?

Answer

(10 May 1976)

1. Following the Court's ruling on 16 December 1975, the Commission approached each of the sugar companies concerned and asked them to pay the fines imposed by the Commission, and reduced by the Court in full exercise of its powers, before 15 February 1976. On that date, these companies had only partly paid the fines.

2. As already indicated in the past, the Commission keeps a close watch on the development of intra-Community trade in sugar and is particularly concerned with supplies to Italy which is till a deficit area. The Commission feels, as did the Court in its judgment, that the first priority must be the abolition of national measures which tend to impede the free movement of sugar between Member States. In this context the Commission has initiated proceedings under Articles 169 and 93 (1) of the EEC Treaty against certain Member States.

3. The Commission is at present examining the implications of the Court's decision to reduce the fines in this case on the grounds *inter alia* that the Commission had failed to take sufficient account of the extent to which the system of national production quotas could affect conditions on the sugar market. The Commission would also refer the Honourable Member to paragraph 111 of the stocktaking of the common agricultural policy [1].

[1] COM(75) 100, 25. 2. 1975, submitted to the Parliament on 28 February 1975.

WRITTEN QUESTION No 703/75

by Mr Glinne

to the Council of the European Communities

(2 February 1976)

Subject: Prevention of incitement to tax avoidance

At this time of crisis and 'equal sacrifices by all', encouragement to those in privileged positions to resort to fraud and tax evasion arouses even greater legitimate indignation than usual. The forms that this incitement can take will be seen from the following two examples among many others.

The 'International Herald Tribune' contained a half-page of paid advertising in its issue of 31 December 1974, recommending a Vienna-based company which, on payment of a substantial sum, offers advice on tax avoidance. The advertisement actually proposes a campaign against the tax collector and converting 'suspect' money into 'honest' money by opening a confidential personal account in Switzerland. In its issue of 16 December 1975 the same newspaper carried a more discreetly worded advertisement for a Geneva company that specializes in the placing of certain types of income and the exploitation of tax benefits.

In December 1975, one G. de Wolf, Wirtschaftsberatung, Graeffstrasse 1, 24/02, D-5000 Cologne, West Germany, arranged for the distribution of a remarkable brochure to companies and private citizens in Belgium. The introduction is revealing: 'Onassis knew how to make millions through "PO box" companies. He owned more than a hundred. His daughter, Tina, knows the ropes. If you want to buy, sell or rent property discreetly, if you want to reduce your taxes through business transactions either at home or abroad, if you want to play cat and mouse with the Inland Revenue, or to invest in a limited company, you certainly must know the "Onassis trick" — "PO box" companies from Liechtenstein to Panama'. The advertisement suggests sending for brochures on a number of tax havens (one in the Community itself) and for information and further advice on ways of exploiting loopholes in the Belgian tax laws. The subject was raised in the Belgian Parliament (Written Question No 60 by Mr Glinne and Mr Baudson on 9 January 1975 and Oral Question by Mr Levaux at the public sitting on 11 December 1975), and calls for an answer both in Belgium and at international and Community level. I should therefore be particularly interested to hear the views of the Community authorities on the following questions:

1. In Belgium, public incitement, through the press and other channels, to commit tax frauds penalized by the income tax code does not constitute a criminal offence unless it produces an effect. Incitement not followed by effect can be penalized only under the law on the press, which has the added disadvantage that the right to prosecute lapses after three months. What is the position in the national legislation of other Member States as regards incitement to tax fraud, whether or not followed by an effect?

2. In what Member States is legislation being prepared for the direct prevention of incitement to tax fraud, even where such incitement is not successful?

3. Does the Council not think that the introduction and concerted use of severe repressive measures in this field should be given priority in the context of the work on the harmonization of fiscal policies?

4. Is it admissible that a 'tax haven' should exist within the Benelux countries and the Community?

5. Has the Council taken steps to implement the double taxation agreements, many of which commit the Member States to combat tax fraud and evasion? Should these agreements be reviewed?

6. How do the investigations into this matter by the OECD compare and how are they organized?

When can results be expected in the EEC and in the OECD?

7. In view of the fact that the annual amount lost to the Treasury as a result of 'legal' tax fraud is estimated by the Belgian trade unions to be in the region of 100 thousand million Belgian francs, can the Community authorities estimate the losses currently incurred by all the EEC governments as a result of such fraud, through the use of 'tax havens'?

Answer

(18 May 1976)

3. The Council is perfectly aware of the importance of the problems raised by the Honourable Member. It is for this reason that on 10 February 1975 it adopted, on a proposal from the Commission, a resolution on the measures to be taken by the Community in order to combat international tax fraud and tax avoidance (1). Furthermore, on 5 April 1976, the Commission submitted to the Council a proposal for a Directive containing a first series of measures aimed at giving effect to that resolution.

4. The Council recognizes that, as a result of the discrepancies which currently exist between the various Member States' legislation on taxation, it may be more advantageous for a company to set up in one country rather than another. In the specific case of the tax system applicable to holding companies, the Council fears that, if a measure limited to within the Community were taken, this might result in capital being transferred to non-member States which would serve as tax havens, and such a measure would thereby fail to put an end to tax avoidance.

1, 2, 5, 6 and 7. For these points the Council refers the Honourable Member to the replies given in the Commission's reply to his Written Question No 702/75 (2).

(1) OJ No C 35, 14. 2. 1975, p. 1.

(2) OJ No C 89, 16. 4. 1976, p. 29.

WRITTEN QUESTION No 718/75

by Mr Glinne

to the Commission of the European Communities

(20 January 1976)

Subject: Supply of nuclear equipment by EEC Member States to third countries which are not signatories of the Nuclear Non-Proliferation Treaty

Egypt, Israel, India, Pakistan, the Republic of South Africa, Chile, Spain, Brazil and Argentina are among the countries which, like two permanent members of the UN Security Council, have failed to sign the Nuclear Non-Proliferation Treaty. This list, though incomplete, is sufficiently indicative of past or potential antagonisms and conflicts to point to the danger of:

(a) selling to non-signatory countries equipment enabling them to use for military purposes the nuclear technology thus obtained;

(b) selling this type of technology to anyone at all, if the contract does not impose on the purchaser strict and impartial controls on the use made of such equipment and any ancillary material.

Since 1974, when India joined the nuclear club, there has been even more reason to fear that several of the countries mentioned above (in particular South Africa, Israel and Brazil) have achieved the industrial capability for adapting quickly and without too much effort to military purposes the know-how from power stations and other nuclear equipment obtained 'for peaceful use'.

Answers to the following questions are therefore sought:

1. Is it true that the Brazilian Ministry of Mines and Power has been able to obtain delivery of a 'sophisticated' nuclear power station from a West German firm with the consent and cooperation of the German Federal Government, while the Government of the United States, apparently for reasons connected with the observance of the Non-Proliferation Treaty, had successfully discouraged the American firm Bechtel Power Corporation from selling similar equipment to Brazil?

2. Is it true that, as transpires from reports on the trial of the South African poet Breytenbach, public authorities and private interests in Federal Germany had recently cooperated in supplying the South African Republic with know-how and equipment capable of military use?

3. Is it true that France has recently agreed to deliver a nuclear power station to South Korea?

4. What undertakings were given by the purchaser, in each of the above cases, not to make a switch from peaceful to military uses? Is it true that the Franco-Korean contract is an improvement on the others in that it provides for the inspection by the UN Atomic Agency in Vienna not only of the equipment delivered but also of all supplementary installations to be built by the Korean purchasers for the processing of nuclear fuels?

5. Is the Atomic Agency empowered to intervene in countries which are not signatories of the Nuclear Non-Proliferation Treaty?

6. Is it true that the governments of seven countries which manufacture nuclear power stations (USA, USSR, Federal Republic of Germany, France, United Kingdom, Japan and Canada) are at present trying jointly to lay down safeguard clauses to prevent the proliferation of nuclear arms, notably by ensuring that nuclear fuels will not be re-processed for certain purposes? What have been the results of these efforts to date?

7. Have the Commission and Euratom been involved in any way in defining the position of the three EEC Member States engaged in this commendable enterprise?

8. Although the French Republic has not signed the Nuclear Non-Proliferation Treaty, has there been, in view of the importance of the matter, political consultation among the Nine? What results has it brought so far?

9. How strict are the controls on the export of nuclear equipment in each of the three EEC Member States which are major suppliers of this type of product? What is the position in the smaller countries (ACEC-Westinghouse in Belgium is building one or more power stations for Yugoslavia)? Is harmonization upwards to a maximum level of requirements considered desirable and sought by the Nine? Do the Commission, Euratom and political consultation play a part in any such efforts, and with what results to date?

Answer

(17 May 1976)

The Commission's examination of draft agreements notified by Member States under Article 103 of the Euratom Treaty is strictly confidential. No information regarding the terms of such agreements is released to other Member States or indeed to other Community institutions.

1. The German Government duly notified the Commission under Article 103 of a draft agreement

with the Brazilian Government. The agreement, which entered into force in November 1975, is an outline one covering cooperation on a wide range of activities in the field of nuclear energy.

2. The Commission would refer the Honourable Member to a statement issued by the German Government in October 1975. A copy is being sent to him direct.

3. The Commission was duly notified of the conclusion of a nuclear cooperation agreement between France and Korea.

4. In both cases the countries concerned — Germany and Brazil, France and Korea — concluded agreements with the International Atomic Energy Agency. These will enable the Agency to verify that the materials, equipment, plant and technological know-how obtained as a result are not used to manufacture nuclear arms or explosives. The agreements, which were approved by the Agency's Board of Governors in February 1976 and September 1975 respectively, have been published by the Agency (documents GOV/1769 and INFCIRC/223).

5. The Agency can verify that its 'safeguards' are applied to given materials or plant in countries which are not signatories to the Non-Proliferation Treaty provided these countries are agreeable. This is particularly true where an exporting country makes IAEA verification a condition of supply. In such cases — the Germany/Brazil and France/Korea agreements are two good examples — a verification agreement is concluded between the parties and the IAEA.

6. The seven countries listed by the Honourable Member have produced a number of guidelines applicable to exports of nuclear materials, plant and technology to non-nuclear-weapons States, which these countries agreed to respect.

7. The Commission was in no way involved but was kept informed of the results of the discussions.

8. There has been no political cooperation among the Nine in this matter.

9. The agreements mentioned by the Honourable Member and a number of earlier ones prove that the three Member States which are major suppliers of nuclear material have always insisted on the strictest possible safety guarantees. The same is true of the other Member States.

The possibility of harmonizing these guarantees has not yet been discussed by the Council.

WRITTEN QUESTION No 730/75

by Mr Jahn

to the Commission of the European Communities

(22 January 1976)

Subject: Unnecessary currency formalities imposed by the Italian customs authorities

The Commission has, unfortunately, only partially answered my Written Question No 421/75 [1]. The attached form V2 showed clearly that,

- the stamp of the competent customs office is backdated to a time before the tourists' arrival in Italy,
- form V2, which is handed to tourists on arrival, stipulates that the completed form is to be returned to the competent frontier authorities only on departure.

[1] OJ No C 296, 24. 12. 1975, p. 12.

Since then, a number of travellers to Italy have again confirmed that the Italian authorities are applying this procedure. The Commission's statement to the contrary, which is based on 'information supplied by the Italian foreign exchange authorities' is clearly no solution to the problem.

I therefore repeat the same unambiguous questions:

— can the Commission explain what checks the authorities can possibly carry out when the forms completed by the tourists do not have to be presented until the time of departure, i.e. when the stamp of the competent customs office is backdated on the blank form to a time before the date of arrival?

— am I right in assuming that 'although this is not conscious chicanery, it represents a measure which, without regard to efficiency, is intended primarily to create work for the overstaffed Italian bureaucracy'?

I also take this opportunity of adding the following question:

Is the Commission prepared — with a view to providing practical proof of its repeatedly expressed conviction that one of the primary purposes of European integration is to make the citizens of the Community more aware of the realities of the common market — to bring pressure to bear on the Italian Government for a reasonable enforcement of currency formalities, if these are still regarded as essential?

Supplementary Answer

(12 May 1976)

Further to its reply of 17 February 1976 [1], the Commission can now inform the Honourable Member of the outcome of its enquiries.

The Italian exchange office has reiterated the validity of the regulations in force to the effect that foreign currency imported into Italy by non-residents must be declared on form V2, to be presented for certification by the frontier authorities on entry into the country.

While it does not deny that occasional errors may occur, it feels that this is not a good reason for questioning the value of provisions designed primarily to ensure that foreign tourists can re-export foreign currency that they have brought into Italy but not used.

The office has informed the Commission that it has written to the Ministries of Finance (Directorate-General for Customs) and Foreign Trade stressing that the customs authorities at frontiers should ensure that the regulations laid down are strictly observed.

[1] A temporary answer to this question was already given on 17 February 1976 (OJ No C 80, 5. 4. 1976, p. 35).

WRITTEN QUESTION No 767/75

by Mr Seefeld

to the Commission of the European Communities

(2 February 1976)

Subject: Social provisions in road haulage

1. Which Member State governments have already circumvented the social provisions in road haulage by ignoring the 450-km rule?

2. Does the Commission consider Community social provisions in this area a failure?

3. What conclusions does the Commission propose to draw?

4. How will the Commission ensure that uniform application and supervision of the Community social provisions is guaranteed in the future?

Answer

(19 May 1976)

1. The Commission has expressed to the French, Dutch and German Governments its concern about the strictness of implementation of the various provisions of Regulation (EEC) No 543/69 [1]. It has asked those Member States for an explanation and reserves the right to take any action which may be necessary under the Treaties.

2 and 3. The Commission considers that, so far, social legislation in this area has achieved its main purpose. However, experience gained since 1969 and developments in road haulage, notably the growing use of recording equipment, have shown that a number of the requirements contained in the Regulation need to be brought up to date. For this reason the Commission recently sent proposals to amend the Regulation, and in particular the present 450-km rule, to the Council and the European Parliament [2].

4. The proposals referred to above should simplify the Regulation and hence facilitate its application. The Commission will continue to ensure that its provisions are respected and to this end will maintain close contacts with the authorities responsible for checks and sanctions in the Member States. It is also required by Article 17 of the Regulation to present a general report to the Council each year based on information supplied by the Member States.

[1] OJ No L 77, 29. 3. 1969, p. 49.

[2] COM(76) 85 fin., submitted to the Parliament on 11 March 1976.

WRITTEN QUESTION No 780/75

by Mr Willi Müller

to the Commission of the European Communities

(11 February 1976)

Subject: Reduction of emission levels for civil aircraft

1. What maximum emission levels (noise and pollution) for civil aircraft — especially on take-off and landing — are at present in force in the Community Member States?

2. Does the Commission foresee the possibility of setting stricter emission standards, in particular through concerted action by the Member States, at the next meeting of the ICAO?

Answer

(1 June 1976)

1. Maximum permitted noise levels for civil aircraft are set out in Annex 16 of the Convention on International Civil Aviation (Chicago 1944). They are related to maximum aircraft weight and vary from 93 to 108 EPNdB on take-off and 102 to 108 EPNdB on landing. The Commission's information is that legislation in several Member States is based on the provisions of Annex 16 and is applied to aircraft on their own national register or to all aircraft using airfields in their territory. Italy has a code of practice which includes a certification procedure incorporating these standards; Luxembourg has no legislation in the matter. No Member State has specific legislation governing the emission of pollutants on take-off and landing but general legislation on atmospheric pollution applies.

2. Since it is in no way involved in the work of the International Civil Aviation Organization, the Commission is not in a position to secure the adoption by that organization of stricter emission standards. It will, however, be presenting to the Council in the near future a proposal for a Directive to limit aircraft noise.

WRITTEN QUESTION No 802/75

by Mr Glinne

to the Commission of the European Communities

(13 February 1976)

Subject: Establishment of 'Interfisc' services in the Member States to combat the internationalization of tax evasion

Since the tabling of Written Questions No 702/75 [1] and No 703/75 [2], the Belgian Government has disclosed the recent establishment within the Finance Ministry of a small investigation service known as 'Interfisc', a kind of tax 'Interpol' against evaders. It employs half a dozen inspectors to trace, on behalf of local tax inspectors, incomes from Belgian assets which, by being held abroad in various forms, benefit from *de facto,* if not *de jure,* tax immunity.

Can the Commission answer the following questions:

1. Is it true that 'Interfisc' has information reciprocity arrangements with the foreign authorities with which it cooperates? Does 'Interfisc' carry out, at the request of its partners and within the limits of Belgian law, investigations to identify the funds of nationals of neighbouring countries who have sought refuge in Belgium from their own tax authorities?

2. Does the abovementioned role come under the conventions against double taxation? Is it true that the latter contain provisions authorizing the exchange between tax authorities not only of information necessary to apply the provisions of the convention but also of information regarding the implementation of domestic tax law?

3. Do agreements against double taxation exist between all EEC Member States? Which EEC Member States are not linked by this kind of convention with other signatories of the Treaty of Rome.

4. Which Member States have an 'Interfisc' type of service, and since when? What size of staff does

(1) OJ No C 89, 16. 4. 1976, p. 29.
(2) See page 7 of this Official Journal.

each State employ for the purpose? Are their tasks identical? Can they be harmonized?

5. How does the Grand Duchy of Luxembourg manage to maintain its anachronistic role as a 'tax haven' within the EEC?

6. Are the Community executive bodies concerned with harmonizing national legislation to make it stricter, so that investigators from countries which have signed agreements against double taxation are not hindered by their own legislation from seeking necessary information? What results can be expected in the short and medium terms from the necessary harmonization?

7. Are endeavours under way to cooperate in reducing evasion carried out from the Nine, through arrangements made in third countries, such as Switzerland, Liechtenstein, etc?

8. Can 'Interfisc' and similar services in other Member States take effective action against activities such as:

— the subscription in an EEC country, by a resident of a country party to a double taxation agreement, to a new capital issue or loan issue put out by the management of a firm from the first country,

— the payment outside the country of interest, royalties, fees or commissions whose actual beneficiaries are persons resident in the country,

— the purchase from foreign suppliers by residents of an EEC country of raw materials or other goods on terms such that the purchase price, the gross profit margin or other factors would lead one to suppose that credit notes made out abroad have been cashed without being accounted for in the country of the said residents,

— the purchase or assignment abroad of shares at unrealistic prices, so as to avoid tax in a Member State?

Can the Commission state, for each of the four methods of evasion given as examples above, which Member States are incapable of suppressing them with existing services? Is Community harmonization called for to close the loopholes in the near future?

Answer

(15 April 1976)

1, 2, 4 and 8. The Commission regrets that it is not in a position to answer these questions. It has no reliable information from official sources on either the Belgian investigation service or similar services in other Member States.

3. Double taxation agreements have been signed between virtually all Member States, the exceptions being Italy and Luxembourg and Denmark and Luxembourg.

5. The Commission is reluctant to comment on the Honourable Member's personal assessment of the tax system in one of the Member States. It would, however, refer him to its report [1] on the tax arrangements applying to holding companies presented to the Council on 19 July 1973. In this report it expressed the view that the situation of holding companies in Luxembourg must be considered in the wider context of letter-box companies, a widespread phenomenon inside and outside the Community. It also felt that action limited to holding companies in the Community would lead to a transfer of capital to certain third countries, including countries which have a special relationship with some of the Member States. The Commission has put forward a number of proposals which could improve the present situation somewhat and represent a first step toward a more comprehensive solution in the longer term.

The Commission repeated these suggestions in its action programme for taxation [2] transmitted to the Council on 23 July 1975.

6. National legislation on the scope and methods of tax inspection will have to be harmonized but this is bound to be a lengthy process.

[1] COM(73) 1008 fin., 18. 6. 1973.

[2] COM(75) 391 fin., 23. 7. 1975.

For this reason the resolution on international tax evasion and avoidance, adopted by the Council on a proposal from the Commission on 10 February 1975 [3], gave priority to arrangements to make existing bilateral collaboration between national tax authorities more effective by placing it in a Community framework. The Commission intends to present proposals to the Council in the near future to implement some of the measures recommended in this resolution, notably those relating to the exchange of information and the conducting of investigations by one Member State on behalf of another, with a view to ensuring that taxes on income and/or profits are correctly assessed.

7. Tax evasion through arrangements with third countries such as Switzerland and Liechtenstein is discussed in the Commission's report on the tax arrangements applying to holding companies, notably in paragraph 11.

The Commission's suggestions in the matter, which were set out in the conclusions to the report and repeated in the action programme for taxation, were specifically designed to eliminate this form of tax evasion.

[3] OJ No C 35, 14. 2. 1975, p. 1.

WRITTEN QUESTION No 816/75

by Mr Albertsen

to the Commission of the European Communities

(25 February 1976)

Subject: Lifting of the Danish ban on elm log imports

Throughout Europe elms are threatened with extinction because of a fungal disease that attacks the wood, blocking the vessels in the branches and trunks and preventing the sap from rising, so that the trees slowly die.

The disappearance of the elm is to be regretted for environmental reasons, but besides this there are the very serious economic consequences, especially for agriculture. In Denmark the elm is the most important tree in the windbreaks that screen fields against the west wind in north and west Jutland. According to experts, it will be impossible to find a suitable replacement.

So far, Denmark has been able to maintain a total ban on imports of elm logs and saplings, the main disease carriers, but the ban has now to be lifted since it conflicts with Community rules on competition.

This is rather surprising, since there are numerous examples of import bans in the Member States that are based on veterinary and plant health considerations.

Why, therefore, has the Commission in this case attached more importance to Community rules on competition than to environmental and plant health considerations and the conditions of survival for agriculture in areas which, moreover, are classified as regional development areas?

Answer

(21 May 1976)

Denmark is quite free under Article 36 of the EEC Treaty to prohibit or restrict imports if such a course is justified by the need to protect the health of its elm plantations.

Throughout the Council's examination of its proposal for a Directive concerning arrangements to prevent the introduction of organisms harmful to plant life, the Commission stressed the need to protect elm plantations by the adoption of measures

to combat the spread of *ceratocestis ulmi*. The Commission is also aware that the preservation of its elm plantations is a matter of particular concern to Denmark.

It has therefore approved the inclusion in this proposal of

a ban on the importation of elm bark and unstripped elm wood,

special requirements to be met by imports of elm seedlings,

additional measures to protect elms in Denmark and elsewhere.

All in all the Commission feels that none of the points raised by the Honourable Member has been neglected.

WRITTEN QUESTION No 843/75

by Mr Howell

to the Commission of the European Communities

(26 February 1976)

Subject: Lending rates

Will the Commission state for each Member country the average rates at which farmers can borrow money.

Answer

(17 May 1976)

The Commission can give no succinct answer to this question, because interest rates charged on the various capital markets are by no means uniform, the terms also being influenced, among other things, by the periods for which funds are lent and the purpose of the loan.

As a rough guide, the table below shows the mortgage interest rates charged by the Savings Banks Group of the Community as at 1 April 1976; in practice, these also apply to loans to farmers:

Belgium	±	10 %
Denmark	±	13 %
France	±	11·5 %
Germany	±	8 %
Ireland	±	12·5 %
Italy	±	13 to 15 %
Luxembourg	±	8 %
Netherlands	±	9 %
United Kingdom	±	13 %

It should be remembered, however, that better terms may be obtained in those Member States which have a mutual agricultural credit system or as a result of official assistance, e.g. in the form of interest relief grants on investment credit.

WRITTEN QUESTION No 854/75

by Mr Fletcher

to the Commission of the European Communities

(4 March 1976)

Subject: VAT on certain spirits imported into Italy

In its answer given on 7 October 1975 to Written Question No 312/75 [1] from Mr Corrie, the Commission stated that it was examining the reply from the Italian Government which was received on 10 September 1975, concerning the discriminatory application of VAT on certain spirits imported into Italy (notably whisky, gin and rum).

1. Has the Commission now finished its examination of this reply?

2. (a) If the answer is in the affirmative, what action is it now proposing to take?

   (b) If in the negative, what are the reasons for the Commission's delay?

3. Irrespective of the answers to the above questions, how can the Commission justify its delay in dealing with this matter which was brought to its attention nearly 18 months ago and which has resulted in a most damaging effect on sales of the spirits in question?

[1] OJ No C 268, 22. 11. 1975, p. 5.

Answer

(14 May 1976)

The Commission sent the reasoned opinion, provided for in Article 169 of the EEC Treaty, to Italy on 22 April 1976.

The whole problem should therefore be resolved shortly.

WRITTEN QUESTION No 856/75

by Mr Jahn

to the Commission of the European Communities

(4 March 1976)

Subject: Application of Community Directives by the Member States

The Commission points out, in paragraph 94 of the ninth general report on the activities of the European Communities, that the application of Community Directives by the Member States is still giving rise to difficulties and in some sectors is still causing major problems. Moreover, notification by the Member States of measures they are taken is often sketchy and incomplete.

In these circumstances the Commission is asked to reply to the following questions:

1. Could the Commission show, in table form, which Member States are still encountering difficulties with the application of proposals for Directives, which proposals are involved, and what are the causes of the difficulties?

2. Which sectors still present major problems?

3. Does the Commission not feel that it is all the more justifiable to expect proper application of the Directives in view of the fact that the Council allows itself a great deal of time to consider the Commission's proposals for Directives and that the Member States frequently secure for themselves exceptions, transitional arrangements and special rules which in any case compromise the approximation of legal provisions as called for in the Treaties (cf. in particular Article 100 of the EEC Treaty)?

4. In those cases where notification by the Member States of measures they have adopted is incomplete and sketchy, what steps has the Commission taken to induce them to provide fuller and more precise information without delay?

Answer

(18 May 1976)

1. As previously indicated by the Commission, e.g. in reply to Mr Cousté's Written Question No 80/75 [1], non-application by Member States of Directives by the set dates of implementation appears mainly to be due to a lack of vigilance rather than any specific unwillingness to apply the Directives. It is however, a fact, as also stated in the eighth general report, that the problem of implementation, which does exist in a significant number of areas and concerns in varying degrees all Member States, is of substantial proportions and is a source of preoccupation.

Nevertheless, for the reasons stated in its replies to Mr Cousté's Written Question No 80/75 and Mr Laban's Written Question No 519/75 [2], the Commission would not think it appropriate to publish a detailed table, as requested by the Honourable Member, listing all the Directives giving rise to difficulties in the individual Member States, explaining the nature of the difficulties, and giving the names of the Member State in each case.

2. The sectors of agricultural and food products and technical obstacles to trade.

3. Like the Honourable Member the Commission regrets the delays in implementation of a large number of Directives, particularly in view of the fact that the Member States themselves are involved in the preparation of these acts.

4. When notifications by Member States of measures taken by them are incomplete or imprecise, the Commission undertakes all necessary démarches. These may take the form of written communications or of personal contacts and meeting with the national authorities concerned. They are pursued until the Commission has obtained a sufficient basis to evaluate the state of implementation of the Directive.

[1] OJ No C 192, 22. 8. 1975, p. 4.
[2] OJ No C 49, 3. 3. 1976, p. 9.

WRITTEN QUESTION No 860/75 [1]

by Mr Gibbons

to the Commission of the European Communities

(4 March 1976)

Subject: Per Capita benefits from the EAGGF Fund

Will the Commission state in tabular from the *per capita* benefits in units of account accruing to persons employed in agriculture from the EAGGF Fund (Guarantee and

[1] A temporary answer to this question was already given on 5 April 1976 (OJ No C 119, 29. 5. 1976, p. 36).

Guidance Sections) in each of the nine Member States of the EEC for the years 1973, 1974 and 1975:

(a) taking into account the incidence of monetary and accession compensatory amounts;

(b) without taking into account the incidence of monetary and accession compensatory amounts.

Supplementary Answer

(10 May 1976)

Further to its answer of 5 April 1976, the Commission is now in a position to present the Honourable Member with the outcome of its research.

1. Expenditure broken down by Member States, with and without monetary and accession compensatory amounts, is recorded in the financial reports on the administration of the EAGGF and benefits to farmers and farm workers are shown in the reports on the agricultural situation in the Community. These reports have been forwarded to the European Parliament.

2. The Commission would refer the Honourable Member to its answer to Written Question No 355/75 by Mr Martens [1], in which it pointed out that the breakdown by Member State of the figures given for the EAGGF Guarantee Section — accounting for the bulk of expenditure — is for accounting purposes only.

   The figures are broken down in such a way that any analysis of them should be treated with caution:

   — some national agencies take much longer to pay than others, and so the payments recorded do not reflect the actual expenditures which should have been defrayed,

   — expenditure financed by disbursing agencies in a given Member State cannot be regarded as peculiar to that State; the Community is a single entity and expenditure incurred in one Member State has economic implications for the Community as a whole,

   — agricultural processing industries and international ports tend to be concentrated in certain areas of the Community, and this, in addition to the fact that agricultural products move freely within the Community, may influence the expenditure recorded by Member States.

3. A mere comparison between the total number employed in agriculture and the amounts paid out for this activity in each Member State is unlikely to produce satisfactory results because it fails to take account of productivity per farmer/farm worker, which varies widely from Member State to Member State. When other indicators are used to show the return from agriculture in comparison with expenditure on this activity — e.g. number of hectares of usable agricultural area, total value of production, added value etc. — the results vary very widely and sometimes even conflict, so much so that such analyses are of only limited value.

[1] OJ No C 292, 20. 12. 1975, p. 6.

WRITTEN QUESTION No 864/75

by Mr Seefeld

to the Council of the European Communities

(3 March 1976)

Subject: Observance of Community social regulations on road transport

1. Is it true that, because of the negative outcome of the December Council meeting on transport, the Transport Minister of the Federal Republic of Germany has

recommended that the Federal Länder should no longer penalize infringements of the Community's 450-km rule?

2. Is it true that similar action is contemplated in the Netherlands?

3. Does the Council intend to take other decisions in this connection?

4. If not, what will it do to ensure that the Community's Regulations are complied with in all Member States?

Answer

(18 May 1976)

The Council points out that it is the responsibility of the Commission to ensure that the provisions adopted by the Community institutions pursuant to the Treaty are applied.

The Council took note, at its 374th meeting on 10 and 11 December 1975, of the Commission's intention to submit a proposal for the amendment of Regulation (EEC) No 543/69 [1], after the necessary consultations had taken place. By letter of 9 March 1976, the Commission did in fact forward to the Council a proposal for a Regulation on the harmonization of certain social legislation in the field of road transport.

This proposal was forwarded to the European Parliament and the Economic and Social Committee on 18 March 1976.

The Council intends to take a decision on this proposal as soon as possible after receiving the relevant opinions.

[1] OJ No L 77, 29. 3. 1969, p. 49.

WRITTEN QUESTION No 867/75

by Mr Laban, Mr Kofoed and Mr De Koning

to the Commission of the European Communities

(5 March 1976)

Subject: Conditions of intervention for colza and rape seed

Commission Regulation (EEC) No 2135/75 [1] restricts intervention for rape seed to varieties with a maximum erucic acid content of 15 %; it is to enter into force on 1 July 1976. On the assumption that a higher percentage of this acid could be dangerous to human health, Council Regulation (EEC) No 2505/75 [2] fixed the standard quality of colza and rape seed.

This principle was not disputed during the discussion of the latest proposal in the European Parliament, but the attention of the Commission was drawn to the fact that farmers in some Member States had had insufficient time to obtain the new seed varieties.

Further it was requested in the European Parliament resolution that for the 1976/77 marketing year conditions of intervention should be such that varieties with a higher erucic acid content could qualify for intervention, always provided that they were not for human consumption, but would be used, for example, in the manufacture of soap.

The Commissioner responsible recognized the problem and promised it would be taken into account in formation of policy in this sector.

[1] OJ No L 217, 15. 8. 1975, p. 22.
[2] OJ No L 256, 2. 10. 1975, p. 1.

Meanwhile transitional problems have occurred in Denmark and the Netherlands either because of early sowing or because of insufficient supplies of the new seed varieties.

Consequently Danish farming organizations have requested a one-year deferment of the implementation of the new Regulation.

Contrary to the hopes raised that the new Regulation would be flexibly applied, this request was refused.

In connection with the above, the Commission is asked to answer the following questions:

1. Will the Commission state why the Danish request for deferment was refused?

2. Will the Commission still act to fulfil the hopes it raised and accept colza and rape seed with a higher erucic acid content — if put forward for intervention — during the 1976/77 marketing year, provided that the lots in question are not intended for human consumption?

Answer

(21 May 1976)

1. In its opinion on colza oil issued on 16 December 1974, the Scientific Committee for Foodstuffs recommended that, for purposes of human consumption, preference should be given to types of oil with a low erucic acid content.

The colza oil, with a high erucic acid content required for industrial use, however, represents only some 10 % of Community colza seed production. Commission Regulation (EEC) No 2135/75 restricting intervention for colza seed to varieties with an erucic acid content of under 15 % was designed to encourage producers to use, for the 1976 harvest, seed varieties with a low erucic acid content, in line with the new market trends.

Member States had ample notice of this measure, and in the Commission's view deferment would be manifestly unfair to Community producers who have switched from the traditional varieties with high erucic acid content and high yield, to varieties with a low erucic acid content, but markedly low yield.

2. The marketing and production of colza seed with a high erucic acid content — which receives the same aid as seed with low acid content — have so far posed no problems. The guarantee for producers of high acid content seeds must no longer be sought in intervention but in the conclusion of contracts at time of sowing, between the producers and users concerned. This procedure is employed in some Member States.

The Commission is nevertheless ready to reexamine the question and to take appropriate action if marketing problems arise, but only in the case of seeds for the 1976 harvest.

WRITTEN QUESTION No 18/76

by Mr Cousté

to the Commission of the European Communities

(16 March 1976)

Subject: Plan to set up an international economic grouping

In connection with the plan of German, Dutch, Belgian and Luxembourg iron and steel undertakings to set up an international economic grouping and the Commission's statement on the subject:

1. Would such a grouping not in the Commission's view constitute an economic, not to say political

entity that could jeopardize the equilibrium desired by the signatories of the Treaty of Paris and the basic principles of the Treaty?

2. Does the Commission intend to authorize the plan, despite these basic principles and requirements of Article 65 of the Treaty?

3. Does the Commission not feel that the strength of a grouping representing about 45 % of the Community's steel production would nullify any safeguards or conditions it might include in its authorization?

Answer

(26 May 1976)

Article 48 of the ECSC Treaty expressly recognizes the right of undertakings to form associations. Membership must be voluntary and the associations may not engage in any activity which is contrary to the provisions of the Treaty or to Commission Decisions or recommendations.

The planned new association — which is to consist of German undertakings and of other undertakings with corporate links in Germany — has stated that it is willing to receive other members.

The Commission is aware of the potential weight which the members of this association will be able to bring to bear, and it will take whatever steps may be necessary to ensure that the association does not develop into the kind of bloc which might jeopardize the unity of the common market or the fundamental objectives of the Treaty.

The undertakings in question have not so far applied to the Commission for authorization of any agreement between them under Article 65 of the Treaty. If they do, the Commission will consider the matter and decide accordingly.

WRITTEN QUESTION No 19/76

by Mr Cousté

to the Commission of the European Communities

(16 March 1976)

Subject: Goods imported by a sole concessionaire or agent

Does the Commission feel that the conditions of unrestricted competition provided for in the Brussels definition of dutiable value are not fulfilled when the sole importers of the same brand of goods, established in different Community countries, import the same goods on the same price terms for the same quantities? Does it not fear that by altering the value as though there were a sole importer for the Community it will be taking a decision that conflicts with the provisions of Article 85 of the Treaty of Rome?

Answer

(14 May 1976)

Council Regulation (EEC) No 803/68 of 27 June 1968 [1] stipulates that the value of imported goods for customs purposes is the price such goods would fetch at a given time on a sale in the open market between a buyer and seller independent of each other, this being determined on the basis of a number of assumptions. Article 2 of the Regulation explains what is meant by 'a sale in the open market between a buyer and a seller independent of each other'.

The Commission would need to have further details before it could say whether or not the prices the Honourable Member has in mind would be regarded as open market prices, within the meaning of the said Article 2, by national customs administrations.

Article 85 of the EEC Treaty deals with anti-competitive practices by firms. It therefore has no bearing on price adjustments made by the authorities in determining the value of imported goods for customs purposes.

[1] OJ No L 148, 28. 6. 1968, p. 6.

WRITTEN QUESTION No 28/76

to the Commission of the European Communities

by Mr Hansen

(22 March 1976)

Subject: Price policy for potatoes

In connection with the high potato prices which have existed since Autumn 1975, the Commission is asked:

1. Is it true that the Commission has proposed to the Council the setting-up of an organization of the market in potatoes aimed at using import duties, export subsidies, storage premiums, feed subsidies and a number of other measures to keep potato prices permanently at a level considerably higher than the prices prevailing before the present rise?

2. Is it also possible that this organization of the market will shut out imports even of cheap new potatoes from non-member countries?

3. Does the Commission share the view of the consumer associations that the proposed organization of the market clashes with the interests of consumers because:

   — on the one hand, it prevents the present high prices from falling to a reasonable level on the market and imposes an extra burden on the taxpayer,

   — on the other hand, it cannot prevent price rises such as have occurred during the past few months?

4. Is the Commission aware that administrative measures such as the organization of the market at European level cannot prevent bad harvests induced by bad weather?

5. Is it right to assume that a major cause of present high potato prices is the considerable decrease in potato cultivation in the Community during the past five years?

6. In the Commission's view, is this considerable decrease not due to the fact that the Community has constantly pushed up guaranteed minimum prices for alternative crops, particularly cereals and sugar beet?

7. How does the Commission answer the oft-raised allegation that the proposed organization of the market in potatoes violates Article 39 (1) of the EEC Treaty, according to which one of the objectives of the common agricultural policy is to ensure that supplies reach consumers at reasonable prices?

8. What practical measures does the Commission intend to propose to guarantee that potatoes will once again become an attractively priced part of a staple diet, as they were until 1974?

Answer

(25 May 1976)

1. The Regulation proposed by the Commission is intended to help stabilize the Community potato market. This end is to be sought by improving the organization of production as to both quantity and quality, and not by introducing a system of prices fixed by the Community.

Storage and dehydration premiums will be granted only when there is a serious imbalance between supply and demand (and hence when considerable pressure exists on prices) and then only for limited periods and in respect of limited quantities.

2. Even in the case of new potatoes, the aim of the Regulation is to help stabilize prices in Europe through a system of reference prices, which works to the advantage of both producers and consumers. A ban on imports is provided for only under the protective clause, that is to say only in the event of serious disturbance on the Community market.

3, 7 and 8. The Regulation seeks to achieve a certain balance between supply and demand, and to help stabilize prices and ensure that the market is supplied. This is in the interest of the consumer of both fresh and processed products.

4. The Commission is fully aware that administrative measures cannot prevent bad harvests. However, the common organization of the market will help to ensure that priority is given to supplying the European market, notably through the free movement of goods and the common arrangements regarding trade with non-member countries.

5. The high prices in the current marketing year are due mainly to a very dry summer, which reduced yields by some 20 % compared to 1974. The areas planted in the Community were down by less than 100 000 hectares.

6. The reduction would appear to be attributable mainly to the change in eating habits in the Community over the past twenty years. *Per capita* consumption in the Community (of six) dropped from 109 kg in 1956 to 77 kg in 1974.

WRITTEN QUESTION No 30/76

by Mr Glinne

to the Commission of the European Communities

(24 March 1976)

Subject: Quality tests on wheat for animal and human consumption

Since the development by the Cambridge Plant Breeding Institute of a wheat variety with an increased yield unfortunately accompanied by such poor quality that the grain produced has to be used for animal feeding, the Commission has apparently been experiencing great difficulty in avoiding confusion between the two types of flour and the subterfuges which may arise using the poorer quality.

Can the Commission answer the following questions:

1. Is it true that simple chemical tests enable the protein content of samples to be determined? Why has this method not yet been adopted?

2. For what reasons does the Commission apparently wish to impose the baking of a sample loaf at a cost of £30, according to the 'Sunday Times' of 7 March 1976, and the establishment of testing stations?

3. What steps are being taken to assure protection of the consumer after the next harvest, in view of the increasing sale of the Cambridge wheat variety as seed corn?

Answer

(17 May 1976)

1. The experts do not feel that with the methods of analysis normally used to assess the quality of common wheat, such as protein assay, the sedimentation index and the Hagberg drop time — which are relatively simple chemical tests — it is always possible to eliminate conclusively wheat, such as the Maris Huntsman variety, which is not of bread-making quality but is nonetheless rich in protein.

2. The Commission is aware of this problem and has therefore asked a working party of experts to devise a reasonably satisfactory Community method of qualitative analysis.

Since the group of millers associations in the countries of the European Economic Community has already embarked on a study in this field, the Commission has asked these experts to present a detailed report, which it will examine in depth.

3. The Commission is aware of the problem caused by the production of varieties of wheat of inferior baking quality and has instructed a working party to investigate the matter and present its conclusions.

When the results of the study are known the Commission may, if it considers it necessary, present the appropriate proposals to the responsible authorities.

The Honourable Member should also refer to Mr Lardinois' reply to Question No H-20 [1] on the bread-making quality of wheat, put by Mr Howell during Question Time at the April part-session of the European Parliament.

[1] No 23 on the Question Time list: Debates of the European Parliament, No 202 (April 1976), p. 84.

WRITTEN QUESTION No 32/76

by Mr Lagorce

to the Commission of the European Communities

(24 March 1976)

Subject: Excise duties on wine

1. Has the Commission noted the measures taken in the Benelux countries to double wine duties as from 16 January 1976?

2. Does the Commission not think that this measure is in flagrant contradiction with the proposals it had itself put forward regarding wine duties, and with the resolution adopted by the European Parliament on 5 April 1974 [1], inviting the Commission to submit proposals for 'the abolition of excise duty on wine in the Member States where it exists'?

[1] OJ No C 48, 25. 4. 1974, p. 7.

3. What measures does the Commission intend to take, both in the short term to avoid increases in duties on wine products and to attain the objective of the European Parliament's resolution, namely the total abolition of duties on these products?

Answer

(12 May 1976)

1. The Commission is aware that Belgium and the Netherlands have decided to increase their excise duties on wine.

2. The Commission feels that:

(i) legally speaking, these measures do not conflict with the Commission's 1972 proposals, which made provision for a harmonized minimum excise duty on wine but left it to the Member States to determine the actual rate;

(ii) these measures clearly conflict with Parliament's resolution of 5 April 1974, which advocated the abolition of excise duty on wine in Member States where such duty is levied and invited the Commission to submit fresh proposals to this effect. The Commission has already informed Parliament [1] that it would not be able to accede to its request.

The Commission notes that in reaching their decision Belgium and the Netherlands failed to take account of its recommendation 76/2/EEC of 5 December 1975 [2] in which it urged Member States to make an appreciable reduction in the rate of excise duty levied on wine and to forgo any planned or recently introduced increases. The Commission pointed out in this connection that the situation in the wine sector was such that high excise duties were already having an adverse effect on the marketing of wine in the Community and that an increase in excise duties would be even more serious.

3. The Commission would refer the Honourable Member to its recommendation referred to above. The Commission will take the new situation created by the Belgian and Dutch decisions into account in any proposals it may make to the Council, notably with respect to the harmonization of excise duties.

[1] Debates of the European Parliament, No 176 (May 1974), p. 6.

[2] OJ No L 2, 7. 1. 1976, p. 13.

WRITTEN QUESTION No 34/76

by Mr Dykes

to the Commission of the European Communities

(24 March 1976)

Subject: Postal and telephone charges

1. For an individual in each of the Member States, will the Commission give the cost of:

(a) sending an ordinary letter to someone else in each of the other Member States;

(b) making a three-minute telephone call to someone else in each of the Member States (capital-to-capital)?

(All amounts expressed in both national currencies and in units of account.)

2. To what extent are the Commission competent to bring forward proposals to simplify such postal and telephone charges?

Answer

(21 May 1976)

1. The Commission is making the necessary enquiries in the Member States and will pass the findings on to the Honourable Member as soon as they are available.

2. The simplification of postal and telephone charges does not in itself fall under the competence of the Commission. Differences in postal and telephone rates have very little effect on the functioning of the common market, since these charges account for a very small percentage of industrial and commercial costs.

While it is true that harmonization in this sector would have an important psychological effect on the citizens of the Member States, the Commission's previous efforts in this field have proved fruitless. Attempts at harmonization have come up against structural differences between the various services which result in different operating costs, and the trend now is to make services financially self-supporting by running them on an increasingly commercial basis. These differences between postal administrations may be due, for example, to the fact that some of them can have their deficits made up from public funds while others are required to pay their own way, or to different costs and wages in the various Member States. There are thus major financial obstacles to the application of an internal postal tariff for certain services between Member States.

WRITTEN QUESTION No 41/76

by Mr Glinne

to the Commission of the European Communities

(25 March 1976)

Subject: Allegations of 'dumping' by the European car industry on the United States market

In August 1975, the United States Department of the Treasury started investigations, at the request of the trade unions and members of Congress, to determine whether the car industries of eight countries (including the Federal Republic of Germany, the United Kingdom, France, Italy and Belgium) are selling vehicles on the American market at a lower price than on the home market. The Department of the Treasury will issue a preliminary statement on 11 May next, after which the International Trade Commission will be in a position to evaluate the possible damage to American industry and impose penalties and/or take protective tariff measures.

Can the Commission answer the following questions:

1. What were the respective shares of the EEC countries in motor vehicle imports by the United States in 1975?

2. Is concerted action being taken at Community level to ascertain whether these allegations are true?

Answer

(13 May 1976)

1. In 1975 the exports of passenger cars by the Member States to the United States were:

Country	January to November 1975		
	No of vehicles	Customs value ($ million)	% share by value
Belgium	35 474	150·3	8 %
Federal Republic of Germany	327 506	1 340·8	68 %
France	13 015	38·1	2 %
Italy	90 930	288·8	14 %
United Kingdom	60 421	159·1	8 %
Total	527 346	1 977·1	100 %

Source: US General Imports: Schedule A (US Department of Commerce).

2. Concertation has been and is being ensured by the Commission both in the Community and in Washington, through constant contact and meetings with the firms involved and their lawyers. Member State governments are being informed and consulted at every stage.

WRITTEN QUESTION No 45/76

by Mrs Ewing

to the Commission of the European Communities

(26 March 1976)

Subject: Communication between parents and teachers in the European schools

Can the Commission state whether it is the case that teachers at the European schools are prohibited from participating in parents/teachers organizations?

Answer

(26 May 1976)

No existing regulation governing the European schools prohibits teachers from participating in parents/teachers organizations.

The Commission would remind the Honourable Member that parents and teachers are represented on an equal basis on the Board of Governors, the Teaching Committee, the Administrative Boards and the Education Committees, where they can meet and exchange ideas.

WRITTEN QUESTION No 49/76

by Mr Mursch

to the Commission of the European Communities

(29 March 1976)

Subject: Council Decision of 13 May 1965 on transport questions

1. Is the Commission familiar with the Council Decision of 13 May 1965, in which the Council apparently decided that a set of Community measures in the field of transport policy would be implemented on the basis of the following principles:

(a) freedom of access to markets;

(b) freedom to determine price levels;

(c) harmonization of conditions of competition;

and to which the President-in-Office of the Council referred during Parliament's sitting of 10 March 1976 [1]?

2. Has this Council Decision been published? If so, where? If not, can the Commission recount the exact wording used?

3. Does the Commission feel that the Community is still bound by a Council Decision adopted in 1965?

4. In what form was the Decision brought to the notice of the new Member States?

5. Why has the Commission not done more since 1965 to adjust its proposals to take account of the establishment of the freedom to determine price levels and the harmonization of conditions of competition if it is true that the Council decided in 1965 that this should be done?

[1] Debates of the European Parliament, No 201 (March 1976), p. 21.

Answer

(19 May 1976)

1. Yes.

2. This Decision was published in Official Journal No 88 of 24 May 1965.

3, 4 and 5. This Decision, which was accepted by the new Member States under the Accession Treaty, provides for a programme of harmonization in the transport fields mentioned. The programme has been largely implemented, except for certain aspects, relating particularly to the harmonization of tax regulations, in respect of which the Commission is stepping up its efforts to find solutions acceptable to all the Member States.

WRITTEN QUESTION No 52/76

by Mr Leonardi

to the Commission of the European Communities

(29 March 1976)

Subject: Indebtedness abroad and sources of credit

What is the indebtedness abroad of the nine countries of the Community, both in absolute terms and as a percentage of their national income?

What are the main sources of credit of the individual members of the Community?

Answer

(17 May 1976)

1. The only statistics available in this area for the nine Member States of the Community are those relating to the external public debt. The figures are as follows (expressed in millions of dollars):

Belgium	116 (31 December 1975)
Denmark	1 171 (31 December 1975)
Germany	272 (31 December 1975)
France	1 457 (30 September (1975)
Ireland	1 257 (31 March 1976)
Italy	1 006 (31 March 1976)
Luxembourg	61 (31 December 1975)
Netherlands	13 (31 December 1975)
United Kingdom	8 921 (31 December 1975)

Expressed as a percentage of gross domestic product at 1975 market prices, which is the only reference aggregate available, the figures are as follows:

Belgium	0·2
Denmark	3·3
Germany	0·1
France	0·4
Ireland	16·2
Italy	0·6
Luxembourg	2·8
Netherlands	0·02
United Kingdom	4

However, these figures are far from fully comparable, and in some respects provide little guidance in this context. In particular, they do not include private debt, which, in certain EEC countries, is very high.

Moreover, the statistics provided relate on the whole only to the direct national debt, which is not a very significant variable, particularly in certain countries where indirect official borrowing accounts for the bulk of the public sector's requirements.

2. In recent years Belgium, Germany, France, Luxembourg and the Netherlands have covered all their public borrowing requirements on the domestic markets and have gradually scaled down external indebtedness. Denmark, Ireland and the United Kingdom, on the other hand, obtain a relatively large proportion of their financing on the foreign capital markets. Italy, whose direct foreign national debt has so far been very small, has recently used the Community loans machinery, as has Ireland, to borrow on the international capital markets ($ 1 000 million and $ 300 million respectively).

The choice of borrowing sources is not always determined by the need to cover balance of payments deficits; cost considerations may also be a factor. In the past, countries have sometimes preferred to borrow in foreign currency, for example on the Euro-market, for the simple reason that the interest rates there were lower than those obtaining on the domestic market.

WRITTEN QUESTION No 55/76

by Mr Leonardi

to the Commission of the European Communities

(29 March 1976)

Subject: Investment by Member States

What percentage of investment in the nine countries of the Community has come from public funds over the last three years?

Answer

(10 May 1976)

The Honourable Member will find the information requested in the comparative table below.

The table shows, for the years 1972, 1973 and 1974, the amounts, expressed as percentages of overall gross fixed capital formation, of gross fixed capital formation by general government in each Member State and of its investment aids to the other domestic sectors. The figures used to prepare the table were established according to the ESA (European system of integrated economic accounts). At the moment figures are available only as far as 1974 (1973 in the case of Ireland).

These figures give a picture based on comparable data of the proportion of investment that comes from public funds in the Member States.

	1972			1973			1974		
	Gross fixed capital formation	Investment aids	Total	Gross fixed capital formation	Investment aids	Total	Gross fixed capital formation	Investment aids	Total
	1	2	1 + 2	1	2	1 + 2	1	2	1 + 2
Denmark	22·6	0·1	22·8	18·6	0·1	18·7	18·2	0·1	18·3
Germany	14·2	3·4	17·6	14·3	3·9	18·2	17·4	4·8	22·2
France	13·7	3·6	17·3	13·4	3·9	17·4	13·1	3·7	16·9
Ireland	15·9	10·1	26·0	17·5	7·9	25·4	— (1)	— (1)	— (1)
Italy	15·8	4·4	20·2	14·2	4·0	18·3	13·2	3·8	17·0
Netherlands	18·4	2·6	21·0	16·4	2·8	19·2	16·6	3·7	20·3
Belgium	20·5	2·2	22·7	17·2	2·2	19·4	15·8	2·3	18·1
Luxembourg	15·9	3·6	19·5	20·2	3·2	23·4	24·3	4·0	28·3
United Kingdom	24·8	7·1	31·9	25·5	6·7	32·2	26·0	6·5	32·5

(1) Not available.
Any discrepancies between totals given and the sums of the component items are due to rounding.

WRITTEN QUESTION No 56/76

by Mr Geurtsen

to the Commission of the European Communities

(29 March 1976)

Subject: Ban imposed by the Brussels Order of Advocates

The answer given by the Commission to Written Question No 397/75 (1) requires further clarification and therefore gives rise to the following questions:

1. Does not the Commission consider that the ban imposed on professional contacts between Belgian lawyers and Dutch lawyers established in Brussels puts these Dutch lawyers on the level of mere law agents and must therefore be regarded as discriminating against them?

(1) OJ No C 1, 5. 1. 1976, p. 10.

2. In view of the establishment of institutions of the European Community in Brussels, ought it not to be possible in any case to enable lawyers from other Member States who are registered there as such to practise European law in Brussels on an equal footing with lawyers registered in Brussels — not to mention the question whether or not lawyers registered in another Member State ought to be able to set up in another Member State and act freely as legal advisers in the field of their own national law?

3. Does not the Commission consider that irrespective of any further liberalization of the legal profession, the type of practice described above is already guaranteed by the Treaty?

4. Does the Commission intend to take steps to ensure that the Treaty is observed within the existing limitations?

Answer

(14 May 1976)

1. The Commission would agree that the ban to which the Honourable Member refers is a restriction but not for the reasons given in his question. The foreign lawyers in question cannot be treated in the same way as the 'avocats' practising in Belgium. The latter are required to belong to an Order, membership of which is reserved, on a non-discriminatory basis, to holders of a specific qualification awarded in accordance with Belgian law.

This means that foreign lawyers in Belgium can only act as legal advisers providing a service which, as indicated in the Commission's answer to Written Question No 397/75, is not subject to any special conditions under Belgian law. The restriction, in the Commission's view, lies in the fact that the Order to which the Honourable Member refers treats these lawyers (who are usually esteemed members of the bar in their country of origin) as law agents, thereby severely limiting their activities.

2 and 3. Article 52 of the Treaty, which is directly applicable, already allows lawyers from other Member States to practise Community law, or indeed any other form of law, as legal advisers in Member States where that activity is not regulated. The Commission intends to consider ways of making it easier for lawyers to establish themselves, with the possibility of their being admitted to the bars of the various Member States.

4. The direct applicability of Article 52 means that injured parties can seek redress theselves. The legal means at the Commission's disposal could only be used to take action against the Member State in which a professional organization imposing restrictions operates. They are not normally invoked in individual cases.

WRITTEN QUESTION No 57/76

by Mr Dalyell

to the Commission of the European Communities

(2 April 1976)

Subject: Expenditure on sessions

Will the Commission provide a breakdown of the figure of Bfrs 700 000, as expenditure incurred by that Institution, as a consequence of sessions of the European Parliament at Strasbourg and Luxembourg, as between:

1. hotel costs;
2. daily allowance;
3. rail costs;
4. airline/taxi costs;
5. road costs;
6. sundry costs?

Answer

(14 May 1976)

The average expenditure, amounting to Bfrs 700 000, incurred by the Commission as a consequence of sessions of the European Parliament at Strasbourg and Luxembourg covers the attendance of some 110 officials for an average of three days each, and can be broken down as follows:

1. *Travelling expenses:* (rail, air and road):

   Bfrs 275 000 for Strasbourg,

   Bfrs 90 000 for Luxembourg;

2. *Daily subsistence allowances:* Bfrs 430 000 of which:

   A1 to A3 officials: Bfrs 130 000,

   other officials: Bfrs 300 000;

3. *Sundry expenses:*

   Bfrs 20 000.

WRITTEN QUESTION No 59/76

by Mr Hougardy

to the Commission of the European Communities

(2 April 1976)

Subject: Community loans for Italy and Ireland

Can the Commission explain why, after successful preliminary contacts, notably with Saudi Arabia, there would no longer seem to be any question of drawing directly on petro-dollars?

If the 1 300 million dollar loan which is now being negotiated, has to be raised on the Euro-markets, can the Commission explain why so privileged a position has been granted to the German banks in the banking consortium handling a Euro-bond loan in dollars and two bank loans, one in dollars, the other in German marks?

Does the Commission not feel that it would have been preferable to share the responsibility for the handling of the various financial operations more

fairly among all the European banks, especially as the banking consortium handling the variable-rate Euro-loan will be headed by the European Banking Company, one of whose principal shareholders is the Deutsche Bank?

Does the Commission not feel that, in acting as it has done, it risks alienating the European banking community and losing its support in the future?

Answer

(14 May 1976)

The Commission approached Saudi Arabia and other oil-producing States last year with a view to negotiating Community loans, but the negotiations have been unsuccessful, at least for the first Community loan operation, mainly because of developments on the capital markets over the past 18 months. Now that the oil producers' surpluses have fallen and the market has gradually come back nearer to equilibrium, primary recycling of petro-dollars is no longer as important a problem as it was. Surpluses had been building up since the end of 1973 but, since a considerable proportion of these funds has now been made available on the international capital markets, it is only appropriate that the Community, whose loans were placed over two years after the outbreak of the oil crisis, should borrow on the international markets rather than approach the oil producers direct.

In response to the second part of the Honourable Member's question, it should be noted in the first place that an operation on this scale could not be carried out piecemeal: had the four tranches been placed without proper coordination, the undertaking as a whole might well have failed, an event which would have been all the more harmful to the Community's credit standing in that this was the first time that the Community, as such, had engaged in an operation under the machinery set up early last year. In the interests of maximum coordination, it was therefore felt that the number of lead-managers should be as small as possible.

Secondly, the Council had expressed a preference for loans contracted at a fixed rate of interest. Of all the banks having contacts with the Commission, only the Deutsche Bank was able to guarantee the placing of a group of fixed-rate operations totalling US $ 1 000 million and this was also the only bank which proposed the issue of US $ 500 million as a private placement in bonds to be redeemed at three years and seven months; this placement was one of the key factors in the success of the operation taken as a whole.

One of the three fixed-rate tranches is issued in German marks and the Federal Republic requires that any foreign loan made in the national currency should be lead-managed by a German bank.

As concerns the choice of the European Banking Company, this company is responsible for the fourth tranche, i.e. the variable-rate loan, in conjunction with three other European banks in the syndicate, namely, the Orion Bank, the Banque de la Société Financière Européenne and the Europartners Bank Nederland. Nineteen of the largest commercial banks in the Community hold shares in these four European banks. The Morgan Guaranty Trust Company of New York was chosen as agent because for technical reasons the loan will actually be paid in New York.

For a long time the Commission was also in contact with the European Banking Company and the Orion Bank, which provided it with information on the structure of the market and current trends.

An analysis of the banking groups and banks involved in this operation shows that:

(i) the fixed-rate tranche of US $ 300 million in six-year bonds was managed by the Deutsche Bank and co-managed by six banks from the various Community countries and the three largest Swiss banks;

(ii) the fixed-rate tranche of DM 500 million in seven-year bonds was lead-managed by the Deutsche Bank and co-managed by three other large German banks. Only German banks were

involved here because the loan was issued in marks;

(iii) the privately placed fixed-rate tranche of US $ 500 million was lead-managed by the Deutsche Bank and co-managed by five other banks from various Community countries, three Swiss banks, two American banks and one Arab bank.

The total number of banks which either lead-managed, co-managed or participated in the operation was 193, from 19 countries; they were chosen according to size and with a view to their representative status.

The Community's first loan operation was thus based, with proper regard for equilibrium, on the international financial network taken as a whole.

The Commission does not feel therefore that in acting as it has done, it has risked alienating the European Banking community as the Honourable Member suggests.

WRITTEN QUESTION No 61/76

by Mr Cousté

to the Commission of the European Communities

(2 April 1976)

Subject: Different units of account used in the Community

What are the different units of account used by the various Community institutions, including the European Development Fund and the European Investment Bank, and what are their specific features?

Does the Commission propose to introduce harmonization measures for the creation of a single European unit of account? If so, what conditions would it apply?

Answer

(19 May 1976)

The European Communities have always had to use units of account (u.a.) as a means of expressing in specific terms the sums involved in their activities and policies. The unit of account is a common concept of value independent of national currencies, but linked to them by conversion rates. It also enables single common prices to be established for the whole of the Community. The unit of account can fulfil these two functions satisfactorily, however, only if the conversion rates reflect market exchange rates.

For a long time, the gold-parity unit of account was the only one used by the Communities and it fulfilled the above functions admirably until 1971. It then, however, ceased to reflect market relationships and its use led to distortions, so that the Communities had to make many adaptations. The situation with regard to units has now become extremely complicated, and the Commission is therefore working towards substituting a unit of account that can be used generally for those used at present.

The following table shows the main areas of use of the different units of account in the Community institutions:

Budget	Gold parity u.a.
Customs tariff	Gold parity u.a.
Agriculture	Agricultural u.a.
ECSC	EUA
EDF	EUA
EIB	EUA
EMCF	EMUA
SOEC	EUR

The table on page 37 gives the conversion rates of these units of account into national currencies.

1. *The different units of account*

The gold-parity unit of account has a reference weight of 0·88867088 gramme of fine gold. The conversion rate of a currency into parity units is the ratio between the reference weight in gold of the unit of account and the last parity of the currency as declared to the International Monetary Fund. This conversion rate remains unchanged therefore unless the legal IMF parity is changed. As long as IMF gold parities stayed close to market exchange rates, currency exchange relationships deriving from conversion rates of the gold-parity unit continued to reflect market exchange relationships.

As the Member States of the Community have not changed their currency gold parities since 1969, whereas market exchange rates have altered considerably, the gold-parity unit of account no longer accurately reflects exchange relationships between the different currencies.

The gold-parity unit of account is used in the general budget of the European Communities. The financial contributions to the budget by Member States are worked out in gold-parity units and the equivalent in national currency is given by the gold-parity unit conversion rate for that currency.

This unit of account is also used in many other areas of Community activity, for example, for fixing common maximum amounts or common prices, including the specific duties in the Common Customs Tariff and fines imposed for breaches of competition policy.

The agricultural unit of account is officially defined as the value of 0·88867088 gramme of fine gold, like the gold-parity unit, but representative conversion rates have gradually been substituted for gold-parity conversion rates for converting the common prices, which are fixed in agricultural units of account, into amounts expressed in Member States' currencies. From time to time these conversion rates are changed by Council decision to bring them into line with market exchange rates.

The European Monetary Unit of Account (EMUA) is defined as equal in value to 0·88867088 gramme of fine gold. The rates for converting EMUAs into national currencies are the same as the central rates, established in accordance with Article XXI, Section 2, of the IMF Articles of Agreement. In theory, the EMUA should have a rate of conversion only into those currencies which are still within the European limited banks of fluctuation ('the snake'). However, the European Monetary Cooperation Fund (EMCF) fixes a conversion rate for the EMUA into US dollars.

The EMUA is used by the EMCF to settle claims and liabilities between central banks arising from their intervention operations on the exchanges designed to keep their currencies within the maximum margin of 2·25 % of any given time. The fact that the EMCF calculates these amounts in EMUA constitutes an exchange guarantee and enables the credit and debit positions *vis-à-vis* the Fund to be settled on a multilateral basis.

The EUR has the same gold reference weight as the EMUA and is converted in the same way for those currencies within the European exchange rate system. However, unlike the EMUA, conversion rates are also calculated for all other floating currencies. This unit of account is used by the Statistical Office of the European Communities (SOEC).

The European Unit of Account (EUA) is a composite basket of fixed amounts of currencies of the nine Member States [1].

Its value in various currencies is calculated daily by reference to the market exchange rates of the component currencies. It varies according to the variation of the rates of each of the currencies in the basket, the influence of each currency in the variation being a function of the weighting assigned to it at the outset.

[1] The method of calculation of the EUA is explained on page 4 of Official Journal No C 21 of 30 January 1976.

To establish the value of the composite basket in any given currency, whether it be a Community currency or not, the going market exchange rates are used so that the exchange relationships between the various currencies, derived from the EUA conversion rate, always accurately reflect the market situation.

The EUA is used by the European Development Fund (1) and by the ECSC (2) for their respective budgets and also to express most expenditure and revenue items. The EUA is also used by the European Investment Bank for its accounts. It is now being introduced for agreements with non-Community countries and for fixing ceilings previously calculated in gold-parity units.

2. *Harmonization*

The Commission is in the process of harmonizing the units of account now in use according to the principles set out in its communication to the Council of 13 December 1974 (3). In the communication, it proposed guidelines leading to the gradual and widespread adoption of a 'currency basket' unit of account.

This new unit of account has since been adopted as the European unit of account (EUA) in a number of areas as mentioned above. The Commission is considering how the EUA could be used for the common agricultural policy.

In a statement to the Council on 17 November 1975 and more recently in a communication made to the Council on 29 March 1976 (4) on the problems of using the EUA for the Community budget, the Commission has proposed that the EUA should be used for the budget from 1 January 1978 onwards. On 5 April 1976 the Council called on the Commission to make without delay the proposals and recommendations required in order to introduce the EUA at the latest for use in the 1978 budget.

(1) Council Decision 75/250/EEC of 21 April 1975 (OJ No L 104, 24. 4. 1975, p. 35).
(2) Commission Decision 3289/75/ECSC of 18 December 1975 (OJ No L 327, 19. 12. 1975, p. 4).
(3) COM(74) 2105 fin. 2, submitted to the Parliament on 13 January 1975.
(4) COM(76) 123 fin., submitted to the Parliament on 31 March 1975.

Conversion rates of units of account used by the Community

(as of 31 March 1976)

Value of one unit of account in currency units

Currency	Gold-parity u.a.	Agricultural u.a. (representative rates)	EMUA	EUR	EUA (rates at 31 March 1976)
Bfrs/Lfrs	50	49·3486	48·6572	48·6572	43·9793
Dkr	7·5	7·57828	7·57831	7·57831	6·84758
DM	3·66	3·48084	3·21978	3·21978	2·85778
Fl	3·62	3·40270	3·35507	3·35507	3·02710
FF	5·55419	5·63317	— (1)	5·73	5·25740
Lit	625	905·000	— (1)	1 018	946·666
£	0·416667	0·569606	— (1)	0·639	0·587723
I £	0·416667	0·589438	— (1)	0·639	0·587174

(1) No conversion rate for the unit of account in this currency.

WRITTEN QUESTION No 63/76

by Mr Laban

to the Commission of the European Communities

(2 April 1976)

Subject: Wine fraud in West Germany

The Commission's answer to my Written Question No 725/75 is so vague and evasive as to be practically meaningless; I did not question the legality of adding sugar to wine to raise its natural alcohol content.

The wine frauds referred to aimed to a large extent at 'transforming' low quality wines into wines carrying top quality designations such as 'Spätlese'.

I therefore repeat:

1. Has the Commission been informed by the West German authorities about this fraud?

2. If yes, how large are the quantities of wine involved?

Answer

(21 May 1976)

1. In its reply to Written Question No 725/75 [1], the Commission referred to the Community regulations which allow sugar to be added to wine in certain cases and in accordance with specific rules. The practice to which the Honourable Member alludes in his new question is fraudulent, since German law does not permit the use of the terms mentioned to designate wines to which sugar has been added.

However, since this practice has not been operated to the detriment of Community funds granted by the EAGGF to finance the common agricultural policy, the German authorities have not reported it to the Commission under Regulation (EEC) No 283/72 [2].

The Commission has been informed by sources other than the German Government that considerable quantities of the 1974 crop, and smaller amounts of previous crops of 'Spätlese', or of other German wines bearing some other quality designation, were fraudulently sugared. These fraudulent practices were found to have taken place, in particular, in certain wine-growing regions in which experience has shown that infringements of Community and national regulations are prosecuted with less rigour than in other regions.

2. It is impossible to give any approximate figure for the quantity of German wines designated as 'Spätlese', or bearing some other superior quality designation, to which sugar has been fraudulently added.

The Commission is concerned about the insufficient attention paid by some authorities in the Member States to ensuring that Community and national regulations are observed in the wine sector. It takes this opportunity to stress the need to continue Community efforts in this field aimed at rendering methods of analysis more sophisticated and improving fraud prevention.

[1] OJ No C 89, 16. 4. 1976, p. 34.
[2] OJ No L 36, 10. 2. 1972, p. 1.

WRITTEN QUESTION No 68/76

by Mr Gerlach

to the Commission of the European Communities

(5 April 1976)

Subject: Financing the construction of the Trans-Sahara Highway

1. Can the Commission confirm that, in view of the congestion in many West African ports, traffic through the Sahara is becoming increasingly important for trade relations between the Community and West African countries?

2. Does the Commission believe the construction of the Trans-Sahara Highway to be an economically sound project?

3. Has this question already been raised during talks between the Community and Algeria or the West African States concerned?

4. What opportunities does the Community have for making a contribution to the financing of this major project, either through the European Investment Bank or the European Development Fund or by some other means?

Answer

(21 May 1976)

1. Up to the present, traffic to West African countries via the Sahara has been only incidental.

The fact that some West African ports are temporarily congested has produced no notable increase in the traffic on this route, and its economic attractiveness appears to be slight, mainly because of the transport costs, which are distinctly higher than the costs of transport by sea. Development of this route could however, in the long term, offer additional means of opening up the landlocked countries of the Sahel (Niger, Upper Volta, Mali).

2. It should be noted that all these countries are currently seeking ways of diversifying and improving their access routes to the sea and that the coastal States are taking steps to increase capacity and speed of handling at their ports in order to avoid a recurrence of congestion in the future.

3. and 4. The ACP States concerned by the construction of the Trans-Sahara Highway have not so far included this project among those to which they attach a high degree of priority in the context of implementation of the Convention of Lomé.

Since no precise guidelines have as yet been laid down concerning the aid to be given to Algeria under the cooperation agreement which has just been signed, no statement can be made, for the moment, regarding that country's possible interest in Community participation in the financing of the project.

WRITTEN QUESTION No 71/76

by Mrs Ewing

to the Commission of the European Communities

(5 April 1976)

Subject: Catch quotas

In view of the fact that if the EEC fish pond is extended to 200 miles, 55 % approximately of the EEC catch for all human consumption will come within the UK 200-mile zone;

in view of the Commission proposal that the UK will have only coastal preference of 12 miles, while the other EEC Member States will have the zone between 12 miles and 200 miles;

in view of the fact that the EEC fish policy was instituted prior to the UK entry;

in view of the fact that fish stocks in the North Sea are known to be under threat from overfishing, particularly industrial fishing, and that fish resources (by the Commission proposals) will be regulated by the EEC Commission which has little or no experience of dealing with catch quotas, regulating net sizes, and introducing close seasons and closed areas:

will the Commission look again at the proposal that the EEC Commission should administer quotas between 12 miles and 200 miles, and take serious note of the views of the Scottish Herring Producers' Association Ltd (SHPA) and the Scottish Inshore White Fish Producers' Association Ltd (SIWFPA)?

Answer

(21 May 1976)

The Commission does not share the Honourable Member's interpretation of the Commission proposal. The Commission did in fact specify, in its communication to the Council of 18 February 1976 [1], what it felt would be the most appropriate general measures to overcome at Community level the serious difficulties which are bound to result from the introduction of 200-mile maritime economic zones.

The measures are designed to take the fullest possible account of the need to conserve the Community's fish stocks, and provide for protective action for threatened species. This action, which would include the setting of an annual catch rate, would be taken by the Council on an annual proposal from the Commission based on the report of a specially created Scientific and Technical Committee for Fishing.

The measures incorporate a system for allocating available Community resources among the Member States, by species or group of species, using a quota system which, in its equitable treatment of each Member State, in conformity with the Treaty, upholds the principle of Community solidarity.

The specific interests of inshore fishing are amply taken care of: in addition to the extension of the derogations in Articles 100 and 101 of the Treaty of Accession beyond 31 December 1982, Member States would have the power to create new 12-mile zones where these do not already exist.

Accordingly, the Commission takes the view that in the new and particularly delicate context of general international acceptance of 200-mile limits, the overall interest of the Community and individual interests of the Member States are best served by its proposals as they stand.

[1] Doc COM(76) 59, submitted to the European Parliament on 8 March 1976.

The United Kingdom will have a 12-mile coastal zone and will benefit, in the same way as the other Member States, from the Community quota system, under which the losses sustained as a result of privation of fishing rights in the waters of non-Community countries will be partly met by the Community as a whole.

It is erroneous therefore to state (second indent to the question) that the United Kingdom will only have coastal preference of 12 miles while the other Member States will have the zone between 12 miles and 200 miles, since, as explained above, all Member States are being treated in the same way.

The Commission would remind the Honourable Member that under its proposals it would not be the Commission but the Council, acting each year on a proposal from the Commission, that would lay down the total catch of each species or group of species to be taken by the Community, the technical measures applying to all species and the allocation of catch volumes among the Member States. Under Community law, the catch quotas for the future zones of the Member States will be fixed and administered by the Community authorities, and the Commission takes the view that the proposed procedure is the most suitable for dealing with the situation.

The Commission would lastly assure the Honourable Member that while it has always given the fullest possible hearing to the views — which in many cases cannot be reconciled among themselves — of national associations active in this field, it has always exercised its task of initiative in a fully independent manner, as required by the Treaty.

WRITTEN QUESTION No 72/76

by Mrs Ewing

to the Commission of the European Communities

(5 April 1976)

Subject: Common fishing policy

Will the Commission explain in detail what steps Commissioner Lardinois meant when he said that 'I will do my utmost to protect the most distant and sensitive regions in such a way that this protection will be acceptable within the framework of our common fishing policy'?

Answer

(10 May 1976)

The Commission has always been well aware of the importance of the fishing industry in the poorer, outlying areas of the Community. For this reason the package proposed in its communication of 18 February 1976 [1] to deal with the situation which will arise if 200-mile economic zones are introduced include two sets of measures affecting coastal waters.

Firstly, the Commission proposes that in coastal areas (other than those referred to in Article 101 of the Act of Accession) Member States be authorized to restrict fishing in waters lying between the six- and 12-mile limits to vessels which traditionally fish these waters and operate out of local ports. It also proposes that any fishing rights which other Member States may have enjoyed in these new reserved zones be gradually eliminated. And it suggests that the Council take an immediate decision in principle to extend the derogations laid down in Articles 100 and

[1] Doc. COM(76) 59.

101 of the Act of Accession beyond 31 December 1982 and to provide for the gradual elimination after that date of the special fishing rights referred to in Article 100 (2).

Secondly, the Commission proposes that before national catch quotas are fixed for each species or group of species a fixed quantity be set aside for inshore fishermen to ensure as far as possible that their livelihood is guaranteed.

These measures should ensure that if and when a general 200-mile limit is introduced 'distant and sensitive regions' will enjoy a measure of protection which is compatible with the Community's fisheries policy.

WRITTEN QUESTION No 75/76

by Mr Dalyell

to the Commission of the European Communities

(7 April 1976)

Subject: Destruction of apples

In view of recent reports in the British press of the massive destruction of apples in the Community during recent months (222 000 tons at a total cost to the EAGGF of £ 8 million), and the fact that the basic Regulation on the common organization of the market in fruit and vegetables [1] does not provide for such destruction, will the Commission state:

1. how many apples of the 1975 harvest have so far been destroyed, the countries in which the destruction took place and the cost to the EAGGF of the operation?

2. how many apples were disposed of by the means laid down in the Regulation, such as free distribution to children in schools?

3. why was the entire surplus crop not disposed of in the way authorized by the Regulation?

[1] OJ No L 118, 20. 5. 1972, p. 1.

Answer

(26 May 1976)

The Commission would remind the Honourable Member that it is Member States that are responsible for ensuring that products withdrawn from the market are disposed of in the ways laid down in Regulation (EEC) No 1035/72. These include free distribution to schools and hospitals, distillation, and, if necessary, use as animal feed. The production of apples from the 1975 crop was some 1·5 million tons higher than the 1974 crop, and according to information supplied by Member States, 570 000 tons had been withdrawn as at 15 March 1976. The Commission will receive information from Member States on the ways in which withdrawn products have been disposed of only after the end of the current marketing year.

WRITTEN QUESTION No 76/76

by Mr Girardin

to the Commission of the European Communities

(7 April 1976)

Subject: Social action programme

The social action programme submitted to the Council in 1973 and adopted by it in January 1974 was drawn up during an economic boom.

In view of the recession which affected all the Community countries last year and which continues to do so, although its economic, social and other repercussions cannot as yet be accurately assessed, would the Commission answer the following questions:

1. Does it not take the view that the social action programme should be reviewed and adapted to present needs?
2. In the course of such a review, is it prepared to take account of the proposals put forward over the past two years by the European Parliament and the trade union and professional organizations?
3. What form does it intend to give to the revised programme?
4. When does it think that it will be able to submit this 'second social action programme'?

Answer

(21 May 1976)

1. The Commission would remind the Honourable Member that the social action programme which it presented to the Council in 1973 was the subject of a Council resolution of 21 January 1974 [1]. In that resolution the Council expressed the political will to adopt a number of measures to be implemented in a first stage covering the period from 1974 to 1976. At the plenary session of the European Parliament in April 1976, the Commission stated that it would endeavour in 1976 to submit to the Council the projects provided for in the resolution, for which no specific proposals had yet been made.

The possibility of updating the social action programme has already been discussed, at the session of the European Parliament on 24 September 1975. At that time, the Commission stated that 'the objectives of the social action programme are still both realistic and relevant, particularly when one takes into account the powers and financial means available to the Community institutions in the social field' [2].

2. Over the past two years the Commission has taken account of the needs imposed by the deterioration in the economic and social situation since the said resolution was adopted.

Accordingly, it proposed to the Council a number of intervention measures from the European Social Fund — under Article 4 of the Council Decision of 1 February 1971 [3] — to benefit workers in industries particularly hard hit by the crisis, as well as extension to the clothing industry of the schemes to assist textile workers.

In implementing the various measures provided for in the resolution, the Commission has always endeavoured to give due consideration to the new conditions resulting from the economic and social situation, and to the opinions delivered by the European Parliament, the Economic and Social Committee and the trade union and employers' organizations.

(1) OJ No C 13, 12. 2. 1974, p. 1.
(2) Debates of the European Parliament, No 194 (September 1975), p. 169.
(3) OJ No L 28, 4. 2. 1971, p. 15.

3 and 4. The Commission is fully aware of the importance of the problems raised by the Honourable Member and is making a point of providing the impetus necessary for its work in the social field. It is therefore firmly resolved to put forward, at the appropriate time, the proposals it considers necessary, taking account both of political, economic and social trends and of the financial resources it has at its disposal.

WRITTEN QUESTION No 77/76

by Mr Bordu

to the Commission of the European Communities

(7 April 1976)

Subject: Community support for technological projects in the hydrocarbons sector

At a recent Council meeting on energy matters, approval was given for a new Community financial aid package amounting to 38·5 million units of account for 34 technological projects to be carried out in the hydrocarbons sector over the period 1975 to 1977. These are additional to the 21 projects for which 42·5 million units of account were allocated in December 1974.

Would the Commission indicate in respect of these 55 projects and any similar projects undertaken before 1974:

1. What exactly are the procedures for granting the aid in question: economic and financial criteria, financing arrangements, duration, interest rates, specific rules regarding repayment and non-repayment?

2. What specifically is the nature of these projects, how thoroughly have they been prepared, in what stages will they be carried out, on what dates will they be completed and what economic results are expected?

3. Who is primarily responsible for executing the projects and what other undertakings are involved? What are their 'countries of origin'?

4. How will the financing of each project be shared between the Community, national public authorities and the private sector?

Answer

(13 May 1976)

Pursuant to the provisions of Council Regulation (EEC) No 3056/73 on the support of Community projects in the hydrocarbons sector [1], the Commission operated the support scheme and monitored implementation of Council Decisions under the scheme during 1974 and 1975.

It is now preparing a report on application of the Regulation during this period for early transmission to Parliament and the Council. This will contain all the information requested by the Honourable Member.

[1] OJ No L 312, 13. 11. 1973, p. 1.

WRITTEN QUESTION No 79/76

by Mr Spicer

to the Commission of the European Communities

(13 April 1976)

Subject: Medical treatment for self-employed

What progress is being made in the Commission on the subject of reciprocal medical treatment for the self-employed when in an EEC country other than their own?

Answer

(10 May 1976)

The Commission would remind the Honourable Member that it should be emphasized that the question of medical treatment for the self-employed who are staying in a Member State other than the one where they are insured is one which exists for all Member States. This question is being dealt with in the framework of Community coordination and such coordination will also extend to the other branches of social security.

Work is currently underway for the extension of Community social security cover from employed persons to the self-employed. Such cover will include *inter alia* medical treatment.

The Commission intends to propose a draft Regulation in this field.

Before a draft Regulation on the coordination of social security schemes for the self-employed can be prepared certain preparatory stages have to be completed. Firstly a comparative analysis of those legislative provisions concerning the branches of social security involved must be established, and secondly the problems arising from coordination of legislative provisions must be studied.

These stages have in fact already been completed and gave rise to a preliminary exchange of views during the 141st and 142nd meetings of the Administrative Commission on Social Security for Migrant Workers which were held on 13 March 1975 and 29 to 30 May 1975 respectively.

The Commission intends to submit the draft Regulation on the self-employed to the Council when the Administrative Commission has completed its work. Before such submission, however, the draft Regulation will also be put before the Advisory Committee on Social Security for migrant workers as well as to a meeting composed of representatives of those professional organizations who are most representative of the self-employed.

Furthermore the procedure for implementing Regulation (EEC) No 1408/71 [1] which deals with the social security of employed persons and their families moving within the Community is fixed by means of Regulation (EEC) No 574/72 [2]. Therefore it will be necessary to draft a further Regulation similar in purpose to the present Regulation (EEC) No 574/72 so as to enable the procedure for implementing the new Regulation on the self-employed to be fixed.

The Commission is aware of the considerable difficulties which must be faced, due in particular to the different national systems involved, but hopes nonetheless to bring the matter to a successful conclusion within a reasonable time.

[1] OJ No L 149, 5. 7. 1971, p. 2.
[2] OJ No L 74, 27. 3. 1972, p. 1.

WRITTEN QUESTION No 83/76

by Mr Lagorce

to the Commission of the European Communities

(13 April 1976)

Subject: Integration of private office staff as Community officials

Can the Commission state:

1. What is the break-down, by place of work, of posts now vacant in its departments?

2. How many posts are currently frozen without any apparent prospect of the vacancy-filling procedure being initiated in the near future?

3. How many posts it has set aside for private office staff who might find themselves without employment when the new Commission is appointed?

4. What are the official and unofficial figures for staff attached to the private offices of each member of the Commission; of these how many come under the Regulations applicable to 'other servants' and how many are officials?

Can the Commission state whether it considers it right that private office staff who do not appear on the establishment plan should be integrated as officials?

Can it state whether it intends to set up selection boards in order to ensure complete impartiality in assessing candidates' qualifications? Does it not consider that staff members who are not officials should be obliged to take part in a competition based on tests before being appointed?

Answer

(1 June 1976)

1. Owing to turnover (resignations, retirements etc.) in all staff categories, and the time normally required to fill posts, and for new staff to take up their duties, the Communities' staff complement is constantly under strength.

The breakdown of vacant posts is 140 for Brussels (20 A, 119 B), 50 for Luxembourg (7 A, 44 B) and 2 A for other places of employment.

2. No vacancy-filling procedure is frozen, except for posts in the BS/BT group, for which competition procedures are being worked out.

3. Any vacant permanent post not filled by promotion or transfer may be filled by selection of a candidate successful in an internal competition, a procedure which precludes any post being reserved for a particular employee.

4. The number of officials attached to the private offices of each Member of the Commission breaks down as follows:

70 temporary staff
112 seconded officials } involving categories A, B, C

5. Any staff member employed under the conditions of employment of other servants of the Communities, including temporary staff employed in the private offices of Members of the Commission, may take part in the competitions organized by the Commission.

6. The selection boards are impartial bodies.

No employee may be appointed without having satisfied the conditions set out in Article 29 of the Staff Regulations. All the candidates in a competition are required to submit to the tests of that competition.

WRITTEN QUESTION No 84/76

by Mr Lagorce

to the Commission of the European Communities

(13 April 1976)

Subject: Appointment to the post of director in the Commission departments in Luxembourg

The Commission is requested to answer the following questions:

1. Can the Commission explain the delay in filling the vacancy for a director in its departments in Luxembourg?

2. Can it deny the reports that one of its members has exercised or is exercising pressure to ensure that the director in question is a national of the country of assignment?

3. Can it state when it intends to open the procedure for filling this post?

Answer

(17 May 1976)

1. There has been no delay in filling the vacancy in question.

2. Yes, categorically.

3. The vacancy in question will be filled in accordance with the usual procedures and within a period judged appropriate by the Commission.

WRITTEN QUESTION No 85/76

by Mr Schuijt and Mr Stewart

to the Commission of the European Communities

(13 April 1976)

Subject: Creation of a European symbol

Now that the decision has been taken by the European Council, meeting in Rome in December 1975, to introduce a common passport, does not the Commission of the Communities plan, as part of the process leading to European union, to announce a competition open to all Community artists for the design of a European symbol with which European citizens can identify?

Answer

(13 May 1976)

On the occasion of the Community's enlargement, the Commission organized a competition for the design of a European emblem.

There were more than 2 200 entrants for the competition, which was open to professional artists and students of the graphic arts who were nationals of the nine Member States. The jury examined nearly 6 300 entries.

As a result of this scrutiny, a number of entries have now been examined by the Commission and passed to the Council for the possible selection of an emblem intended in particular for the European passport.

WRITTEN QUESTION No 89/76

by Mr Cousté

to the Commission of the European Communities

(22 April 1976)

Subject: Exchange of information pursuant to the EEC-Switzerland Agreement

The agreement signed by the EEC and Switzerland provides for exchange of certain information.

Can the Commission state whether, as intended, Switzerland has been able to furnish the EEC with information on environmental protection?

Can the Commission specify what points were covered and what action it intends to take further to this exchange of information?

Answer

(1 June 1976)

The Commission would inform the Honourable Member that no agreement exists between the EEC and Switzerland on the environment, though there has been an exchange of letters between the Commission and Switzerland dated 12 December 1975 regarding the pooling of technical information on various topics of common interest, including:

— methods of analyzing and measuring certain air and water pollutants, and the present state of the art regarding their harmful effects,

— the pollution problems posed by certain branches of industry,

— the formulation of quality criteria and objectives,

— research in the environmental field, particularly toxicity tests and joint epidemiological surveys,

— the effects of energy production on the environment,

— the impact of certain agricultural activities on the environment,

— schemes for the familiarization and education of the public in environmental matters.

There will be regular meetings of experts to review the work done by both parties in the fields cited above. The first meeting was held in Brussels on 22 March of this year when Swiss representatives supplied the Commission with a number of documents of a technical nature.

WRITTEN QUESTION No 92/76

by Mr Glinne

to the Commission of the European Communities

(22 April 1976)

Subject: Community supplies of soya beans

A few years ago a severe shortage of soya beans in the United States made the Community keenly aware of its dependence on the USA for its supplies. Since long-term security is desirable in a sector like this, would the Commission state what action has so far been taken on certain more or less official offers, made by the governments of member States of the ASEAN in particular, to increase soya production, of guaranteed quality, in that part of the world for the benefit of the Community, provided the agreement was concluded for a long enough period to justify the effort involved?

Answer

(21 May 1976)

In the beginning of 1974 the services of the Commission commenced discussions on the possibility of cooperation between directly interested enterprises of the Community and of Indonesia in the large-scale production of soya beans in that country. Subsequently the Commission financed a pre-feasibility study in the growing of soya beans in Indonesia which was submitted by the consultancy company in September 1975. The positive findings of the study led to a meeting in February this year between the Commission services and relevant Indonesian authorities to lay down the guidelines and framework for the future possible cooperation. This work is expected to be finalized in a new meeting in May 1976.

An offer has been received from the Government of Thailand for similar cooperation and the Commission hopes in the course of this year to be able to commence a pre-feasibility study of the possibility of increasing the production of vegetable protein in certain provinces of Thailand.

WRITTEN QUESTION No 98/76

by Mr Carpentier

to the Council of the European Communities

(22 April 1976)

Subject: Application of the last paragraph of Article 1 of Annex II to the Staff Regulations of officials of the European Communities

Is the Council aware of the difficulties in the internal administration of the European Court of Justice caused by the application of the last paragraph of Article 1 of Annex II to the Staff Regulations of officials of the European Communities?

Having noted the difficulties caused to the Administration of the European Court of Justice by the application of this Article, does the Council consider that the Court still offers the full guarantees required for dispassionate judgment of the disputes which might arise between officials and the Community administrations?

Answer

(1 June 1976)

The Council is not aware of the problems raised by the Honourable Member.

WRITTEN QUESTION No 99/76

by Mr Carpentier

to the Commission of the European Communities

(22 April 1976)

Subject: Selection procedure for the Registrar of the European Court of Justice

Can the Commission give details of the procedure used in the selection of the Registrar of the European Court of Justice?

Does the Commission consider that this procedure gives an adequate guarantee of the independence of the Registrar appointed?

Is the Commission aware that this procedure could be changed at the next replacement of the members of the Court of Justice?

Answer

(14 May 1976)

1 and 2. The Commission would refer the Honourable Member to Article 168 of the Treaty which reads as follows: 'The Court of Justice shall appoint its Registrar and lay down rules governing his service'.

3. No.

WRITTEN QUESTION No 100/76

by Mr Schwörer

to the Commission of the European Communities

(22 April 1976)

Subject: Subsidies to the shoe industry in France and Italy

Can the Commission state what answer it has had from the two governments on the subject of my Written Question No 450/73 (1)?

(1) OJ No C 14, 17. 2. 1974, p. 15.

Answer

(21 May 1976)

At the time concerned, the Commission asked the French and Italian authorities for information on the measures referred to in the Honourable Member's Written Question No 450/73.

The replies received by the Commission showed that no measures of the type mentioned by the Honourable Member had been taken with regard to the footwear industry in the countries concerned.

WRITTEN QUESTION No 101/76

by Mr Schwörer

to the Commission of the European Communities

(22 April 1976)

Subject: Allocation of resources from the Regional Fund to the Federal Republic of of Germany

With regard to my Written Question No 518/75 (1), can the Commission state what resources from the Regional Fund have been allocated to the Federal Republic of Germany and for what areas in the Federal Republic of Germany these allocations are intended?

(1) OJ No C 67, 22. 3. 1976, p. 19.

Answer

(25 May 1976)

From the time the European Regional Development Fund was set up, until 27 April 1976, the Commission decided to grant assistance from the Fund to projects presented by the German Government totalling DM 69·59 million (19·05 million u.a.)

The 120 projects concerned break down as follows:

(in million DM)

Schleswig-Holstein	4·58	for 8 projects
Bremen	0·60	for 2 projects
Lower Saxony	9·59	for 20 projects
North Rhine-Westphalia	0·90	for 3 projects
Hessen	2·65	for 12 projects
Rhineland-Palatinate	4·22	for 15 projects
Saarland	6·72	for 2 projects
Bavaria	26·76	for 50 projects
Baden-Württemberg	2·77	for 6 projects
Berlin	10·80	for 2 projects
Total	69·59	for 120 projects

WRITTEN QUESTION No 103/76

by Mrs Ewing

to the Commission of the European Communities

(26 April 1976)

Subject: Harmonization of the laws on factories regarding safety and health

In view of the unfair advantages that may benefit the industry of some Member States, will the Commission, bearing in mind Article 3 (f) of the Treaty of Rome, harmonize the laws on factories regarding safety and health,

in view of the fact that

— this would substantially help reduce the number of fatal accidents and vocational diseases which 'constitute a priority area for Community concern', as the Commission stated in their 'Guidelines for a Community programme for safety, hygiene and health protection at work';

— the Community has a unique opportunity, in harmonizing these laws toward a stringent and realistic model, to save some of the 20 000 lives that are being lost yearly in fatal industrial accidents throughout the Community?

Answer

(3 June 1976)

In the memorandum annexed to the President's 1976 annual address [1], the Commission again stated that during the second half of the year it will be proposing an action programme on safety, hygiene and health protection at work on the basis of the guidelines prepared in 1975. If need be and as far as the Treaty permits, the programme will also embody proposals for the approximation of laws.

The Commission hopes in this way to help to bring about a major reduction in the high incidence of industrial accidents and occupational disease.

[1] See the introduction to the ninth general report on the activities of the European Communities, point 109.

WRITTEN QUESTION No 108/76

by Mrs Ewing

to the Council of the European Communities

(26 April 1976)

Subject: Methods of scrutiny and debate of EEC legislation

In view of the complexity and the importance of the EEC legislation;

— in view of the dangers that lack of scrutiny and debate by the Member States of EEC legislation can create for all, either in the form of unpreparedness of the members of each government to arrive at an opinion, or hasty consideration leading either to postponement or adoption followed by consequent dissatisfaction among Member States with the legislation they have passed;

— in view of the fact that the greater the degree of thoroughness of the methods of debate and scrutiny, the greater is the likelihood that EEC legislation is adopted with maximum possible goodwill, satisfaction, and accord between Member States;

— in view of the fact that most Member States have extremely large workloads of legislation of their own,

does the Council consider that effective methods of debate and scrutiny by the Member States of EEC legislation are beneficial to all concerned, and would facilitate relations between the EEC and Member States, thus stimulating the least painful means of pursuing the objectives of the Community as laid down in the Treaty of Rome?

If so, will the Council reconsider its answer to my Written Question No 570/75 [1].

[1] OJ No C 67, 22. 3. 1976, p. 29.

Answer

(1 June 1976)

The Council feels that all aspects of this question, including certain matters raised by the Honourable Member, are taken into account by the Member States when they decide to what extent and by what methods they should examine proposals for Community legislation. The Council does not, therefore, feel it necessary to reconsider its reply to Written Question No 570/75.

WRITTEN QUESTION No 109/76

by Mr Carpentier

to the Commission of the European Communities

(26 April 1976)

Subject: Relations between each of the Member States and Comecon countries

Can the Commission provide information on the extent of trade relations between each of the countries of the Community and each of the Comecon countries?

Answer

(21 May 1976)

The Honourable Member will find below the information he requested on the extent of trade relations between each of the countries of the Community and the Comecon countries.

Trade between the Nine and State-trading countries

(in million EUR)

	Imports	Exports
1972	5 160	5 341
1973	6 379	7 096
1974	8 479	10 442
1975	8 667	12 251

Source: SOEC.

Breakdown by Member State of imports from Comecon countries

1974 — in million EUR

	Germany	France	Italy	Nether-lands	BLEU	United Kingdom	Ireland	Denmark	Commu-nity
USSR	1 015	469	642	189	217	755	28	100	3 415
GDR	—	100	76	66	52	92	6	47	439
Poland	442	210	223	78	98	201	28	119	1 399
Czechoslovakia	322	70	112	63	44	108	8	31	758
Hungary	282	61	183	56	18	50	2	20	672
Romania	299	127	194	61	21	72	3	19	796
Bulgaria	73	23	77	6	7	26·5	0·5	5	217·5
Cuba	5	9	21	11	4	38	—	0·2	88·2
Mongolia	0·6	0·2	0·1	0·3	—	3	—	—	4·2
Total	2 438·6	1 069·2	1 528·1	530·3	461	1 345	75·5	341·2	7 788·9

Source: SOEC Monthly Bulletin 6/1975.

Breakdown by Member State of exports to Comecon countries

1974 — in million EUR

	Germany	France	Italy	Nether-lands	BLEU	United Kingdom	Ireland	Denmark	Commu-nity
USSR	1 483	525	494	136	294	206	15	34	3 187
GDR	—	75	66	120	47	73	2	23	406
Poland	1 123	300	264	127	167	260	4	97	2 342
Czechoslovakia	553	84	99	69	48	84	1	21	959
Hungary	548	93	164	70	31	82	0·3	28	1 016·3
Romania	570	147	154	54	49	63	0·2	12	1 049·2
Bulgaria	238	60	76	26	27	34	1	7	469
Cuba	91	65	50	20	36	45	7	17	331
Mongolia	0·5	—	0·2	—	—	—	—	—	0·7
Total	4 606·5	1 349	1 367·2	622	699	847	30·5	239	9 760·2

Source: SOEC Monthly Bulletin 6/1975.

WRITTEN QUESTION No 110/76

by Mr Carpentier

to the Commission of the European Communities

(26 April 1976)

Subject: Application of generalized preferences to Romania

At the most recent conference in Manila of the countries belonging to the Group of 77, Romania was admitted as a full member of the Group.

Can the Commission state what conclusions it intends to draw regarding the application of generalized preferences to Romania?

Answer

(3 June 1976)

While allowing members of the Group of 77 to participate in the Community system of generalized preferences as soon as the latter came into force, the Community has never established any formal link whereby membership of the Group of 77 confers the status of a beneficiary country under its system of generalized preferences. In Romania's case the Community allowed that country to participate in the scheme several years before its admission to the Group of 77. Romania's admission to that Group, following a recent decision by the member countries, is therefore not likely to alter Romania's situation with regard to the Community's generalized system of preferences.

Romania was allowed to participate in the Community scheme of generalized preferences on special terms based on its level of development and the need to maintain the balance of advantages among beneficiary countries. Consideration of improvements to the system, which of course covers also the problems relating in particular to Romania, will be continued on the basis of the above factors.

WRITTEN QUESTION No 112/76

by Mr Carpentier

to the Commission of the European Communities

(26 April 1976)

Subject: Plan to organize a steel 'cartel'

The iron and steel industries of the Federal Republic of Germany, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands have taken steps towards the organization of a form of steel 'cartel' which has disturbing connotations.

Can the Commission of the European Communities state whether it has already received a request for authorization and whether it regards the organization of this 'cartel' as a serious infringement of the principles of the European Coal and Steel Community?

Has the Commission of the European Communities considered the fact that a number of the enterprises which are planning to join this 'cartel' have important interests in iron and steel groups in Community countries which are not involved in this regrouping? What conclusions does it draw from this?

According to certain reports, one of these firms with shares in Solmer, is envisaging a substantial increase in its shares in that company in 1977. Does this not amount to an indirect attempt by the 'cartel' in question to gain control of the iron and steel industries which are not joining it? What conclusions does the Commission draw from this situation?

Answer

(26 May 1976)

The Commission has already had occasion to state its views on the formation of a steel 'cartel' in its answer to Written Question No 18/76 by Mr Cousté [1].

It has not since then received any notification under Article 65 of the ECSC Treaty of an agreement between undertakings belonging to this new international association.

The Commission would remind the Honourable Member that, when examining agreements of this

[1] See page 21 of this Official Journal.

kind under Article 65 of the ECSC Treaty, it always bears in mind existing links between steel companies and groups of companies in order to assess their actual situation on the market.

The firm referred to by the Honourable Member in the last part of his question is presumably August Thyssen-Hütte (ATH), which at present has a 5 % share in Solmer's capital. On 20 November 1974 the Commission, acting under Article 66 of the ECSC Treaty, adopted a Decision (1) authorizing ATH to acquire a shareholding of up to 25 % in Solmer.

(1) OJ No L 49, 25. 2. 1975, p. 13.

WRITTEN QUESTION No 116/76

by Mr Della Briotta

to the Commission of the European Communities

(26 April 1976)

Subject: Protection of birds

In his speech of 9 February 1976 (1) on the oral question with debate on the protection of birds by Mr Jahn on behalf of the Committee on Public Health and the Environment, Mr Willi Müller stated that large numbers of live and dead birds were being imported into three Länder of the Federal Republic of Germany, thereby indirectly encouraging the massacre of birds.

(1) Debates of the European Parliament, No 199 (February 1976), p. 11.

Is the Commission of the European Communities aware that trade of this sort in live and dead birds is taking place both inside and outside the Community?

While awaiting the promised Directive on wild life protection, does the Commission of the European Communities not consider that vigorous action should be taken forthwith, at least in the Member States, to stop this disgraceful form of trade?

Answer

(21 May 1976)

According to information at the Commission's disposal, trade in live and dead birds relates mainly to breeding birds or to species which are not in process of dying out.

The Commission confirms that it will present to the Council in the near future a proposal for a Directive to harmonize the laws of Member States on bird protection. In the Commission view, this measure will, in particular, meet the wish expressed by the European Parliament in its resolution of 21 February 1975 (1).

As regards the species in process of dying out, the Commission is continuing its efforts with a view to harmonizing application of the Washington Convention on international trade in endangered species of wild flora and fauna.

(1) OJ No C 60, 13. 3. 1975, p. 51.

WRITTEN QUESTION No 117/76

by Mr Lemoine

to the Council of the European Communities

(29 April 1976)

Subject: Extradition of Klaus Barbie

At its sitting of 13 November 1973 (1), the European Parliament approved Petition No 3/73 submitted by Mr Virgile Barel aimed at the extradition to France of the Nazi war criminal Klaus Barbie.

The European Community/Latin America Interparliamentary Conference which met in Luxembourg on 19 to 21 November 1975 also approved the subject matter of this petition.

Will the Council state what action it proposes to take in response to these two opinions?

(1) OJ No C 108, 10. 12. 1973, p. 5; OJ No C 11, 7. 2. 1974, p. 20; OJ No C 76, 3. 7. 1974, p. 24.

Answer

(1 June 1976)

As the President of the Council indicated in his letter to the President of the European Parliament of 12 August 1974, this question does not fall within the Council's purview.

WRITTEN QUESTION No 121/76

by Mr Glinne

to the Commission of the European Communities

(29 April 1976)

Subject: Aid granted by the EEC to Chile

The Belgian weeklies 'Combat' and 'Links' have referred to an information bulletin officially published by the Chilean Embassy in Paris in which the Chilean authorities state that through Caritas Chile received substantial aid during 1975 from the Governments of the Federal Republic of Germany and the United States, as well as from the European Communities. This aid amounts to 31 000 metric tons of supplies to a total value of Bfrs 846 942 800.

I would like replies to the following questions:

1. What kind of aid has been granted in this way by the EEC and what is its value?

2. Given the nature of the present regime in Chile, should urgent measures not be taken to stop at once all material aid, direct and indirect, from the EEC to the Chilean junta?

3. What kind of aid has been granted by the EEC and its Member States for the reception of Chilean refugees:

(a) in Europe,

(b) in the rest of the world,

and what is its value?

Answer

(26 May 1976)

1. Caritas distributed food aid in Chile in 1975, consisting of 7 915 metric tons of flour to a total value of 1 771 500 u.a., on behalf of the EEC, under an agreement concluded between the Commission and the Catholic Relief Service. The agreement stipulates that this food aid is intended for vulnerable sections of the Chilean population and that the Catholic Relief Service shall be responsible for carrying out and supervising its distribution to those sections alone.

2. In view of the humanitarian nature of this aid, and of the procedure laid down for putting it into effect, the Commission does not feel that it can be interpreted by anyone as constituting direct or indirect aid by the EEC to the Chilean Government authorities.

3. No aid has been granted by the EEC for the reception of Chilean refugees.

WRITTEN QUESTION No 126/76

by Mr Kavanagh

to the Commission of the European Communities

(29 April 1976)

Subject: Mutual recognition of nursing diplomas

1. How soon does the Commission expect the Council to reach a decision concerning the mutual recognition of nursing diplomas?

2. Would such recognition of qualifications be taken normally to include also recognition of length of service in the profession concerned?

3. If so, would it be retrospective?

4. Does the Commission intend to propose legislation to enforce mutual recognition, and if it does, to what extent would it be able to ensure such legislation was complied with in individual cases?

Answer

(3 June 1976)

1. The examination in the Council of the draft Council Directives concerning:

— the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of nurses responsible for general care, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services, and

— the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of nurses responsible for general care

has reached a point where only a few problems remain open. It is therefore the hope of the Commission that the Council can adopt these draft Directives in the near future.

2 and 3. The first draft Directive referred to above contains provisions in respect of 'acquired rights' for those exercising their professional activities on the date that the Directive enters into force, and whose qualifications do not comply with the conditions laid down in the coordination Directive. Under these provisions, length of service is relevant.

4. The Directives, when in force, will be binding on Member States, which are obliged, as necessary, to adapt their internal regulations accordingly. By virtue of the EEC Treaty the Commission has to ensure the application of the Directives.

WRITTEN QUESTION No 127/76

by Mr Adams

to the Commission of the European Communities

(29 April 1976)

Subject: Vocational training

In answer to my Written Question No 717/74 [1], the Commission referred to an exhaustive study it had initiated of training schemes in the nine Member States, in order to obtain information as a preliminary to making proposals to the Council for vocational training. It was due to be ready in autumn, 1975.

At what stage of preparation is this study, and how soon will it be available?

[1] OJ No C 94, 26. 4. 1975, p. 38.

Answer

(3 June 1976)

1. Under the original programme, which was the one referred to by the Commission in its reply of 21 March 1975 to Written Question No 717/74, the study in question should have been available in the autumn of 1975.

However, owing to lengthy and unforeseeable delays in finding and appointing the nine national experts responsible for the country sections, it has not proved possible to keep to this timetable.

2. The situation as at 28 April 1976 was as follows:

nine national experts and one senior expert had been appointed;

the sections on Belgium, Germany and France are completed and were in the process of being examined in detail.

As the remaining six sections will be produced and translated by late 1976, the study, comprising nine country sections and a summary report, should be available in its entirety by the spring of 1977.

WRITTEN QUESTION No 132/76

by Mr Deschamps

to the Commission of the European Communities

(29 April 1976)

Subject: Appropriations for non-associated developing countries

1. Can the Commission give Parliament information on the utilization of the appropriation of 20 million u.a., entered under Article 900 in the 1976 general budget and intended for 'financial cooperation with the non-associated developing countries'? Have any measures already been initiated?

2. If so, can the Commission give Parliament information on the projects approved? If not, would the Commission be prepared to submit to the European Parliament a detailed programme for the effective utilization of these budget appropriations? And when?

3. If this programme for the benefit of non-associated developing countries should be extended into future financial years, would the Commission agree to submit to the European Parliament an annual report on the administration of these appropriations (i.e. a financial report such as that issued by the EAGGF)?

Answer

(26 May 1976)

1. In its communication to the Council of 3 March 1976 the Commission set out the criteria it proposes to follow with regard to the use of the 20 million u.a. entered under Article 900 of the budget and intended for financial and technical aid to the non-associated developing countries.

This text has been communicated to the European Parliament and is now being examined by the relevant committees. Parliament's opinion is of great importance to the Commission, which wishes to embark on this new policy under the best possible conditions.

2. The Commission also hopes that the Council will conclude its examination of this communication soon. In the meantime, the Commission is already initiating the requisite measures to enable the appropriations in question to be used during 1976, which is the financial year for which these appropriations were entered in the budget by a decision of Parliament.

3. As regards the detailed programme to be carried out, the Commission is prepared to submit an annual report on its implementation to the European Parliament.

WRITTEN QUESTION No 139/76

by Mr Schwabe

to the Commission of the European Communities

(29 April 1976)

Subject: VAT on catering services

1. What does the Commission think are the effects of the different rates of VAT levied on a wide variety of catering services in the Community countries?

2. Is the Commission aware of any possibility of harmonizing VAT rates so as to prevent distortions of competition?

Answer

(19 May 1976)

1. The Commission does not feel that differing VAT rates chargeable on catering services in the various countries are liable to lead to deflection of trade in this sector.

2. In present circumstances the Commission has no plans to propose the harmonization of national VAT rates, either overall or for individual sectors.

WRITTEN QUESTION No 140/76

by Mr Martens

to the Commission of the European Communities

(30 April 1976)

Subject: Distortion of the hop market

Is the allegation true that the producer cooperative for hop farmers in northern France has received considerable support from the FORMA (the fund for the organization and regulation of the agricultural markets) for the sale of hops (including those of inferior quality) from the 1973, 1974 and 1975 harvests? This support is said to have caused disruption of the hop market especially in Belgium.

If the allegation is true, can the Commission state:

1. what form does or did this support take and what is its value;

2. if such support should therefore not be regarded as distorting competition, and if so,

3. what measures the Commission has taken in this matter?

Answer

(10 May 1976)

The Commission is conducting an inquiry in the Member State concerned into the points raised by the Honourable Member and will ensure that he is apprised of the findings of this inquiry.

WRITTEN QUESTION No 135/76

by Mr Martens

to the Commission of the European Communities

(29 April 1976)

Subject: EEC/Egypt trade relations

Several months ago it was hoped that EEC/Egypt trade relations would be substantially expanded.

Is there still hope that a final agreement will be reached in the near future?

If so, what products will the agreement cover?

If not, what have been the main reasons for failure in this respect?

Answer

(25 May 1976)

As part of its overall Mediterranean approach the Commission started negotiations with Egypt on 28 and 29 January 1976 for the conclusion of a cooperation agreement similar to those recently signed with the Maghreb countries.

Although it has already been found that there is a convergence of views on numerous points, the fact that there is no provision for financial and technical cooperation has prevented the conclusion of an agreement. This question is currently being studied within the Council.

From the trade angle, the agreement under negotiation encompasses all Egyptian industrial products, together with a list of agricultural products which are of particular interest to Egypt as regards its exports to the Community.

WRITTEN QUESTION No 137/76

by Mrs Ewing

to the Commission of the European Communities

(29 April 1976)

Subject: Grading of eggs

Will the Commission give an assurance that the five grades, under which eggs have to be sold, operational in the UK, shall not be increased to seven grades, as is sought by some sections of the Community,

— in view of the fact that although the final cost of conversion, which such an increase would necessitate, would not be astronomical, there are many small producers who would have to spend more than they can afford in re-equipping;

— in view of the fact that retail outlets will not handle seven grades of eggs. At the very most they will display large, standard, and medium.

Answer

(25 May 1976)

The problem raised by the Honourable Member has not escaped the attention of the responsible authorities.

A transitional measure has been adopted, which allows the United Kingdom to retain on its market, up to the end of 1977, a system of grading eggs in five weight categories, on condition that the marketing of eggs which comply with Community standards shall not be subject to restrictions because of different systems of grading (Articles 78 and 79 of the Act of Accession).

WRITTEN QUESTION No 145/76

by Mr Caillavet

to the Commission of the European Communities

(30 April 1976)

Subject: Specific projects of the EAGGF Guidance Section

In 1975, the Community granted 108 million u.a. for 318 projects designed to improve the agricultural structures of Member States pursuant to Regulation No 17/64/EEC [1]. This first instalment of specific projects is a part of the overall appropriation for the Guidance Section for the year in question totalling 325 million u.a.

Following the proposal for a Regulation which the Commission submitted to the Council on 17 August 1975 [2], the projects concerning marketing and processing structures would come within the scope of common measures, and consequently only the specific projects concerning production structures would have their financing limited by the provisions of Article 6 (4) of Regulation (EEC) 729/70 [3].

1. In studying these projects, how far does the Commission take into account the general conditions described in Article 3 (1) (b) of its proposal dated 17 August 1975, namely:

   — the economic and social situation of the region,

   — the relative importance of agriculture,

   — the situation in the marketing sector?

2. Why has the Commission not submitted a proposal for the inclusion of agricultural production improvement projects in the common measures?

(1) OJ No 34, 27. 2. 1964, p. 586/64.
(2) OJ No C 218, 24. 9. 1975, p. 4.
(3) OJ No L 94, 28. 4. 1970, p. 13.

Answer

(26 May 1976)

1. Article 3 (1) of the proposal concerning common measures to improve the conditions under which agricultural products are marketed and processed specifies what information is to be supplied in respect of programmes to be forwarded to the Commission. It is not a question, therefore, of conditions, but of information which will permit the assessment of the programmes in which the projects must be included.

Under Regulation No 17/64/EEC, applications for aid for the projects must contain the information set out in Regulation No 45/64/EEC [1]. The information required for projects largely coincides with that required for programmes. Furthermore, when the Commission examines the projects, it uses all the information which it has available, in particular as regards the situation in the sector concerned.

2. Directive 72/159/EEC on the modernization of farms [2], introduced a system of aid which covers most of the production structures (modernization of farms, land reparcelling, irrigation). In so far as measures to improve production structures come within the scope of this Directive, there is no reason to finance individual projects.

[1] OJ No 71, 6. 5. 1964, p. 1117/64.

[2] OJ No L 96, 23. 4. 1972, p. 1.

WRITTEN QUESTION No 153/76

by Mr Bordu

to the Commission of the European Communities

(4 May 1976)

Subject: Violations of migrant workers' trade union rights

On 1 April 1976 Alfonso Camposo, an Italian worker employed at the Citröen plants at Levallois, in France, was the victim of a cowardly attack, in his capacity as a CGT union delegate, by a gang of some 50 thugs from the pseudo-union CFT, and was taken to hospital.

This large car firm employs hundreds of Italians who are being made the targets of racism, xenophobia and a mounting series of offences of all kinds violating the fundamental freedoms of opinion, of association and of the person, in defiance of existing legislation.

1. As guardian of the Treaties does the Commission not consider that the foregoing acts constitute a violation of Articles 48 and 118 of the Treaty establishing the European Economic Community, and that it is therefore its duty, in the specific case referred to above, to urge the French Government to ensure:

   — that those responsible for the attack are severely punished,

   — that it ensures respect of trade union liberties and rights, guaranteed by Community as well as national legislation and by the French law of 12 July 1972 condemning racist activities?

2. More generally, in view of the repeated and serious violations of the trade union rights of migrant workers, whether or not nationals of Community Member States, does not the Commission consider it necessary to apply more strictly Article 118 of the EEC Treaty, which states that 'the Commission shall have the task of promoting close cooperation between Member States, particularly in matters relating to the right of association'?

Answer

(26 May 1976)

1. The Commission condemns violence in any form and particularly the attack mentioned by the Honourable Member against Mr Alfonso Camposo in his capacity as trade union delegate. It is not within the Commission's competence, however, to make representations to the French Government for the purpose of persuading it to repress any act of violence contravening the French law of 1 July 1972 on measures to combat racism, nor to ensure that the trade union rights guaranteed by law can be exercised freely and without constraint, regardless of the nationality of the worker concerned.

2. The problem raised by the Honourable Member does not come within the sphere of that close cooperation between Member States, which it is the Commission's task to promote, under Article 118 of the EEC Treaty.

WRITTEN QUESTION No 155/76

by Mr Cousté

to the Commission of the European Communities

(4 May 1976)

Subject: Operational costs of various airlines

In answer to my Written Question No 721/75 on the operational costs of various airlines [1], the Commission stated that it was not in a position to provide details of operational costs.

Is the Commission nevertheless in a position to provide some details on certain companies and if so on what points?

[1] OJ No C 80, 5. 4. 1976, p. 33.

Answer

(3 June 1976)

The Commission regrets that it cannot add anything to its reply to Written Question No 721/75 from the Honourable Member.

WRITTEN QUESTION No 157/76

by Mr Pisoni

to the Commission of the European Communities

(4 May 1976)

Subject: Delays in implementing the social action programme

In its social action programme of 21 January 1974 [1], the Commission undertook to submit, during 1974, practical proposals in the following priority areas: consultation between Member States on their employment policies, common vocational training policy, consultation between Member States on their social protection policies, and involvement of workers and of management and labour.

The Commission has not submitted any of these proposals: for other measures, such as the involvement of workers in the management of undertakings, it has merely submitted a study, without formulating practical proposals.

1. Could the Commission provide a list in tabular form of measures already submitted to the Council in implementation of the social action programme, measures already approved and measures still being considered by the Council?

2. Could it also state what stage has been reached in drawing up the other proposals and what are the reasons for the serious delays in their drafting?

Answer

(3 June 1976)

1 and 2. The Commission would draw the Honourable Member's attention to the 'Comparative Review of Commission Activity' of 6 February 1976 drawn up by the Committee on Social Affairs and Labour of the European Parliament on the basis of information provided by the Commission. This document tabulates those measures envisaged by the Council resolution of 21 January 1974 concerning a social action programme [1] on which the Commission has already made proposals, and lists those which have been adopted by the Council.

The Commission would also like to point out that it was possible to institute some of the measures, defined by the aforementioned resolution as having priority, without a Council Decision; it was chiefly in this way that three of the four measures mentioned by the Honourable Member were implemented.

(a) In order to coordinate the employment policies of the Member States, the Commission set up a group of senior employment officials in the Member States. The first result of their work was a communication to the Council, dated 16 April 1975, on current activities in the employment field [2]; the conclusions arrived at in this communication were approved by the Council at its meeting on 17 June 1975. The Commission also set up a group of highly qualified experts to examine the main problems raised by medium-term employment trends.

(b) Coordination of the social security policies of the Member States is in the hands of two groups set up by the Commission for this purpose, namely:

— a group of senior social security officials in the Member States and

— a group of highly qualified independent experts, who are to study the problems presented by the coordination of social security policies.

(c) The involvement of both sides of industry in the Community's economic and social decision consisted mainly in:

— holding tripartite conferences (on 16 December 1974 on the future social policy, on 18 November 1975 on the economic and social situation, and at the end of June 1976 on the economic and social situation) and

— reactivating the Standing Committee on Employment, which met three times in 1975.

(d) As regards the fourth matter mentioned — a common vocational training policy — the Commission would point out that Council Regulation (EEC) No 337/75 of 10 February 1975 [3] set up the European Centre for Vocational Training as a vital instrument for the implementation of such a common policy.

In the near future, the Commission will be forwarding to the Council two proposals, one of which aims at promoting practical and supplementary vocational training schemes for young people seeking work, while the other is designed to encourage vocational training for female workers.

(1) OJ No C 13, 12. 2. 1974, p. 1.
(2) Doc. COM(76) 125 fin.
(3) OJ No L 39, 13. 2. 1975, p. 1.

WRITTEN QUESTION No 158/76

by Mr Pisoni

to the Commission of the European Communities

(4 May 1976)

Subject: Aid from the Social Fund for the unemployed

In the Council Decision on action by the European Social Fund for persons affected by employment difficulties, particularly young people under 25 years of age, the Council undertook to reach a decision, by 30 November 1975, on a proposal to be submitted by the Commission with a view to facilitating the geographical and professional mobility of persons who were or had been employed in the sectors particularly affected by the employment imbalance resulting from recession, with due regard for the regions most affected by employment difficulties.

However, the Council has not honoured its undertaking: at its meeting of 18 December 1975 the majority necessary for the adoption of the Commission's proposal was not reached.

The Commission is asked:

1. How will it use the appropriation of 28 325 000 u.a. entered in Article 504, Chapter 50 (ESF): 'Measures to aid sectors and regions hit by the crisis' in the 1976 budget, in view of the fact that the Council has not taken the necessary measures?

2. Does it intend to submit new proposals to the Council in this field, designed to mitigate in some measure the effects of the present serious crisis and to reduce the number of unemployed which is constantly increasing in certain Community countries?

Answer

(25 May 1976)

1. Pursuant to Article 21 (4) of the Financial Regulation of 25 April 1973 applicable to the general Community Budget [1], the 28 325 000 u.a. provided under Article 504, Chapter 50 of the 1976 budget for measures to aid sectors and regions hit by the crisis have been transferred to Article 501 of the same chapter, earmarked for action on behalf of young people, which amounted, initially, to 37 780 000 u.a.

The Commission would remind the Honourable Member that the Council Decision of 22 July 1975 on action by the European Social Fund for persons affected by employment difficulties [2], particularly young people, was taken within the framework of the 'anti-crisis' proposals made by the Commission.

2. The Commission does not intend, for the moment, to make new proposals to the Council in this field.

[1] OJ No L 116, 1. 5. 1973.

[2] OJ No L 199, 30. 7. 1975, p. 36.

WRITTEN QUESTION No 175/76

by Mr Cousté

to the Commission of the European Communities

(14 May 1976)

Subject: Transit charges for road haulage vehicles passing through Turkey

Would the Commission state how many road haulage vehicles registered in the Member States passed through Turkey carrying goods for Iran and the Arab Emirates in 1975 and whether it is true that charges of approximately FF 7 000 have to be paid for each vehicle?

Answer

(1 June 1976)

The Commission has no statistics on road traffic passing through Turkey en route to the Middle East, but estimates ranging from 70 000 to 85 000 vehicles are quoted for 1975.

As regards the charges levied by the Turkish Government, the sum mentioned by the Honourable Member might well be equivalent to the total paid in respect of a vehicle of 26 metric tons permissible laden weight, registered in a Member State which has signed a bilateral agreement with Turkey.