

**EN**

***European Economic and Social Committee***

Brussels, 16 February 2018

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| **PLENARY SESSION    14 AND 15 FEBRUARY 2018    SUMMARY OF OPINIONS ADOPTED** |
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**Contents:**

[1. **Economic and Monetary Union, Economic and Social Cohesion** 3](#_Toc507601937)

[2. **Single Market, Production and Consumption** 6](#_Toc507601938)

[3. **Transport, Energy, Infrastructure and the Information Society** 9](#_Toc507601939)

[4. **External Relations** 12](#_Toc507601940)

[5. **Agriculture, Rural Development and the Environment** 15](#_Toc507601941)

[6. **Industrial Change** 18](#_Toc507601942)

[7. **Annual growth survey 2018** 21](#_Toc507601943)

The plenary session of 14 and 15 February 2018 was attended by **Nathalie LOISEAU**, French Minister for European Affairs.

The following opinions were adopted:

# **Economic and Monetary Union, Economic and Social Cohesion**

* ***Lessons learned for avoiding the severity of austerity policies in the EU***

**Rapporteur:** José Custódio LEIRIÃO (Various Interests – PT)

**Reference:** Own-initiative opinion

EESC-2017-02368-00-01-AC-TRA

**Key points:**

The EESC:

## welcomes the Commission's aim to reform the euro in key aspects by abandoning austerity policies and deepening the Economic and Monetary Union and recommends that future crises in the European Union should be managed by striving for a better balance between fiscal and social objectives;

## recommends that in future crisis situations affecting any EU Member States, the European Union Institutions should be solely responsible for developing and implementing the adjustment programmes;

## urges the Commission to design "supplementary economic and social recovery" programmes, to be applied at the same time as or at the end of an adjustment programme;

## recommends setting up a targeted programme for social recovery to operate in the countries that are, or have been, subject to adjustment programmes;

## calls on the Commission to draw up a "European strategy for eradicating poverty in the EU and integrating the homeless" as a matter of urgency;

## recommends reforming the Lisbon Treaty by asserting the primacy of economic cooperation and growth policies and of solidarity as the real alternatives to restrictive austerity policies;

## recommends making specific funds available to channel more resources into creating jobs in the health services and the sectors most affected by emigration (science, programming, new technologies, engineering and medicine) to encourage those who have left to return to their countries of origin;

## recommends that further examining the ideas to set up a "universal, basic European unemployment insurance" scheme to respond effectively to the challenges of digitalisation, automation and AI that are changing the labour markets, and calls for the introduction of a "minimum living income;

## underlines that the social partners and representatives of civil society must be included in the programme's monitoring and assessment panel, on an equal footing with representatives of the EU, the ECB and other bodies;

## calls upon the Commission to follow up on the conclusions of the High Level Group on the mutualisation of debt and euro debt securities;

## suggests that the Commission strive to set up an independent international body with the task of evaluating credibility and impartiality regarding the adequacy evaluations conducted. It should also promote the creation of a European Credit Rating Agency.

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* ***European System of Financial Supervision (ESFS) – Reforms***

**Rapporteur:** Daniel MAREELS (Employers – BE)

**Reference:** COM(2017) 536 final – 2017/0230 (COD)

COM(2017) 537 final – 2017/0231 (COD)

COM(2017) 538 final – 2017/0232 (COD)

EESC-2017-05295-00-00-AC-TRA

**Key points:**

## The EESC welcomes the Commission's proposals that are a new, important step in the efforts to achieve greater integration and convergence by increasing integrated supervision and provide new building blocks for the realisation of the Capital Markets Union (CMU) in the EU.

## The importance of a smoothly operating CMU should not be underestimated, as it can make an important contribution to private, cross-border risk-sharing.

## It is therefore very important and a priority to further pave the way for more cross-border market transactions. Companies must be able to make easier and more effective use of financing, with reduced administrative burdens and at a lower cost. For their part, consumers and investors need more and better choice and greater protection.

## The new supervisory environment should be based on a permanent concern to ensure the greatest possible clarity and legal certainty for all. The challenge is to find the right balance between the competences of national and European supervisors and, where possible, to apply the subsidiarity and proportionality principles. Action is needed to tackle lack of clarity, overlaps and other shortcomings in supervision that hinder or seriously impede the realisation of the Capital Markets Union.

## Keeping the future in mind, new developments and modern technologies, such as FinTech, as well as more sustainable financing, in line with international activities and agreements should be reflected in the system of supervision.

## Close attention should be paid to costs. Where part of the costs is directly borne by the private sector, care should be taken to exercise budgetary discipline and avoid duplication. Any alterations must be made in a transparent way and there must be appropriate control of overall resources. The industry should be appropriately involved.

## As in the past, all future steps should be based on dialogue and consultation with all bodies and other stakeholders, as well as on public consultations of all interested parties.

## The current legislative proposals represent a major step forward, but they are not the end of the story. In the EESC's view, we must continue to pursue the ultimate objective of a single European capital markets supervisor, as stated in the Five Presidents' Report.

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# **Single Market, Production and Consumption**

* ***Public procurement package***

**Rapporteur:** Antonello PEZZINI (Employers – IT)

**Reference:** COM(2017) 572 final

COM(2017) 573 final

C(2017) 6654 final - SWD(2017) 327 final

EESC-2017-05294-00-00-AC-TRA

**Key points:**

The EESC:

## welcomes the new public procurement package;

## recommends promoting the use of the "most economically advantageous tender" as the selection criterion;

## supports increasing the professionalism of all stakeholders here and increasing the participation of social enterprises, with a view to combating fraud and corruption by stepping up the digital transformation of procurement;

## welcomes the efforts to increase access to public procurement markets for SMEs and social economy enterprises and points out that there are still many obstacles to their full participation;

## recommends including specific social and environmental content in all national and EU training programmes;

## considers that it would have been preferable for the Commission to adopt a directive rather than a recommendation in order to provide an effective, consistent framework for the professionalisation of public procurement.

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* ***CO2 emissions from passenger cars and commercial vehicles***

**Rapporteur:** Dirk BERGRATH (Workers – DE)

**Reference:** COM(2017) 676 final – 2017/0293 (COD)

EESC-2017-05269-00-00-AC-TRA

**Key points:**

The EESC:

## welcomes the Commission's proposals as a balanced compromise between climate, innovation and employment goals, viewing the market development towards zero-emission vehicles and low-emissions vehicles and hybrids as an opportunity;

## considers the planned interim target for 2025 to be very demanding as the required changes are to be made to combustion engines at the cutting edge of technology;

## expects the Commission to monitor type approvals of new vehicles on an ongoing basis;

## calls on the Commission to ensure that this structural transition is accompanied by industrial policy measures, as a thorough social and economic impact assessment is lacking;

## suggests that the mid-term review should examine in 2024 to what extent the climate, innovation and employment goals have been achieved;

## calls for a mid-term review to include the state of play regarding the qualification and (re)training of staff as well as an updated analysis of the areas in which action is required;

## believes that any fines, under both the existing and the new regulation, should be used to support the sector and its workers through the transition towards low-carbon products.

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* ***Contracts for the sale of goods / Amendment***

**Rapporteurs-general:** Christophe LEFÈVRE (Workers – FR)

Jorge PEGADO LIZ **(**Various interests – PT)

Lech PILAWSKI(Employers – PL)

**Reference:** COM(2017) 637 final – 2015/0288 (COD)

EESC-2017-06235-00-01-AC-TRA

**Key Points:**

**The EESC:**

## mainly reiterates the positions expressed in its opinion on the proposals put forward by the Commission in 2015, which stated that the rules applicable to the sale of goods should be the same, regardless of the sales channel;

## welcomes the fact that this amended proposal extends the scope of the proposal for a directive on certain aspects concerning contracts for the online sales of goods to cover face-to-face sales as well;

## calls on the Commission to take account, in its proposal, of a number of recommendations made in its opinion.

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# **Transport, Energy, Infrastructure and the Information Society**

* ***Free flow of non-personal data in EU***

**Rapporteur:** Jorge PEGADO LIZ (Various Interests – PT)

**Reference:** COM(2017) 495 final – 2017/0228 (COD)

EESC-2017-04820-00-00-AC-TRA

**Key points:**

## The Committee has already agreed that there is a need for a legislative initiative on the free flow of non-personal data, since this is a basic prerequisite for securing the objectives of the Digital Agenda and of achieving the Digital Single Market. The Commission's proposal on free flow of non-personal data in European Union represents one of the most important legal aspects of the future of European policy for developing the data economy and its repercussions on economic growth, scientific research, industry and services in general and public services in particular.

## The EESC considers, however, that the proposal is rather overdue, over and above the fact that the limited nature of its scope of application, the fluidity and lack of assertiveness of the mechanisms laid down and, most of all, the lack of ambition and political will and determination are likely to undermine its objectives.

## The EESC cannot endorse the current version of the document. The EESC is only willing to endorse this proposal if and insofar as the latter is amended in accordance with the suggestions outlined in this document and is clearly understood as a highest common standard acceptable to both Member States and stakeholders, but always viewed as a first step in the future development of more ambitious ways of securing genuinely free movement of non-personal data in the European Union's digital market. The EESC's endorsement is also on condition that these developments take due account of the international aspects of a global economy, of which this initiative should necessarily be a part.

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* ***Cybersecurity Act***

**Rapporteur:** Alberto MAZZOLA (Employers – IT)

**Co-rapporteur:** Antonio LONGO (Various Interests – IT)

**Reference:** COM(2017) 477 final/2 - 2017/0225 (COD)

EESC-2017-04390-00-00-AC-TRA

**Key points:**

## The EESC considers that the EU Cybersecurity Agency's (ENISA) new permanent mandate as proposed by the Commission will significantly contribute to enhancing the resilience of European systems. However, the accompanying provisional budget and resources allocated to ENISA will not be sufficient for the agency to fulfil its mandate. The EESC recommends to all Member States to establish a clear and equivalent counterpart to ENISA, as most of them have not done it yet. The EESC also feels that, ENISA should prioritise actions to support e-government, should provide regular reports on the cyber-readiness of Member States focusing on sectors identified in Annex II to the NIS Directive and monitor the performance and decision-making of national certification supervisory authorities. The EESC supports the proposal to create a cybersecurity competence network sustained by a Cybersecurity Research and Competence Centre.

## The EESC recalls that the human factor constitutes one of the most important causes of cyber accidents. There is a need to build a strong cyber skills base and improve cyber hygiene also through awareness campaigns among individuals and businesses. The EESC supports the creation of an EU-certified curriculum for high schools and professionals.

## The EESC believes that a European Digital Single Market needs a homogeneous interpretation of the rules for Cybersecurity and that a certification framework and schemes for the different sectors could provide a common baseline. Because different approaches must be provided for different sectors, the EESC believes that sectoral EU Agencies (EASA, ERA, EMA, etc.) should be involved in the process and in some cases, delegated to draw up cybersecurity schemes. Minimum European standards for IT security should be adopted in cooperation with CEN/CENELEC/ETSI. The envisaged European Cybersecurity Certification Group supported by ENISA should be made up of national certification supervisory bodies, private sector stakeholders, scientific and civil society actors. The EESC believes that certification activities cannot exclude a proper labelling system, to be applied also to imported products to reinforce consumers trust. With regards to funding, Europe should scale up investments converging different EU funds, national funds and private-sector investments towards strategic objectives in strong public-private cooperation, also through the creation of an EU Cybersecurity Fund for Innovation and R&D in the current and future Research Framework Programme. Furthermore, Europe should create a fund for deployment for the Cybersecurity, opening a new window in the current and future Connecting Europe Facility as well in the next EFSI 3.0.

## Finally, the EESC believes a minimum security level is necessary for "ordinary" "Internet of People" devices. In this case, certification is a key method of providing a higher level of security. Internet of Things security should be a priority.

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* ***Notification of investment projects in energy infrastructure within the European Union***

**Reference:** COM(2017) 769 final – 2017/347 (COD)

EESC-2018-00344-AC-TRA

## Since the Committee endorses the content of the Commission proposal and feels that it requires no comment on its part, it decided to issue an opinion supporting the proposed text.

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# **External Relations**

* ***The role of Turkey in the refugee crisis***

**Rapporteur:** Dimitris DIMITRIADIS (Employers – EL)

**Reference:** EESC-2016-06237-00-00-AC-TRA

Own-initiative opinion

**Key points:**

## The EESC recognises that Turkey is playing a crucial and decisive role in managing the so-called refugee crisis in the Middle East and Mediterranean region and has endeavoured to tackle the problem using its own means, though with additional assistance from the EU and the international community.

## In the view of the EESC, despite the explosive situation of the so-called refugee crisis, to this day the EU has failed to put in place a credible and effective common European immigration policy or a common European asylum system. It urges the Council and the Commission to work more resolutely on this issue, and to oblige those Member States which fail to comply with their European commitments to take the required measures immediately.

## The EESC strongly condemns the xenophobic attitude of some Member States to the refugee crisis and considers this stance to be contrary to the fundamental values of the EU.

## The EESC considers it necessary for Turkey draw up a uniform system for granting international protection to asylum seekers, in accordance with international and European standards, which does not discriminate against those applying for international protection on the basis of their national origin, granting uniform protection to all of them. Among other things, it suggests removing the geographical limitation for non-European asylum seekers and the distinction between Syrian and non-Syrian asylum seekers. The principle of non-refoulement must also be guaranteed.

## The EESC considers it necessary to improve accommodation conditions in Turkey, as well as the policies on the social and economic integration of recognised refugees, in particular with regard to access to employment, healthcare, education and housing. Special attention should be paid to the protection of unaccompanied minors and children, particularly as regards access to education and protection from forced labour and forced marriage.

## The EESC calls for a serious, independent monitoring and surveillance mechanism to be set up in respect of the EU-Turkey Statement on refugees in order to monitor – in cooperation with the Turkish authorities, international NGOs and specialised humanitarian organisations – both sides’ implementation of and compliance with the terms agreed, pursuant to international and European law.

## The EESC considers it essential to strengthen the role of the European Border and Coastguard Agency in order to dismantle trafficking networks and combat people smuggling, in line with international law.

## The EESC calls for full compliance on the part of the EU Member States that have not so far participated in the relocation and resettlement procedures, and for the relevant programmes to be speeded up.

## The EESC is deeply concerned about the general human rights situation in Turkey. Specifically, it is concerned that civil society organisations cannot function unhindered in Turkey, particularly in the wake of the declaration of a state of emergency, and considers that they play a key role in the humanitarian situation of refugee in both the planning and implementation of programmes to integrate refugees into local communities. The EESC is of the view that the social partners can and must play a prominent role in Turkey in order to address the refugee crisis.

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* ***Trade and Sustainable Development (TSD) chapters in EU Free Trade Agreements (FTAs)***

**Rapporteur:** Tanja BUZEK (Workers – DE)

**Reference:** EESC-2017-05323-00-00-AC-TRA

**Key points:**

* The EESC welcomes the European Commission initiative to take stock of the implementation of TSD chapters in EU trade agreements in the non-paper and consult with civil society on the issue.
* The EESC has played an important role in raising awareness of EU trade policy among civil society both in the EU and in third countries. The EESC encourages the Commission to strengthen its dialogue with civil society to develop the functioning of TSD chapters in current and future trade agreements. The EESC also urges the Commission to be more ambitious in its approach, in particular with respect to strengthening effective enforceability of the commitments in TSD chapters, which is of crucial importance to the EESC. TSD chapters must be given equal weight to those covering commercial, technical or tariff issues. The EESC recommends mandating DAGs to monitor the impact of all parts of trade agreements on human, labour and environmental rights, and the scope needs to cover consumer interests.
* The EESC appreciates the mandate given to provide part of the membership and the secretariat of the DAGs. However, it stresses that financing and resources remain a crucial issue in operating current and future DAGs, and asks the Commission as well as the Council and the Parliament to work together with the EESC to urgently implement systemic solutions in this area. Identified shortcomings include an unbalanced membership and delays in establishing DAGs, and the lack of adequate financing for DAGs, both by the EU and the partner countries.
* The EESC urges the Commission to establish a more transparent and streamlined complaint mechanism and further recommends that DAG chairs should participate in the TSD Committee meetings and that the TSD Committee should be required to respond to issues and recommendations raised by the DAGs, within a reasonable timeframe. It recommends a regular dialogue between the EU DAGs, the Commission, the EEAS, the European Parliament and the EU Member States.
* With respect to the Sustainable Development Goals (SDGs), the EESC recommends including a specific clause to promote the SDGs in all future mandates for TSD chapters. With respect to labour provisions, partner countries should demonstrate full respect of the eight ILO Core Labour Conventions before the conclusion of a trade agreement. If a partner country has not ratified or properly implemented these Conventions, or demonstrated an equivalent level of protection, the EESC recommends that a roadmap on solid commitments is sought, to be included in the TSD Chapter to ensure this be achieved in a timely manner.
* The EESC notes that the non-paper raises the issue of sanctions and encourages the Commission to investigate further existing sanctions mechanisms in trade agreements, their usage hitherto and learn from their potential limitations, in order to assess and improve the effectiveness of an enforceable compliance mechanism that could be developed in TSD chapters. In doing so, the Commission should duly note that civil society groups have both expressed support for and serious concerns about their use. The EESC is ready to help develop new ideas to assist the Commission to increase the effectiveness of independent enforcement mechanisms in TSD chapters.

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# **Agriculture, Rural Development and the Environment**

1. ***Boosting climate actions by non-state actors***

**Rapporteur:** Mindaugas MACIULEVIČIUS (Various interests – LT)

**Reference:**  EESC-2017-04464-00-00-AC-TRA

Exploratory opinion at the request of the European Commission

**Key points:**

## The shift towards a low-carbon and climate-resilient economy has been driven to a great extent by bottom-up initiatives led by citizens, innovative businesses and various civil society stakeholders, collectively referred to as non-state and sub-national actors. In recent years, the number, scope and scale of non-state climate actions has grown rapidly. However, non-state actors still encounter formidable obstacles that make it difficult for them to initiate and implement their climate actions successfully.

## The EESC calls for a "European Dialogue on Non-State Climate Action" to strengthen and increase the scope and scale of European-based non-state climate action. The proposed European Dialogue should provide an overview of climate actions within the EU and help track the progress of climate actions at a global level. It should collect feedback on an ongoing basis and address regulatory challenges with public authorities, in order to progressively build an enabling governance environment for bottom-up climate action. The ultimate goal of the proposed dialogue is to accelerate climate actions by making it attractive for a multiplicity of non-state actors to engage in climate actions, and to make climate action the new "business-as-usual". The purpose of the dialogue should be not only to highlight and showcase actions, but also to respond to the needs of non-state actors by inspiring new partnerships among state and non-state actors; facilitating peer learning, training and advice sharing among non-state actors; and facilitating access to finance.

## The organisation of the dialogue should be "light-touch", prioritising the strategic linking of existing programmes, initiatives and institutions, rather than setting up new institutions. The EESC will play a leading role in initiating the dialogue and calls on the other EU Institutions, in particular the European Commission to join this effort to create an enabling environment for non-state climate action by co-operating in helping to operationalise the dialogue.

## The first step for the European Dialogue for Non-State Climate Action should be an event in the first half of 2018, gathering all interested networks of actors as well as representatives of other EU Institutions and the Member States, organised in the spirit of the Talanoa dialogue and serving to establish a clear Action Plan for the Dialogue.

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1. ***Equivalence of inspections - seed produced in Brazil and Moldova***

**Rapporteur:** Emilio Fatovic (Workers – IT)

**Reference:** COM(2017) 643 final - 2017/0297 (COD)

EESC-2018-00043-00-00-AC-TRA

**Key points:**

The EESC endorses this legislative measure. The Committee would, however, express reservations about one aspect: the proposal to grant Moldova equivalence for vegetable seed. These seeds, which are governed by Directive 2002/55/EC, are marketed solely as "standard" category, which does not require the official certification in order to be placed on the market, but rather self-certification by the manufacturer and, only after the marketing stage, any post-controls on the characteristics and quality of the product. This system is based on the assumption of responsibility by the producer, which can be easily identified and traceable when based in the EU. Traceability and control is certainly not a simple matter in the case of products of non-EU origin. The Committee therefore would like to see a more thorough review by the Commission.

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* ***Control of Newcastle disease***

**Reference:** COM(2017) 742 final – 2017/0329 COD

EESC-2018-00197-00-00-AC-TRA

## Since the Committee endorses the content of the Commission proposal and feels that it requires no comment on its part, it decided to issue an opinion supporting the proposed text.

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* ***Herring stocks in the Baltic Sea***

**Reference:** COM(2017) 774 final – 2017/0348 COD

EESC-2018-00210-00-00-AC-TRA

Since the Committee endorses the content of the Commission proposal and feels that it requires no comment on its part, it decided to issue an opinion supporting the proposed text.

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# **Industrial Change**

* ***Industrial change in the health sector***

**Rapporteur:** Joost VAN IERSEL (Employers – NL)

**Co-rapporteur:** Enrico GIBELLIERI (Cat. 2 - IT)

**Reference:** EESC-2017-02848-00-00-AC-TRA

**Key points:**

## Recommendations

## The European institutions should foster economic performance, innovation, digitalisation and effective public procurement, while facilitating cross-border trade in medical devices and industrial products.

## An EU industrial policy must build upon shared national and EU competences in the framework of Article 168 TFEU. In the same vein, EU innovation policies should be supportive. EU funding – Horizon 2020- and other - must be duly coordinated and dovetailed with national programmes.

## The industry will benefit massively from the Digital Single Market strategy. Free flow of (big) data across the Union should be promoted, respecting patient privacy and security.

## Public procurement has a major role in launching projects with advanced technologies. The Commission should ensure effective public procurement across the Union in line with Directive 2014/12.

## Within the broader context of national approaches there are many region based initiatives. The Commission should promote exchange of successful experiences. Bilateral contacts between public and private health authorities must be encouraged.

## The European Semester and CSRs should also examine the effect of technological change on the transformation of health systems.

## The Commission must seek efficient internal coordination. It should foster dialogues and platforms between universities, local authorities, the social partners and the medical technological industry. These can be exemplary for close cooperation between public actors such as national health, finance and industry ministries, and the private sector.

## The human factor is paramount. The transition to new health and care requires an open mind and new forms of professionalism in industry at all levels, as well as a redesign of health and care related work. The European social dialogue in health and social services, that is in place since 2006 should be reinforced in view of adequate education and training programmes as well as to upgrade the quality of working conditions and work places.

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* ***Investing in a smart, innovative and sustainable industry***

**Rapporteur:** Bojidar DANEV (Employers – BG)

**Co-rapporteur:** Monika SITAROVA HRUSECKA (Cat. 2 - SK)

**Reference:** EESC-2017-05067-00-00-AC-TRA

**Key points:**

The EESC recommends that:

## the overall objective of EU action should be to further develop a well-functioning toolbox of horizontal polices and a predictable legal framework in order to incentivise innovation, support investments and help industry provide solutions to societal challenges;

## all actions should be taken to complete the Single Market, with emphasis on implementation by Member States;

## the Digital Market strategy must be implemented urgently, accompanied by a focused employment policy;

## an open and realistic attitude should be adopted towards new, disruptive technologies and business models;

## flexible pathways are needed between work and education, such as apprenticeships and work-based learning. In many Member States, vocational training should be given better appreciation;

## leadership in low-carbon and circular economies should benefit our economies;

## obstacles to turning present, big private savings surpluses into productive investments in industry and infrastructure should be explored;

## EU support should mainly be directed at boosting innovation, scaling up SMEs, helping regions in trouble and empowering people;

## R&D and innovation policies must be guaranteed additional resources in the next financial framework;

## official statistics should better reflect the changed features of the economy, such as the blurring of sectoral borders and new forms of economic activity. A common method of calculating value added from industry and services is needed.

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# **Annual growth survey 2018**

1. ***Annual Growth Survey 2018***

**Rapporteur:** Dimitris DIMITRIADIS (Employers – EL);

**Reference:** EESC-2017-05429-00-00-AC-TRA

**Key messages:**

The EESC:

## considers the framework of the European Semester to be of strategic importance and it is committed to continuing to contribute in the most effective way possible;

## endorses the priorities set out in the European Commission's 2018 Annual Growth Survey;

## reiterates its views regarding the fact that the AGS does not cover other relevant policy areas such as environmental policy or other relevant issues such as the quality of employment;

## supports the view that the key to increasing long-term growth is investment, innovation and knowledge, education and lifelong learning, particularly in green technologies and the circular economy but also in more traditional sectors;

## shares the Commission's view that economically and social reasonable and well-balanced structural reforms in well-functioning labour markets and product markets are essential for the adaptation of the European economy to long-term structural changes and possible economic and environmental shocks;

## considers the European Semester will need to be adapted to a future post-2020 strategy;

## reiterates the need to increase the role of organised civil society in the European Semester cycle and specifically in the preparation of the Annual Growth Survey.

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