

Treat Parliament as elected' LIBRARY

For the target date of mid-1978 for European elections to be missed would be a major setback, European Commission President Roy Jenkins said in his inaugural speech to the European Parliament on January 11. "The responsibility on any country which impeded this development would be heavy and damaging." Meanwhile, the best contribution the new Commission could make would be to treat the present Parliament as it will the elected Parliament; and to inject into any policy proposal the serious and systematic consideration of whether or not it could gain majority support there.

The new Commission, like its predecessor, has designated one of its new members — Richard Burke of Ireland — as having special responsibility for relations with Parliament. But Mr. Jenkins stressed that the lead in relations with the parliamentary arm of the Community would be given by himself. Close links would be made with the political groups. "We are a coalition Commission, as is wholly right, at least at the present stage of development. I shall therefore need to be a coalition rather than a partisan President. I shall be a partisan only for the unity of Europe," he added to widespread applause.

As a Minister from a member country which some parliamentarians suspect to be — if not impeding — at least hastening slowly towards European elections, British Foreign Secretary Anthony Crosland the following day was less inspiring than his former cabinet colleague. But their roles differ, and they differed particularly on that

occasion. Whereas President Jenkins was entering on a four-year term as head of the Commission and would not be able even to outline the new Commission's policy for another month, Mr. Crosland wore both national and Community hats simultaneously. Jenkins aimed to encourage, Crosland to cause to ponder.

Externally, the Community is doing well, the Foreign Secretary argued, but internally there are three major sectoral problems — agriculture, fishing, energy — while the divergence between the economically strong and the economically weak among the Nine was a threat to the Community itself. That the further enlargement of the Community to include Greece, and eventually Spain and Portugal, is essential, Mr. Crosland had no doubt, for the need to strengthen democracy outweighs the economic problems for the Community that those countries would bring with them.



Cheaper wine?

Is Britain about to be in the dock at the Community's Court of Justice? One thing is certain — new Irish Commissioner Richard Burke has a fine sense of the dramatic. It was in practically the last sentence of his reply to an oral question on wine taxes, late on the evening of Thursday January 13, that he launched his bombshell: the Commission decision to proceed against the United Kingdom for taxing wine more heavily than beer. The only pity, indeed, was the virtual absence of British Members, or even British press, to react.

The question from French, Italian and German Christian Democrats had drawn attention to the high level of excise duties on wine in five countries: Denmark, the UK, Belgium, the Netherlands and Ireland; and accused the first four of having disregarded a Commission recommendation to reduce the duties in December 1975. But recommendations are not binding, as Commissioner Burke began by reminding the House; and when he went on to explain that the first priority now was harmonisation of VAT rather than excise duties, it seemed that the matter was at an end.

At this point, however, he carefully quoted Article 95 of the EEC Treaty: "No Member State shall impose, directly or indirectly, on the products of other Member States any internal taxation of any kind in excess of that imposed directly or indirectly on similar domestic products."

He went on: "These provisions have led the Commission to open a procedure under Article 169 of the Treaty against the United Kingdom, where the relationship between the taxation of beer and of wine appears to be in conflict with this principle."

Article 169 provides for an escalation of action. First, the Commission delivers a "reasoned opinion on the matter, after giving the State concerned the opportunity to submit its observations". But then the State, within a period laid down by the Commission, must comply with the opinion. If it doesn't, the Commission can bring the affair to the Court of Justice.

One key point, of course, is the interpretation of the word "similar" in Article 95: the British Government will no doubt argue that only the negligible British production of wine is involved. And there is also the ghastly thought that the Article could be complied with by raising duties on beer rather than cutting them on wine!

Question Time for new Commission and Council

Sherlock Jenkins

The new Commission's first testing by Question Time on Tuesday, January 11, began in an almost light-hearted vein: what was the Commission doing, asked former Parliament president Cornelis Berkhouwer (Lib/NL) to combat the "extensive and well-organised gang of criminals which specialises in the theft of European art treasures . . . ?" Ah! replied Commissioner Brunner, if only productivity in other sectors could equal that of the gang! Between 1970 and 1974 they had done 14,000 jobs in France and 34,000 in Italy. Unfortunately, even though this was the "hour of Britain", it was not possible for the Commission to play Sherlock Holmes. They had a report on the matter and would do what they could.

"The classical god of thieves was also the god of commerce", commented Mr. Berkhouwer; the Commission could at least publish the report. Good Lord, no!, protested Wolfgang Schwabe (Soc/Ger); that would only encourage them. And the question ended in high good humour with suggestion from Tom Normanton (Con/UK) that the whole thing was due to "high personal taxation" anyway.

John O'Groats

It might be thought that the new Italian Commissioner for regional policy, Antonio Giolitti, would have a tough time following George Thomson, at least as far as Scotland goes; but he managed to slip in a plug for port development at John O'Groats and some compliments about the Highlands and Islands Development Board in answer to a question from Russell Johnston (Lib/UK). Earlier, however, he could be no more definite than his predecessor was on the matter of whether regional and local authorities would in future be able to apply direct to Brussels for regional funds, rather than having to go through national governments. "I cannot take a longer stride than is possible."

Flak from a friend

Commission President Roy Jenkins has announced that he is personally taking responsibility for Commission information policy; and may perhaps have been regretting it after running into flak from his "first candid friend", Tom Ellis (Soc/UK). He hoped there would not be a repetition of the incident that very morning, when Mr. Jenkins keynote speech had been available to press only in English (see page 4). (Indeed, even the English copies had only been available on a kind of old boy

network.) President Jenkins promised improvements, including closer co-operation with the Parliament's own information service; but, again, no Commission office in Belfast.

Aircraft noise

The Commission is even now preparing steps to combat aircraft noise, Commissioner Lorenzo Natali replied to William Molloy (Soc/UK). A directive would be proposed to limit plane movements at night, and to lay down stringent noise levels, in the first place at airports used principally for recreational flying or tourist flights. As regards airports used more for business purposes, a longer-term policy involving standards of construction, etc., was envisaged.

Equal pay

Member States failing to implement the Community's directive on equal pay will be taken to the Court of Justice, Commissioner Henk Vredeling assured James Gibbons (EPD/Irl). Gwyneth Dunwoody (Soc/UK) wanted him to go further: he and half his colleagues might resign to make way for women Commissioners. But he agreed with Vera Squarcialupi (Comm/It) that things like that would take a social revolution.

Child labour

A 14-year old boy, James Scott-Hopkins (Con/UK) told the House on Wednesday, January 12, shot himself in the South of Italy "having been sold 18 months before . . . And this is a quite common occurrence". The stories were true, admitted Italian Christian Democrat Ferruccio Pisoni; and Communist Vera Squarcialupi urged the Commission to treat the matter as urgent. If the facts are proved, replied Commissioner Vredeling, something would be done.

"A garrulous body"

When it came to British Foreign Secretary Tony Crosland's turn to make his maiden appearance at Question Time, he was immediately plunged into matters about which, he confessed, his knowledge was limited: reafforestation ("much in our minds") and aid for young farmers ("I shall do my best to understand the problems"). But when Alex Fletcher (Con/UK) once again brought up the matter of ending the secrecy of Council of Ministers meetings ("the practices of the other side of the iron curtain") he was on firmer ground. The Council didn't exactly follow iron curtain

procedures, he replied: "it is a very talkative, garrulous body". He would look again at making meetings public, but feared that decisions would then take place *dans les coulloirs* rather than in the Council chamber itself. In any case, little Council time was taken up legislating; most of it was really classical negotiation. James Spicer (Con/UK) went on to ask whether Council rules of procedure — last revised in 1965 — might not be updated. I'll look at the matter, Mr. Crosland replied; musing that the UN Security Council provisional rules of procedure had never been revised or, indeed, even finalised, in 30 years.

Tunnels galore

It would be a mistake, Mr. Crosland told Cornelis Berkhouwer (Lib/NL), to think that there was renewed interest in the Channel tunnel, at least as far as the British Government went. There had, in any case, been "an enormous investment in other forms of cross-Channel traffic". He fended off with ease the desire of Gwyneth Dunwoody (Soc/UK) to have the matter treated urgently ("I am well aware of the interest of the railwaymen of Crewe") and that of Bob Mitchell (Soc/UK) to make sure the project remained buried ("without paying attention to the fact that Southampton depends largely on cross-Channel shipping"). And assured those who asked about tunnels under Alps that "we shall naturally review with sympathy and interest any proposal for any tunnel anywhere".



Tony Crosland

Ombudsperson?

Will the Commission appoint a Community 'Ombuds-person', Winnie Ewing (Ind/UK) asked Commissioner Jenkins, insisting in her supplementary on a "straight answer". She "should not press for a firm answer at this stage, or she might tempt me to give the firmly negative answer which was given when the question was last asked", replied Mr. Jenkins. Instead, on this occasion, the Commission would "consider the matter seriously".

Agricultural news

The Commission intends to submit its farm price proposals for the 1977/78 marketing year "around the middle of February", Commissioner Gundelach told the House on January 11. This would leave time for the Community's other institutions to take the necessary decisions by April 1.

Later he explained that the "very messy system" of a partial ban on beef imports would be replaced by a flexible levy system, also on April 1.

Talking turkey with America

In transatlantic trade, the US has always been in the black and the Community in the red. Although trade relations "may in general be described as very good", in some specific questions — particularly in agriculture and steel — there are "divergent aims". This was the gist of a resolution, to be sent to the US Congress presented by Pierre Bernard Cousté (EPD/F) and passed by Parliament on Tuesday evening, January 11. The resolution called for improvements in the trade balance and less protectionism, and looked forward to a new climate of relations with the incoming US administration.

Among speakers during Parliament's debate, James Scott-Hopkins (Con/UK)

said it was "absolutely necessary" for the Commission to take up the problem of the agricultural trade deficit. Altiero Spinelli (Comm/It) thought that, in general, Community-US relations had been bad "for years", a view not shared by Commissioner Wilhelm Haferkamp, who thought problems which occur could be amicably dealt with. Earlier in Question Time, he had shown as an example how the Community had successfully curbed US exports of turkey to the Community. But turkey exports had earlier doubled, said Mr. Cousté. And what about brandy? he asked. The US had recently heavily increased their levy on brandy following only a 20 per cent increase in imports.

Stop this comedy

Despite the continuing argument over where the JET (Joint European Taurus) thermo-nuclear fusion research project should be, Parliament showed remarkable unity on Wednesday afternoon, January 12, when it attacked the Council for delaying a decision to set it up. The Council of Ministers is, however, unlikely to decide until February at the earliest, after research ministers have had further time to confer. During Parliament's debate, British Under-Secretary of State, John Tomlinson, speaking for the Council, warned of further delay and said that the Research Council meeting scheduled for January 17 and 18 had been postponed at French request. However, Members of Parliament from all sides wanted a quick decision and the Energy Committee chairman Gerd Springorum (CD/Ger) pointed out the dire consequences of further delay. The message to the Council was clear, as Commissioner Guido Brunner put it: "Stop this comedy. Don't put off your decision any longer".

Oil, oil, oil!

"I had thought in my innocence", remarked Michel Cointat (EPD/F) when introducing a debate on the dispute between the UK and France over oil drilling in the English Channel (or "Manche", depending on your viewpoint), "that the fact of both being in the same Community would make a solution easier. But drilling has now stopped!" The dispute has been referred to the International Court of Justice at The Hague for adjudication, and Mr. Cointat was worried that the judgement would take "300 years, like the one in 1903". No, replied Commissioner Brunner, judgement was expected in something like 150 days. John Osborn (Con/UK), however, was concerned at the secrecy surrounding the affair: what, after all, was the dispute about? No-one was forthcoming.

Six at one on terrorism

Sir Peter Kirk had the unusual role on January 14 of speaking for all six political groups combined. The subject was terrorism and the motive was the dismay — at least — at the French court decision to release Abu Daoud. Terrorism is not a political matter, Sir Peter insisted, and Article 1 of the European Convention for the Suppression of Terrorism makes that clear. So for once the whole Parliament was united in urging the Community and other European governments to sign the Convention on January 24.

Lest it be thought that Parliament was critical only of France, Willie Hamilton (Soc/UK) commented that Members did not know how the authorities would have acted in other countries in similar circumstances. But he was sure that international terrorism was "the most evil development of our time".

Bigger boots, please

A *cri de coeur* on behalf of people with large feet came from Bob Mitchell (Soc/UK) on Friday December 14, when Parliament debated a Commission proposal for research into the footwear industry. Those who took shoes of above average size, claimed Mr. Mitchell, were not being catered for; he himself had been waiting for a pair for over six months; and Frank Tomney (Soc/UK) also deplored the pre-occupation of the trade with fashion shoes.

Conflicting interpretations on Africa

British involvement in Africa provided an obvious stimulus for UK members to dominate the debate following Hendrik Waltmans' (Soc/NL) oral question on a common policy concerning Southern Africa on Wednesday January 12. The House was unanimous in stressing the need for a policy which would promote the peaceful attainment of majority rule in Southern Africa. Most members considered economic boycotts of South Africa futile, and there were conflicting interpretations of what was happening in several African states — for instance whether the Transkei-Lesotho border had been closed. Mr. Crosland, among others, saw the role of SWAPO in Namibia as

something to be encouraged; others saw it as a vehicle for Communist influence in Africa. Russell Johnston (Lib/UK) pointed out the danger of denouncing apartheid in South Africa and yet ignoring racial persecution in Uganda and other black states. Jim Spicer (Con/UK) accused the United Nations of employing double standards when they said they knew nothing of refugees fleeing from Angola into Zambia and Namibia. But Sir Geoffrey de Freitas (Soc/UK) introduced an optimistic note when recalling Kenya's successful transition towards independence, in which he himself played a prominent part.

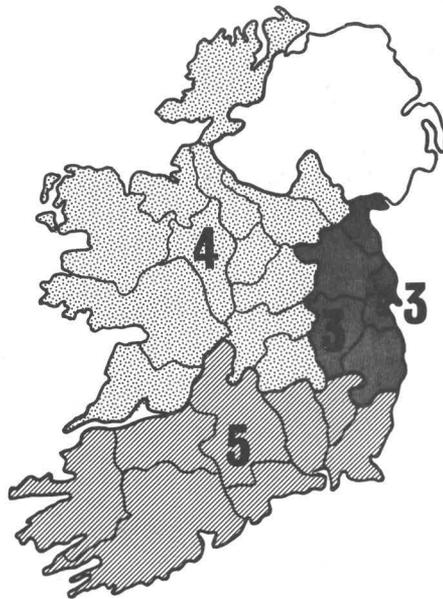
European elections latest

No doubt much to President Giscard d'Estaing's relief, and certainly to a welcome from the European Parliament, the French Constitutional Court finds that "the Decision of the Council of the European Communities of September 20, 1976 and the Act annexed thereto" (that is, the decision to hold direct elections to the European Parliament) "do not contain any clauses which are incompatible with the Constitution". That removes one plank

from the Gaullist/Communist anti-elections platform — though it must be noticed that the basis of the Court's ruling is that the Act "contains no provision designed to alter the specific responsibilities and powers" of the Parliament, and that elections "will not result in the creation of sovereignty".

Meanwhile, in Ireland, the Government has announced the outline of its Bill to hold the elections. In particular:

1. The system of election will be Single Transferable Vote in four constituencies — one returning 5 Members, one 4 Members and two 3 Members.
2. Citizens of other Member States normally resident in Ireland will have the vote there.



European election constituencies, Ireland

Back in the United Kingdom, three prominent anti-marketeters — Enoch Powell (UUUC), — held a press conference on Thursday, January 20, to put the case against European elections. Enoch Powell contended that the elections would not be held under a "uniform procedure", and would not therefore be in accordance with the Treaty; while Brian Gould rested much of his argument on the belief that "no-one wants the elections". But in this he is clearly wrong as the recently published Eurobarometer shows. In the United Kingdom 57 per cent are now *in favour* of European elections, only 22 per cent against. And 66 per cent believe the elections of "great significance".

Still tough for Adams

There has been no outside intervention at all in the matter of Stanley Adams and the Swiss pharmaceutical company Hoffman La Roche, Commissioner Wilhelm Haferkamp assured the house on January 12. John Prescott (Soc/UK) in raising the matter once more, had referred to reports of "certain pressures" being applied to the Commission by another country (than Switzerland). He concluded that, as the Commission had fined HLR 300,000 units of account — "a very miserable sum" — for acting illegally under the Swiss-Community trade agreement, the Swiss should change their national laws under which Mr. Adams, an employee of HLR at the time he had revealed his employers' activities, had been convicted for industrial espionage.

Lord Bethell (Con/UK) contested this last view as a dangerous precedent in international trade. His compatriot was not convinced: "it is an obligation, in signing an

international treaty, that the domestic laws do comply with it".

This was little enough comfort to Mr. Adams in the public gallery. He, after his wife's suicide while he was under arrest, is now living in Italy on a succession of three-month visas, and is seeking British nationality, which he held until Malta's independence in 1964.

Bukovsky

The Soviet writer Vladimir Bukovsky has written to the European Parliament thanking it for passing a resolution in his defence last year. "Experience shows us", he writes, "that resolutions such as yours of July 9 do have an effect on the Soviet Government." He concludes by urging the Parliament to continue its study of "non-violent political prisoners not only in the Soviet Union, the country I know best, but also in other countries where fundamental freedoms are suppressed".

Unofficial Journal

The coincidence of Roy Jenkins' arrival as President of the Commission with Tony Crosland's assumption of the Council of Ministers chairmanship appears to have roused a dormant neurosis among some French speakers.

Up till 1973 their language was well ahead in use than all others, being — properly enough — the *lingua franca* of the Community machinery. But the role of English has steadily grown, and now looks likely to take a great leap forward. Not that the Commission controls the European Investment Bank, but it is being asked by Willy Dondelinger (Soc/Lux) why the Bank has inserted an advertisement in French in a Luxembourg newspaper inviting tenders for sub-contracting work but stipulating that *they must be submitted in English*. And the French — who, by nature, prefer the conspiracy to the cock-up theory of history — saw their worst fears justified when the new Commission President, on taking office, preferred not to display to the press his comprehensible if far from fluent French. To make things worse, when he addressed the European Parliament for the first time on January 11, the late completion of his speech meant that no translations were available for the press (see page 2.)

But there are corresponding perils in being prepared, as Anthony Crosland found out. His text was ready and waiting in six Community tongues. The press had them, but also the spokesmen for the political groups who commented on his address. Hence Erik Blumenfeld (CD/Ger), speaking for the Christian Democrats, was able to note that the Foreign Secretary's draft text had commented approvingly on the growth of cooperation between the Nine in several fields outside the writ of the treaties — such as social legislation, education and cooperation against terrorism. But between the drafting and the speaking had come the French release of Abu Daoud and the Foreign Secretary had thought it wiser to remove the passage.

The biter bit

The last Parliamentary question for written answer tabled in 1976 is, on the face of it, a simple attack on Commission dilatoriness. "How many written questions by Mr. Henk Vredeling, former Member of the European Parliament, has the Commission not yet answered?" demands German Socialist Horst Gerlach, and "is the Commission prepared to answer the outstanding questions and forward the answers to Mr. Vredeling?"

There is more to it than meets the eye. When Mr. Vredeling, a Dutch Socialist, was in the Parliament between 1958 and 1973 he achieved a considerable reputation as a thorn in the Commission's side as far as written questions went, easily winning the all-time record for the number tabled — one thousand six hundred and fifty — and earning himself the nickname: Henk Vrageling (Dutch

'vragen' — to ask).

And now Mr. Vredeling is back in the Parliament — as the new Dutch Commissioner. No doubt the permanent staff is preparing the neat revenge of getting Mr. Vredeling to answer all his old questions himself.

No sex please

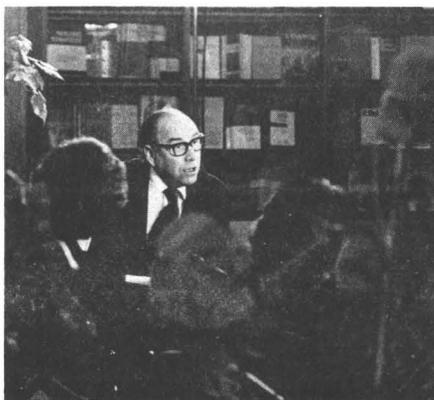
It sometimes seems as if the coming of the European Community, far from eliminating the maze of documentation which the ordinary citizen has to read, fill in or carry, has actually increased it: we have not lost our own red tape, as it were; we have gained eight others. The latest threat appears in European Parliament staff notice No. 76/13 where employees are asked to fill in an application form to obtain a new identity document. This they can then use to apply for yet other documents, including — wait for it — "celibacy certificates".

Celibacy certificates! Can this be some new phase of the equality movement — if married people have marriage certificates, single people should have celibacy certificates? Or does it really mean *celibacy*?

Anyway, these certificates are apparently issued by the "communal authorities" in Luxembourg, and must be something to do with a campaign against bigamy. To get the form, to get the document, to get the certificate, apply Room 4/69.

Press riot

The January sitting of Parliament was remarkable, if for nothing else, for the vast numbers of journalists and other media men present. As Roy Jenkins rose to speak on Tuesday, the gangway behind the Communist Group looked like the Russian battery at Balaclava, in this case, with television cameras rather than guns (see p.1). The press gallery was at one point verging on riot: quite apart from well over a hundred journalists trying to fit into some 35 seats, certain powers had allocated a large proportion of the places to members of the diplomatic corps. Fortunately, the latter didn't turn up (David Wood of 'The Times' has confessed to becoming, *pro tem*, the Ugandan ambassador).



Jenkins in botanical setting

Later, Roy Jenkins was interviewed for Eurovision in the Parliament library, (though some viewers might have thought it the local botanical gardens, such appeared to be the profusion of exotic plants). A few minutes before the programme was due to begin, it was

discovered to the Producers' horror that the division bell (in the case of the European Parliament, more a factory hooter) might sound there at any time. Could it be switched off in the library only? No, apparently. Could it be switched off altogether? Yes, but . . . Rapid clearance was obtained from the highest authority and switched off it was during the programme's duration, with the result that voting in the Chamber was extremely thin for some time.

Games people play

However disgruntled non-British Members of the European Parliament may get about the importation of Westminster-style politics, one must admit that it livens things up. Parliament Rules Committee chairman Willie Hamilton (who is himself no slouch at the judicious use of procedure to put one over opponents) found himself at the receiving end at the start of Question Time on Wednesday January 12, when he arrived a few minutes late to put the first question to Tony Crosland. President Spenale attempted to call it later, only to run into Conservative objections: "I understand from your ruling", James Scott-Hopkins observed acidly, "that it doesn't matter whether one turns up in time or not". The affair was put to the vote, the Conservatives won — not surprisingly, since the Socialist Group was still in caucus.

Indeed, this Socialist Group habit of over-running its time at morning meetings is proving something of an Achilles heel — and one at which Conservative whip James Spicer, at least, knows how to aim. Last month it enabled him to reverse a defeat from the previous evening (see "Trouble with numbers", EPR 31, page 4). And this month he tried the same ploy in a more spectacular manner. His report calling for investment guarantees as a *quid pro quo* for trade concessions to developing countries came up last thing on Wednesday night; and it looked as though a Socialist "wrecking" amendment was going to go through. So, quick as a flash, our Jim calls for a quorum, and has his own report counted out. The vote is postponed until the next morning.

At the opening of business the next day, the House presents an amazing sight. This time the Socialists are there in force; but so are large numbers of others — Liberals, Gaullists, Christian Democrats. Tension mounts; even President Spenale quits the chair to vote with the Socialists; a roll-call is demanded. And Spicer wins by 56 to 47.

Whatever one may say about Westminster games, nothing else has ever got 103 Members of the European Parliament in their seats first thing on a Thursday morning!

Le roi s'amuse

It would naturally be improper to suggest that the personal tastes of Commissioners influence Community policies. It is therefore pure coincidence that only a week after claret-loving Roy Jenkins — now apparently nicknamed "King John XV" in Brussels after the way the French pronounce his name — took over, his colleague Richard Burke has announced action against Britain for taxing wine more heavily than beer (see P. 1)

K.P.G.