



European Economic and Social Committee

Brussels, 22 May 2006

PLENARY ASSEMBLY

17 AND 18 MAY 2006

SUMMARY OF OPINIONS ADOPTED

Full text versions of EESC opinions are available in the official languages on the Committee's web site at the following address:

http://www.eesc.europa.eu/documents/summaries_plenaries/index_en.asp

1. **FUTURE OF THE EUROPEAN UNION – PERIOD OF REFLECTION**

- ***Draft opinion on the contribution to the European Council of 15-16 June – Period of reflection***

- **Rapporteur-general:** Mr Malosse (Employers - FR)

- **Reference:** CESE 513/2006 fin - CESE 745/2006

- **Key points:**

At the European Council of 15 and 16 June 2006, the heads of state and government will conduct a review of the initiatives taken during the period of reflection, which was decided on at the European Council of June 2005 after the failure to ratify the Constitutional Treaty in France and the Netherlands, and they will also have to agree on the next steps of the process.

In this context, the EESC wanted to contribute to the debate, not just by reaffirming its previous position in favour of the Treaty, but also by putting forward various recommendations both for the European Council and the Commission.

These recommendations are based on the assumption that the identity crisis which the European Union is currently experiencing and public scepticism relate more to the EU's functioning and current policies than to the Constitutional Treaty itself.

The EESC therefore feels that:

- on the one hand, the solution aimed at resolving the crisis must maintain the advances and balance achieved by the constitutional treaty, and take into consideration the fact that the treaty has so far been ratified by 15 Member States, and
- on the other, it is up to the European Commission and the European Council, within their respective responsibilities, to make appropriate proposals to lay the foundations for a forward-looking vision of the future of Europe for its citizens, and to flesh out the Union's policies so that they meet the expectations of the peoples of Europe.

In view of this, the EESC is formulating a series of recommendations for the European Council in four main areas aimed at:

- contributing to the establishment of good governance by pressing ahead with the most innovative aspects of the constitutional treaty, in particular by giving civil society organisations and the institutions representing them more of a role in Community policy and decision-making;

- fleshing out Community policies and European citizenship, and developing real common policies in areas where the added value of the European dimension no longer needs to be demonstrated;
- making full use of the existing treaties by using bridging clauses in the Treaty of Nice which allow for qualified majority voting in certain areas of social policy and justice and home affairs, by strengthening economic governance and by addressing the delays and indeed gaps that remain in a number of areas of Community activity;
- encouraging Member States to develop a credible and consistent European information policy, based on networks of civil society organisations.

To conclude, the EESC feels that it is essential to give the European project new credibility and to confer new legitimacy on the integration process if the EU is to overcome its current identity crisis.

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2. **THE INTERNAL MARKET AND COHESION**

- ***Car taxes in the EU***

- **Rapporteur:** Mr Ranocchiari (Employers - IT)
- **Reference:** COM(2005) 261 final – 2005/0130 CNS – CESE 749/2006
- **Key points:**

The EESC fully supports the proposal for a directive, which sets out to improve the functioning of the internal market and, at the same time, to promote environmental sustainability. The EESC also welcomes the use of the third pillar (fiscal measures) to reduce carbon dioxide (CO₂) emissions and agrees with the European Commission's assessment of the beneficial effects that the proposal may have on free movement for citizens and on the car industry.

The EESC therefore calls upon the European Commission to pursue ongoing cooperation with the Member States in order to ensure that the new car taxation system is implemented in a coordinated way and to adopt an integrated approach to enhanced environmental sustainability in road transport.

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- ***Strategy for taxation in the country of residence***

- **Rapporteur:** Mr Levaux (Employers - FR)
- **Reference:** COM(2005) 702 final – CESE 742/2006
- **Key points:**

The EESC notes that it supports the harmonisation of tax rules in the EU in the long term. However, unfortunately many obstacles still stand in the way of harmonisation and consequently the EESC:

- reiterates its approval for the Commission's guidelines and efforts to foster the development of SMEs, but questions the effectiveness of the proposed scheme and its limits;
 - feels that it would be more relevant, for a pilot experiment, to propose more detailed provisions, which build on experience gained in the field, are based on voluntary commitments by Member States and SME business organisations and limit the trial period to five years, in order to obtain useful and replicable information;
 - suggests that, in the longer term, the Commission draws from various EESC opinions to formulate long-term guidelines that would serve as a basis for coherent solutions for SMEs, including ones advocating the drawing up of a European SME Statute.
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- ***Cohesion fund (codified version)***

- **Rapporteur general:** Mr Grasso (Various Interests – IT)
- **Reference:** COM(2006) 5 final – 2003/0129 (AVC) – CESE 743/2006
- **Key points:**

The EESC confirms its opinion, previously expressed on several occasions, that the codification of EU rules helps to bring the European public closer to the EU's instruments. This is all the more important in the case of cohesion policy, which is central to the process of European integration.

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- ***Public passenger transport services***

- **Rapporteur:** Mr Buffetaut (Employers - FR)
- **Co-rapporteur:** Mr Ott (Employees – DE)
- **Reference:** COM(2005) 319 final – 2000/0212 COD – CESE 734/2006
- **Key points:**

The European Economic and Social Committee feels that the proposal for a regulation on public passenger transport services by rail and road submitted by the Commission is an improvement on previous versions in terms of the option for direct award of contracts. In order to achieve the objective of legal security, the following points still need to be clarified:

- specific implementation of the geographical limitation on public transport activity and specific clauses on non-distortion of competition in the event of direct award to a local government-controlled operator;
- derogation from the general principles for the direct award of rail transport contracts, which seems legally unjustified and which should at least be better managed;
- a return to the spirit of the proposal for a regulation of February 2002¹ with regard to the quality of service and compliance with social legislation, without calling the subsidiarity principle into question;
- clearer definition of regional and long-distance transport;
- application of the regulation to all public transport contracts (including the rail sector) involving public service obligations or granting exclusive rights;
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¹

COM(2000) 7 final -2003/0212 (COD), as amended by COM(2002) 107 final.

- ***Place of supply of services***

- **Rapporteur:** Mr Metzler (Various Interests – DE)
- **Reference:** COM(2005) 334 final – 2003/0329 CNS – CESE 741/2006
- **Key points:**

The proposal under review aims to make some particularly controversial VAT rules concerning the place of supply of services simpler and more transparent. The Committee welcomes this initiative on the sixth VAT directive; it is a step in the right direction towards implementation of the Lisbon process and achievement of the objectives set out in the Internal Market Directive.

On the other hand, shortcomings need to be addressed (for example, by developing an alternative system capable of ensuring more effective tax collection, remedying the unequal treatment of individuals/consumers, eliminating distortions of competition, and overcoming confusion in the establishment of basic concepts).

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- ***Exemption from taxes for small consignments***

- **Rapporteur:** Mr Danusevics (Various Interests – LV)
- **Reference:** COM(2006) 12 final – CESE 733/2006
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3. **ENVIRONMENTAL PROTECTION**

- ***Conservation of biodiversity***

- **Rapporteur:** Mr Ribbe (Various Interests – DE)
- **Reference:** Exploratory opinion – CESE 752/2006
- **Key points:**

Biodiversity is the foundation and guarantee of life on our planet. Economic self-interest alone dictates that humanity must strive to keep ecosystems stable. We also owe a debt of responsibility

to the natural world to maintain species diversity. Protecting biodiversity is not some "luxury" to be indulged in or dispensed with at will.

The EESC welcomes the commitment of all the European institutions and, as contracting parties to the Convention on Biological Diversity, of the EU Member States not only to halt but also to reverse this decline. That said, however, the EESC laments the huge gulf that has grown up between ideal and reality: public authorities have so far failed to make the contribution to conserving biodiversity that might have been expected of them. In fact, in this field, it is their duty to be role models; instead, planning decisions and support schemes are often instrumental in imperilling biodiversity still further. Moreover, in the 2007-2013 funding period, particular savings are to be made in precisely those EU policy areas that are of key importance for biodiversity protection.

More overtly positive, practical examples and prototype projects are needed. There must be more action to raise awareness of the intrinsic and practical value of landscapes and of biodiversity in general. Commitment is also needed by public role models. It is, after all, a question of preserving the very foundations of human existence.

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- ***Review of the sustainable development strategy***

- **Rapporteur:** Mr Ribbe (Various Interests – DE)
- **Co-rapporteur:** Mr Derruine (Employees – BE)
- **Reference:** COM(2005) 658 final – CESE 736/2006
- **Key points:**

The EESC has repeatedly mentioned the importance of sustainable development for Europe's future and for global development, and therefore welcomes the presentation of a "platform for action" in which the Commission addresses the issue. However, the EESC deplores the fact that the communication fails to bring sustainable development policy forward, but rather proves that the process currently seems to have stalled.

The Committee notes that the links between the Lisbon strategy and the sustainable development strategy are unclear. Measures to provide information and improve coherence are needed to ensure that these links are understood by the general public. The impact analysis tool must be adapted so as to take account of the social and environmental dimensions to the same extent as the economic dimension. The research and innovation advocated under the Lisbon strategy should explicitly support sustainable development. A strategy should normally describe the means of achieving objectives. The absence of objectives is bound to result in gaps when it comes to identifying

instruments. This is a definite problem with the communication: if you do not know exactly where you are going, then you cannot decide how you will get there.

The EESC for its part intends to contribute to the debate by building up a database that can be used to promote best practice, identifying obstacles encountered by operators, etc. This should enhance the expertise which the Commission and other parties can draw on.

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- **Biomass action plan**

- **Rapporteur:** Mr Voss (Various Interests – DE)
- **Reference:** COM(2005) 628 final – CESE 747/2006

The European Economic and Social Committee strongly supports the biomass action plan, which is intended to make a key contribution to achieving the EU's goal of having renewable energy comprise 12% of overall energy consumption by 2010. A key requisite for enabling farmers to gain greater access to the energy production market is a coordinated agricultural policy, structural policy, regional policy and energy policy; this should also include trade policy (instruments providing for qualified market access under the WTO treaties) and fiscal measures (harmonisation of the laws of the Member States relating to a reduced rate of value-added tax on heating and cooling systems powered by renewable energy). In addition, the share of the resources of the EU Structural Funds set aside for investment in the use of biomass and other renewable sources of energy should increase and amount to 10% of Structural Funds resources – as an average figure for the Member States – by the end of the planning period in 2013. There is also scope for action to be taken in the short term within the framework of the CAP with a view to adjusting the energy plant premium. The need to make it mandatory to draw up biomass action plans in order to identify potential in the Member States is emphasised. The EESC proposes that the requirements in respect of safe certification of the origin of products be defined. It welcomes the fact that, according to the Commission, the same emission standards will apply to bioenergy as apply to fossil fuels. The EESC advocates the uniform application of proven marketing instruments throughout Europe, with the aim of making the use of biomass competitive.

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- ***Thematic strategy on air quality***

- **Rapporteur:** Mr Buffetaut (Employers - FR)
- **Reference:** COM(2005) 447 final – 2005/0183 COD – CESE 750/2006
- **Key points:**

The EESC can only endorse the overarching objectives of the thematic strategy on air pollution and the proposed directive, which is its legislative expression.

As regards the thematic strategy, which cannot be looked at in isolation from the legislative proposal, as is clearly indicated in section 4.1.1 of the strategy:

- the Committee fully endorses the desire to mainstream air quality objectives into other Community policies.

As regards the proposed directive:

- air quality;
 - proposes that the dates set for complying with the obligations laid down in the directive be postponed from 2010 to 2015 for the concentration caps for PM_{2.5} and from 2015 to 2020 for the reduction in human exposure in view of the time required for the successful completion of the legislative process and the establishment of measuring stations in the Member States, and the cost of the necessary investment;
 - believes that, before fixing binding ceilings, it would have been useful to provide for a transition period during which Member States would have been required to move towards "target" concentration values;
 - requests that natural fine particulate matter be excluded from the scope of the directive.
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- ***Assessment and management of floods***

- **Rapporteur:** Ms Sánchez (Employees – ES)
- **Reference:** COM(2003) 15 final/2 – 2006/0005 COD – CESE 737/2006
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- ***Alternative fuels for road transportation***

- **Rapporteur:** Mr Ranocchiari (Employers - IT)
- **Reference:** Own-initiative opinion – CESE 748/2006
- **Key points:**

The European Commission's objective, namely 20% alternative fuels by 2020, rests on two established technologies/products: biofuels and NG, and on one promising development, i.e. H₂ and fuel cells. Biofuels and NG have the qualities to take on the challenge both with respect to fuel distribution know-how and with respect to engine technology.

Biofuels bring about environmental benefits because as a rule they have a much lower impact on the climate and ideally have no impact at all. The EESC therefore warmly welcomes the Communication on "An EU strategy for biofuels" calling for a new drive to boost biofuels production. However, a huge increase of biofuels use must also be evaluated in the light of environment effect.

As regards NG, the EESC recognises that greater use of NG as an automotive fuel is a sensible alternative to petroleum until such a time as hydrogen technology is applicable. The measures adopted until now are not sufficient for the diffusion of NG as an automotive fuel. The present barriers to the diffusion of NG vehicles are mostly due to the insufficient and not uniform distribution network. The European Commission and the Member States should set a good example when they acquire vehicles themselves. The EESC recommends that binding measures are adopted by the European Commission in case the revision of Biofuel directive foreseen in 2006 shows that Member States action was not sufficient to attain the expected targets both for biofuels and for NG.

Hydrogen seems to be the best answer but much more R&D is required to come up with a safe and cost-effective "Hydrogen Economy". Long term alternatives such as hydrogen are the object of intense development efforts: in other words, biofuels and NG are a bridge to the sustainable fuel mix of the 2020 and beyond.

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- ***Clean road transport vehicles***

- **Rapporteur:** Mr Ranocchiari (Employers - IT)
- **Reference:** COM(2005) 634 final – 2005/0283 COD – CESE 735/2006
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4. HEALTH AND CONSUMER PROTECTION

- ***Strategy on mental health for the European Union***

- **Rapporteur:** Mr Bedossa (Various interests – FR)
- **Reference:** COM(2005) 484 final – CESE 739/2006
- **Key points:**

The EESC supports the Commission initiative on developing an integrated European strategy on mental health. There can be no ambiguity about the importance of mental health in Europe or the need for a strategy in this area. The Committee highlights the need to:

- Cover several different aspects, namely:
 - improving health education,
 - reacting more rapidly to health threats,
 - reducing health inequalities,
 - guaranteeing a high level of social protection and good health by means of an intersectoral strategy.
- Define objectives:
 - promoting the mental health of all,
 - putting prevention to the fore,
 - improving the quality of life of people with a mental illness or psychiatric disability, and
 - developing a mental health information system and research programme for the EU.
- Draw up recommendations, specifically:
 - a pilot project on the creation of regional information networks linking all the various players,
 - promoting the process of deinstitutionalisation, to make better use of available resources.

- Determine best practice for promoting the social inclusion and protecting the rights of people with a mental illness or psychiatric disability, which should be one of the responsibilities of the European Union's Fundamental Rights Agency.

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- ***The placing on the market of pyrotechnic articles***

- **Rapporteur:** Mr Cassidy (Employers - UK)
- **Reference:** COM(2005) 457 final – 2005/0194 COD – CESE 730/2006
- **Key points:**

The draft directive is intended: to ensure the free movement of pyrotechnic products within the EU, to improve safety of consumers and professionals, to harmonise safety requirements in all Member States.

The EESC in general supports the Commission draft directive but makes the following recommendations.

- The Commission should consider a longer period for transposition
 - The responsibility for testing and for CE marking should rest with the manufacturer with the importer having a secondary responsibility
 - The RAPEX system could also be used as an interim measure until the directive comes into force
 - Automotive pyrotechnical devices should be covered by a UN/ECE regulation under the 1958 Agreement (WP 29 in Geneva) rather than in a standard
 - The Committee believes that for automotive pyrotechnical devices, the Commission should be prepared to accept some form of type approval.
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- ***Perfluorooctane sulfonates***

- **Rapporteur:** Mr Sears (Employers - UK)
- **Reference:** COM(2005) 618 final – 2005/0244 COD – CESE 731/2006
- **Key points:**

The EESC supports the Commission's proposal, but believes that the derogations should be subject to review on a case-by case basis by the Commission on the advice of the Scientific Committee on Health and Environmental Risks (SCHER).

The timing of any risk or impact assessments should be consistent with the increasing demand for chemicals risk assessment under REACH.

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- ***Medical devices***

- **Rapporteur:** Mr Braghin (Employers - IT)
- **Reference:** COM(2005) 681 final – 2005/0263 COD – CESE 732/2006
- **Key points:**

The proposal amends Directive 93/42/EEC in order to clarify certain existing requirements and to provide a legal basis for planned initiatives. Also, in order to align the text of the framework Directives on medical devices, it amends Directive 90/385/EEC relating to active implantable medical devices.

The EESC endorses the Commission's proposal. However, it offers a number of practical suggestions aimed at furthering the aims of legal certainty, clarity, simplification and health protection.

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5. EMPLOYMENT, EDUCATION AND TRAINING

- *Employment Guidelines*

- **Rapporteur:** Mr Greif (Employees – FR)
- **Reference:** COM(2006) 32 final – 2006/0010 (CNS) – CESE 746/2006
- **Key points:**

The Committee has already welcomed the 2005-2008 guidelines with the new integrated approach and multi-annual cycle. Success depends on Member States taking their responsibilities seriously and actually putting the agreed priorities into practice, with the involvement of national parliaments, social partners and civil society.

Unfortunately, there is little sign in many Member States of labour market improvement and more and better jobs.

The EESC advocates more effective measures to stimulate the economy, including public investment, and which respect workers' rights and obligations, which really involve the social partners and relevant social players, and which include binding timescales and responsibilities. Participatory democracy must be properly integrated in the drawing-up and implementation of national reform programmes and in the Employment Guidelines procedures. The employment pillar of the Lisbon process will largely depend on this.

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- *Flexicurity: the case of Denmark*

- **Rapporteur:** Mrs Vium (Various interests – DK)
- **Reference:** Own initiative opinion – CESE 740/2006
- **Key points:**

Danish-style flexicurity appears to provide an example of how to achieve economic growth, a high level of employment and sound public finances in a socially balanced way. Danish-style flexicurity provides security through a high level of unemployment benefit and flexibility through liberal dismissal rules. Importance is also placed on an active labour market policy. Danish-style flexicurity cannot be seen in isolation from the overall context of the welfare state and a strong organisational set-up. This applies to the key role of the social partners in political decision-

making and to the application of labour-market and training policies, the broad-based publicly funded welfare system, and the skills level of the population. The Danish flexicurity system is based on a macroeconomic policy-mix that fosters growth and employment. High tax revenue is a *sine qua non* of the Danish flexicurity system.

If we consider Danish-style flexicurity within a European context, it is obviously impossible to copy the system blanket-fashion, given the cultural, structural and economic differences involved. That said, some general features may be considered for adoption as a political strategy in other Member States, particularly in places where social capital – understood as the full gamut of standards and networks, combined with a relationship of trust among individuals and among organisations – has developed along similar lines to Denmark, including a tradition of cooperation between the government and the social partners and a readiness by the people to embrace change.

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- **Key competences for lifelong learning**

- **Rapporteur:** Ms Herczog (Various Interests-HU)
- **Reference:** COM(2005) 548 final – 2005/0221 (COD) – CESE 754/2006
- **Key points:**

The EESC strongly supports the Commission's recommendations concerning key competences for lifelong learning, which are fully consistent with the Lisbon strategy for a knowledge society and with the Employment Guidelines 2005-2008.

The EESC feels that the proposal, if implemented, could help to overcome current problems on the labour market.

The EESC feels that it is especially important to ensure that young people dropping out of school should have the opportunity through non-formal training programmes of receiving assistance in acquiring the key competences outlined in the proposal.

Given the ageing population, older workers must be kept on the labour market longer, so the EESC also feels that it is particularly important for older workers in the Member States to have the opportunity to acquire competences which they lack, and for Member States to set up learning infrastructures to enable competences which have already been acquired to be maintained and developed.

The EESC acknowledges the cardinal role of the social partners, as the main players in the labour market, in the process of implementing and monitoring the goals set.

The EESC also calls for a more active participation of NGOs in the whole process and recommends strengthening dialogue with civil society.

It is extremely important for reliable statistics to be available in order to monitor and evaluate progress towards achieving lifelong learning objectives.

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6. EXTERNAL RELATIONS

- ***Situation of civil society in the western Balkans***

- **Rapporteur:** Mr Dimitriadis (Employers - EL)
- **References:** Exploratory opinion – CESE 751/2006
- **Key points:**

The EU lost credibility in the Western Balkans during the 1990s, but it has a key role to play in supporting civil society organisations in the region.

Political instability, corruption and the lack of investment are holding economic development back.

The EESC is prepared to support the development of networks of civil society organisations and to set up Joint Consultative Committees with all the states of the region.

The EESC calls on the European Commission to intensify its support, and financial support in particular, for civil society organisations in the Western Balkans, and to ensure closer coordination between the various EU bodies and institutions which are active in this field.

The EESC calls on the governments of countries in the regions to pay more attention to the views of civil society organisations.

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- ***The need to treat Africa as a priority: the views of European civil society***

- **Rapporteur:** Mr Bedossa (Various Interests – IT)
- **Reference:** Own-initiative opinion – CESE 753/2006
- **Key points:**

The EESC endorses the main principles of the EU strategy for Africa, adopted by the European Commission in 2005, and welcomes this ambitious, exhaustive document.

However, in view of the number of promises that were made to Africa in the past only to be subsequently broken, the EESC would take a cautious approach: the biggest favour the EU can do for the African continent is to keep all its new promises.

The EESC has identified two crucial areas where civil society organisations can make a difference: governance, following precise specifications; and the fight against AIDS.

In both cases, the EESC calls on the major international development players to be constantly engaged, and for easier access to Community funding for African civil society organisations working in these areas.

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- ***External action of the Union: the role of organised civil society***

- **Rapporteur:** Mr Koryfidis (Employees – EL)
- **Reference:** Own-initiative opinion – CESE 744/2006
- **Key points:**

The objective of the own-initiative opinion is to identify and define the new role of the EESC and, more broadly, of organised civil society in relation to the external action of the Union, including the Common Foreign and Security Policy (CFSP).

The opinion is the result of lengthy theoretical analysis and practical investigation, as well as of the experience acquired by the EESC in the relations it has established with the consultative bodies and other organisations of civil society in the candidate countries and non-member countries.

The EESC takes the view that the globalisation of the economy and developments in science and technology – especially information technology translates into structural integration of relations between societies into traditional relations between states.

In this context, the EESC as the mouthpiece of organised civil society at the European level is entrusted with a triple role:

- that of organised civil society's voice on matters of external action vis-à-vis the Union's political bodies, based on its democratic *acquis* and a process of reconciliation of different interests;
- that of active participation in the planning and development of the Union's policies involving external action;
- that of monitoring the external policies implemented by the EU and their economic and social effects.

The EESC calls upon the Union's political bodies to adopt a method of continuing interinstitutional dialogue for the purpose of:

- acquiring reliable collective knowledge about the Union's external action;
 - achieving a consensus on the *what*, the *why* and the *how* of the activities to be developed.
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7. JUSTICE

• Civil protection

- **Rapporteur:** Ms Sánchez (Employees – ES)
- **Reference:** COM(2006) 29 final – 2006/0009 CNS – CESE 738/2006
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8. RESEARCH

- *Assessment of Community research activities*

- **Rapporteur:** Mr Braghin (Employers - IT)
- **Reference:** COM(2005) 387 final – CESE 729/2006
- **Key points:**

In the second half of 2004, a Panel of thirteen high-level experts carried out the Five-Year Assessment covering Community research activities 1999-2003, as foreseen in the 6th Framework Programme.

- The EESC values and supports the efforts made in the third five-year assessment and the engagement on a large scale of such high-powered intellectual resources.
- The EESC has repeatedly expressed its support for substantially increasing the European R&D budget and therefore regrets the proposed reduction of this sum.
- The EESC stresses the importance of greater commitment by industry to research and innovative development to achieve the Barcelona Council goal.
- The EESC calls for instruments to be developed to encourage private funding of research and development.
- The EESC agrees with the panel's position on the need to offer researchers greater autonomy and responsibility.

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