



*Comité économique et social européen*

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**SUITE AUX AVIS**

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du troisième trimestre 2010

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Relevé trimestriel présenté  
par la Commission européenne

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**SUIVI ACCORDÉ PAR LA COMMISSION AUX AVIS DU**  
**COMITÉ ÉCONOMIQUE ET SOCIAL EUROPÉEN**  
**RENDUS AU COURS DU 3<sup>ème</sup> TRIMESTRE 2010**

**(Juillet et septembre 2010)**

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**PARTIE A: Avis exploratoires**

<b>20. The impact of population ageing on health and welfare systems</b> <b>Exploratory Opinion – EESC 972/2010 - July 2010</b> <b>Rapporteur : Mrs HEINISCH (Var. Int./DE)</b> <b>DG EMPL – Mr ANDOR</b>	
<b>Main Points of the EESC Opinion</b>	<b>Commission Position</b>
1.1 With reference to the conclusions of the EPSCO council on 30 November 2009, drawing up an action plan for healthy and dignified ageing.	The European Commission has on September 6, proposed that 2012 be designated as the "European Year for Active Ageing". The proposed initiative aims also at promoting healthy ageing. The Commission will produce in 2011 a staff working document on long-term care.
1.2 Prioritising the issue of active, healthy and dignified ageing in the EU 2020 strategy.	<p>The Commission emphasised in its Communication on 'EU 2020' the importance to the EU of promoting a healthy and active ageing population in the interests of social cohesion and higher productivity.</p> <p>2020 and Ageing dimension are closely connected:</p> <ul style="list-style-type: none"><li>- The headline target concerning poverty will involve a close connection with ageing dimension, as elderly population is more at-risk of poverty than the rest of the population.</li><li>- The headline targets defined in EU 2020, especially reaching 75% of activity for the working age population will be one of first example of this prioritisation. It will be pursued in close connection with other related topics, especially fight against health inequalities.</li></ul> <p>On 6 October 2010 the Commission adopted the Communication on Innovation Union – one of the flagship initiatives of the Europe 2020 strategy – which introduced the novel concept of European Innovation Partnerships. The EIPs aiming to tackle societal challenges by pooling commitments of EU, national and regional level actors, around common goals.</p> <p>As a pilot case for the EIPs the Commission selected the challenge of ageing of the population. Specifically, it set out the clear and measurable goal of increasing the average healthy years of European citizens by 2 years by 2020.</p>

<p>1.3. Emphasising active, healthy and dignified ageing as a key theme in the European Years 2010 (European Year for Combating Poverty and Social Exclusion), 2011 (European Year of Volunteering) and 2012 (European Year of Active and Healthy Ageing and Intergenerational Solidarity) and during the corresponding Council presidencies.</p>	<p>Elderly people are one of the groups presenting a particular risk of poverty. The European Year 2010 has a particular focus on these groups. The European Year 2011 aims also at promoting senior volunteering. The proposed European Year 2012 will promote active and healthy ageing.</p>
<p>1.4 Developing a European Charter on the Rights of Persons in Need of Assistance and Care.</p>	<p>The European Union is currently co-financing under the DAPHNE an action called EUSTaCEA – European strategy to combat elder abuse against older women<sup>1</sup>. The aim of the project is to develop a European Charter on the rights of older people, and women in particular, who are dependent on a family member or carer, or are need of long-term care or assistance. The draft version of the Charter is already available and will be discussed at a conference organised at the European Parliament on 17 November 2010.</p>
<p>1.5 Inclusion of gerontology and demographic research as a priority in the Eighth Research Framework Programme.</p>	<p>Several research projects have been supported by the EU Commission on ageing dimension (see above)</p> <p>European Innovation Partnership in the field of active and healthy ageing will streamline and simplify existing instruments and initiatives to integrate different initiatives into a single coherent policy framework.: To that end, it is expected that the Commission will leverage EU instruments, namely 8<sup>th</sup> Framework Programme to achieve the objectives of this initiative.</p>

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<sup>1</sup> <http://www.age-platform.eu/en/daphne>

<p><b>46. How to foster efficient partnership in the management of cohesion policy programmes, based on good practices from the 2007-2013 cycle</b>  <b>Exploratory Opinion - EESC 967/2010 – July 2010</b>  <b>Rapporteur : Mr OLSSON (Var. Int./SE)</b>  <b>DG REGIO – Mr HAHN</b></p>	
<p><b>Main Points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>1.1. The EESC strongly believes that genuine and profound partnership greatly improves the effectiveness and overall success of the EU's cohesion policy. Partnership is a tool for sustainable, economic and social development: it makes EU funds responsive to the needs of actors on the ground; it increases the visibility of the EU; and it strengthens democracy. Successful partnership must be based on a long-term perspective of real participation, providing equal opportunities for private partners to play an active role alongside the public authorities. It Takes Two To Tango.</p>	<p>The Fifth Cohesion Report recognises the importance of a strengthened partnership with local and regional authorities, social partners and civil society. It clearly stresses that for the Europe 2020 Strategy to succeed European, national, regional and local levels all need to play their part. In this regard, the report proposes to improve governance of cohesion policy by reinforcing partnership, requesting that representation of local and regional stakeholders, social partners and civil society should be fully mobilised in both the policy dialogue and implementation of cohesion policy.</p>
<p>1.2. The current regulations still leave too much room for national interpretation of the concept of partnership. A strengthening of these rules is needed, particularly of Article 11 of the general Regulation 1083/2006. The EESC proposes, for the future, a number of changes to the wording of that article, thus establishing minimum requirements for partnership</p> <p>1.3. The EESC regrets that the European Commission's role has, in recent times, focussed more on procedure and thereby less on results. The EESC firmly believes in a stronger and much more pro-active role for the Commission as guardian of the partnership principle. The Commission should, jointly with the Member States (hereafter MS), regions and together with organised civil society, strengthen propagation of the principle based on the Open Method of Coordination.</p>	<p>In the current context of debate on the future of cohesion policy, the Commission is examining the different changes to the Regulations, including changes to article 11. However, the contribution of the EESC will be closely taken into account during the preparatory work.</p> <p>The conclusions of the Fifth Cohesion Report note the need to steer the policy decisively towards results. Strong and enhanced partnerships can help improve the efficiency of the programmes on the ground. The Commission takes note of the EESC opinion that it should be more pro-active as regards partnership and the reference to the OMC principles. However, the subsidiarity principle must be recalled in this context, too.</p>
<p>1.4. Continuous capacity-building of the partners is crucial: technical assistance resources should be made available to social partners and civil society in all operational programmes.</p>	<p>The Commission agrees that reinforcement of capacity building of socio economic partners and NGOs is a crucial point. There are already, in the current programming period, some measures that address this problem, in particular for socio economic partner organisations. The extension of such measures</p>

	<p>would be a step forward in the reinforcement of partnership.</p>
<p>1.5. The EESC underlines that global grants are a very efficient instrument to achieve real participation of partners - particularly small enterprises and the social economy - and should therefore be extensively used by all Member States in both ESF and ERDF programmes.</p> <p>1.6. The EESC also advocates a return to simplified Community initiative programmes targeted at social innovation and local development.</p>	<p>The roles of social innovation and local development have particularly been highlighted in the conclusions of the 5<sup>th</sup> Cohesion report. The Commission has just launched a public consultation on the future of cohesion policy. It will examine thoroughly all proposals made in this context.</p>
<p>1.7. For post-2013 EU cohesion policy, programme structures and regulations should facilitate the implementation of the partnership principle. This is in line with the Barca Report, which focuses strongly on the link between a "place-based approach" and partnership, and which is particularly relevant for the ERDF and should be part of the Europe 2020 strategy.</p>	<p>See above. The Fifth Cohesion Report states that there will be a special attention to local development approaches under cohesion policy, favouring local partnerships to deal particularly with issues like social inclusion, fostering social innovation, developing innovation strategies or designing schemes for regeneration of deprived areas.</p>
<p>1.10 The EESC is acutely aware that no one size fits all. Nevertheless, good practice can and should be disseminated widely. Such good practice has been identified and is described in the annex to the current opinion. The EU Commission should support its dissemination.</p> <p>1.11 In most MS, regions play a crucial role in implementing the partnership principle. The EESC therefore proposes that regions wanting to share their experience and disseminate good practice set up a network of "regions of excellence in partnership" and believes the Committee of the Regions would be the appropriate mentor for such a network.</p>	<p>The dissemination of good practices and the establishment of a network of regions or schemes of excellence in partnership are also measures that the Commission encourages. The Commission welcomes the fact that some good practices have already been identified in the report.</p>
<p>1.9. Simplification is imperative in order to enhance – the positive impact of programmes, notably for projects involving smaller players. Controls on projects must be rationalised. Financial payments to such players must be better facilitated and speeded up through pre-financing and payments made in due time.</p>	<p>As stated in the conclusions of the Fifth Cohesion Report, further reforms of cohesion policy should aim to steer the policy decisively towards results, while cutting red-tape and simplifying the daily management of the policy.</p> <p>The Commission supports the link between reinforcement of partnership and simplification. The Commission has made an important effort as regards simplification that led to the approval of changes in the current regulations. Partnership is more efficient if programme design, implementation,</p>

	<p>monitoring and evaluation are not too complex, as many non-governmental partners do not have human and material resources to deal with difficult and time-consuming rules and procedures.</p>
<p>5.17 The EESC reiterates its demand to integrate and coordinate all the funds associated with the Union's cohesion policy, including also the EAFRD and the European Fishery Fund into Single Operational Programmes. Such an integration will further efficient partnership, as partners generally have a holistic view of development. The EESC believes there is also a case for actively pursuing integration with national policies, thus benefiting doubly from an integrated approach at European and national level.</p>	<p>The EU Budget Review outlined a new strategic programming approach for cohesion policy with a view to closer integration of EU policies to deliver the Europe 2020 Strategy and the Integrated Guidelines.</p> <p>In this sense, the Fifth Cohesion Report proposes a common strategic framework (CSF) adopted by the Commission translating the targets and objectives of Europe 2020 into investment priorities. The framework would cover the Cohesion Fund, the European Regional Development Fund, the European Social Fund, the European Agricultural Fund for Rural Development and the European Fisheries Fund.</p> <p>Based on this CSF, development and investment partnership contracts would be established, setting out the investment priorities and allocations of the national and EU resources between priority areas and programmes. The consultation on the conclusions explicitly addresses the scope of this contract.</p>

<p><b>48. European Union Strategy on the Danube Region</b>  <b>Exploratory Opinion – EESC 1168/2010 - September 2010</b>  <b>Rapporteur : M. BARABÁS (Var. Int./HU)</b>  <b>DG REGIO – Mr HAHN</b></p>	
<b>Main points of the EESC Opinion</b>	<b>Commission Position</b>
1. Conclusions and proposals.	The support of the EESC to the European Strategy for the Danube region (EUSDR) is welcomed. The expectations of the EESC in relation to the Strategy are in line with the objectives of the Strategy.
1.2 Observations at political level.	The points covered are taken into account in the prepared Commission documents. In particular: The civil society has been consulted and its proposals considered (for example the importance civil society in implementation is explicit) - 1.2.1; The Strategy acknowledges the importance of having an integrated approach - 1.2.2; The Strategy includes measures on 'soft security' - 1.2.3; The Strategy is in line with the governance issues raised - 1.2.4 to 1.2.14; In relation to the proposal about assigning additional financial resources (1.2.9), please note that the strategy is based on the principle that there will be no new funding involved. This approach is described in the Communication to be adopted in December 2010.
1.3 Practical proposals at the level of civil society for the action plan accompanying the planned Danube strategy.	The concrete proposals listed in this chapter have been incorporated to the Action Plan of the EUSDR. This work has been done also with consideration of other comments received during the consultation process from different stakeholders. Actions and projects included in the Action Plan have been suggested by Commission services, countries and several different organisations and reached a consensus among the countries participating in the strategy.
2. Danube Strategy Guidelines.	The points covered have been taken into account.
3. Background.	The commitment of EESC to play an active role is welcome. The text of the Action Plan makes an explicit reference to this under priority area 10. To step up institutional capacity and cooperation.

**PARTIE B: Avis rendus à la demande du Conseil**

<p><b>18. Toward the wider uptake of electric vehicles</b>  <b>Opinion on request of the Belgian presidency – EESC 989/2010 – July 2010</b>  <b>Rapporteur : Mr OSBORN (Var. Int./UK)</b>  <b>DG ENTR – Mr TAJANI</b></p>	
Main points of the EESC Opinion	Commission position
EESC support the European strategy on clean and energy-efficient vehicles proposed by the Commission in April (COM (2010)186).	The strategy is already in the implementation phase, including the actions on development and promotion of electric vehicles. The Commission will report on the implementation of the strategy during the Competitiveness Council in November.
EESC recommends several further actions by the European Union and its member states (in addition to the strategy).	Additional actions will be discussed in CARS 21 process, which has been re-launched with an enlarged group of stakeholders. EESC representative is a member of this High Level Group.
EESC recommends a number of priorities for R & D, for acceleration of key standardisation programmes, for expanding relevant skills and training programmes, and for managing and smoothing changes in the pattern of employment in the car sector and associated sectors.	The R&D priorities identified by the EESC correspond to current research priorities under the 7 <sup>th</sup> Framework Research Programme whereas the issue of the access to raw materials will be addressed by the Raw Materials Initiative and the Raw Materials Partnership.
EESC emphasises that the transition to EVs can only achieve greenhouse gas emissions reduction if the electricity for the vehicle itself comes from low or zero carbon sources. Therefore the transition to EVs must be matched by a parallel additional switch of electricity generation in the low carbon direction.	The European Union is firmly on the track of energy (and electricity) decarbonisation with share of renewables constantly increasing in energy consumption. Importantly, emissions from the electricity sector are capped by the EU Emissions Trading Scheme. In the transition period, the electric vehicles are also offering other advantages such lower pollutant emissions, cutting pollution and noise in urban areas.
EESC recommends urgent studies and projects on possibility of introducing smart technology into the management of the grid and into the recharging infrastructure for EVs.	Smart charging will be addressed in the European research projects.
The EESC urges the European Union and its Member States to launch a major collective effort to promote and support the transition to electric mobility.	The European Union remains technologically neutral and will support all clean automotive technologies (including energy-efficient Internal combustion engines). This is why the new Communication on industrial policy (COM(2010) 614) proposes a Clean and Energy-efficient Vehicles platform, bringing together Member

	<p>States, industry, and other stakeholders to ensure infrastructure investments, including pilot projects, and to launch research initiatives on key technologies and materials.</p>
<p>The EESC strongly supports the Commission's proposal to relaunch the CARS 21 High Level Group with extended stakeholder involvement to address the barriers to market uptake of the new technologies. The EESC recommends that this should include a specific social issues working group, and that steps should immediately be taken to develop and reorientate sectoral training and education structures to meet emerging skills needs resulting from EV technology.</p>	<p>CARS 21 High Level Group has been re-launched and one of its four thematic working groups will be working on social aspects of competitiveness, restructuring and industrial transformation, on workers training and upskilling.</p>

<p><b>21. The development of social welfare benefits</b>  <b>Opinion asked by the BE Presidency – EESC 977/2010 – July 2010</b>  <b>Rapporteur : Mr VERBOVEN (Work./BE)</b>  <b>DG EMPL - Mr ANDOR</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>"1.5 - The Council considers that the best way to escape from exclusion is to get a sustainable, quality and properly paid job. Structural improvement measures should be adopted in order to create an inclusive labour market.."</p>	<p>The Commission fully agrees on this point. It highlighted in various reports (including the Joint Report on Social Protection and Social Inclusion) that in most cases a job is the best way out of poverty and social exclusion. It also stressed the importance of having quality jobs to fight the well-known phenomenon of in-work poverty. Indeed, the active inclusion strategy makes of inclusive labour markets one of the key ingredients in the fight against poverty and social exclusion.</p>
<p>"1.7 – The EESC points out that in its opinion of 12 July 1989 on poverty, it recommended the introduction "of a minimum social income, both to act as a safety net for the poor and to boost their reintegration into society". It regrets that this opinion [...] have, at the present time, still not led to appropriate follow-up action. The EESC therefore feels that the phasing-in of a guaranteed minimum level of income and services as part of the social welfare system should be envisaged using a new instrument which, while taking into account specific national circumstances, would provide more effective support for the policies to combat poverty pursued within the various Member States.."</p>	<p>The Commission fully agrees on the key role played by minimum income protection in the fight against poverty and social exclusion. Adequate income support is indeed at the heart of the active inclusion strategy.</p> <p>The Commission has already started a thorough analysis of the functioning and loopholes of minimum income schemes for the poor in the Member States (see Joint Report on Social Protection and Social Inclusion 2010). Peer reviews supported by the Commission in the context of the social OMC have fostered the exchange of best practices and policy learning also in the area of minimum income protection. In the future, the Commission intends to continue its work on this issue in full respect of the subsidiarity principle along the lines mentioned above.</p>
<p>"1.9 - ..the Committee notes that the general use of activation schemes is not the subject of special attention under the OMC for social protection. It recommends that a report be drawn up by the Committee for Social Protection in order to study if these arrangements for activation are indeed the result of a balance between the values of solidarity, responsibility and cohesion."</p>	<p>The Commission has already started an analysis of activation schemes used in the context of minimum income benefits (Joint Report on Social Protection and Social Inclusion 2010). In the near future further analytical input on this issue will be produced together with the Indicators Sub-Group of the Social Protection Committee in the context of the work already planned on active inclusion.</p>

<p>"3.6.2 - ...In future, measures need to be taken to reduce the income gaps between the pensions paid to men and women. (...) The EESC would also like to stress that generalised use of schemes providing minimum pension has a major role to play in combating poverty among the elderly. The EESC urges the SPC and the OMC to pay a particular attention to this point."</p>	<p>The Commission agrees that more needs to be done to reduce the gender gap in pensioners' income. This is why the Commission suggests that statutory retirement ages in the Member States are equalised for both genders. The Commission agrees that many of the pension reforms have strengthened work incentives. These reforms need to be accompanied by improvements in the ability of labour markets to deliver stable employment opportunities throughout extended working careers. The Commission is working with the Economic Policy and the Social Protection Committees to look at the closer connection of pensions to labour markets, and a joint EPC-SPC report on pensions will be published soon.</p> <p>The Social Protection Committee has looked into minimum income schemes and published a report in 2006. In the future the Commission will invite the Committee to look at this issue again.</p>
<p>"3.6.4 - ...the development of supplementary schemes must meet certain conditions, and in particular be governed by a European regulatory framework developed in collaboration with the social partners."</p>	<p>The Commission has recently published a Green Paper on pensions in which it asks whether current EU legislation needs reviewing to ensure a consistent regulation and supervision of funded pension schemes and products. Stakeholders are also asked how could European regulation or a code of good practice help Member States achieve a better balance for pension savers and pension providers between risks, security and affordability. The Commission believes that the consultation process launched by publication of the Green Paper will bring answers to these questions.</p>

	The Commission also agrees with the fact that coverage of the supplementary pension funds should be extended, what was mentioned in a series of publications (e.g. see Joint Report on Social Protection and Social Inclusion 2010).
<p>"3.5.2 Unemployment insurance cannot consist simply of granting allowances, but must be coupled with appropriate and dynamic support measures to help people get a quality job. Such active policies have to guarantee that people have accompaniment tailored to their requirements and access to training that provides qualifications<sup>2</sup>. In addition, other factors such as the availability, effectiveness and quality of childcare services, access arrangements for people with disabilities, and teaching and public health infrastructures have an important role to play<sup>3</sup>. The public authorities should ensure that these factors, which are essential for smoothing the transfer from one job to another, are in place"</p>	The Commission would agree with this and would promote such a view of the link between active labour market policies and unemployment benefits in further developing the application of the flexicurity principles in a post crisis EU labour market to be set out in the upcoming Europe 2020 flagship "Agenda for New Skills and Jobs"

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<sup>2</sup> Idem 18.

<sup>3</sup> Idem 11.

<p><b>22. Child poverty and children's well-being</b>  <b>Opinion asked by the BE Presidency - EESC 978/2010 – July 2010</b>  <b>Rapporteur : Ms KING (Empl./UK)</b>  <b>DG EMPL – Mr ANDOR</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>1.6 The Committee is however disappointed that there is not a specific target to reduce child poverty and promote child well-being, given the political attention and wide range of initiatives on this issue at EU and Member State level since 2000.</p>	<p>Policies to implement the headline target for poverty reduction and social inclusion will certainly have an impact on the reduction of child poverty. The Commission will work with Member States and encourage them to define strategies that have the greatest impact on vulnerable groups, including children.</p> <p>The June 2010 European Council conclusions state that '... Member States (are) free to set their national targets on the basis of the most appropriate indicators, taking into account their national circumstances and priorities.'</p>
<p>1.11 The EESC supports the call for a comprehensive Commission Recommendation on Child Poverty and Well-being to set key policy objectives and targets and create a framework for ongoing monitoring, exchange, research and peer reviews that will contribute to the achievement of this EU 2020 poverty target.</p>	<p>The Commission will further develop the work done on child poverty in the European Platform Against Poverty. In this context, the Commission will assess the need and the merit of a specific recommendation on child poverty and well-being.</p>

<p><b>24. Green jobs (SOC/385)</b>  <b>Opinion asked by BE Presidency - EESC 1174/2010 – September 2010</b>  <b>Rapporteur : Mr. IOZIA (Work./IT)</b>  <b>DG EMPL – Mr ANDOR</b></p>	
Main points of the EESC Opinion	Commission Position
<p>1. It would be better to talk about the greening of jobs than green jobs.  Creation of greener jobs should be mainstreamed into all EU policies.  Adequate income support and retraining instruments should be developed in good time.</p>	<p>The Commission agrees with the approach taken. An excessively narrow definition of the green economy and green jobs may result in a failure to take advantage of the wider economic and labour-market consequences of tackling the environmental challenges.  Green jobs and skills in the eco-technology sector enable the greening of the wider economy and should be complemented by development of relevant skills and jobs across all sectors.  The Commission believes that in the long term all jobs will become green(er). For that end, environmental, economic, educational, social and employment policies should be consistent with each other and mutually reinforcing. Climate change and resource efficiency issues will be mainstreamed within Europe 2020 policy framework, and Commission will also undertake efforts to ensure the employment aspects are given more detailed attention by all the DGs responsible for the sustainable growth policies. (see also point 9 on impact assessment below)</p>
<p>2. Commission, Council and Parliament should put together a European plan to promote green jobs.</p>	<p>The Commission is not convinced of the need for a specific EU plan to promote green jobs. However, the mainstreaming of employment considerations should be part of green policies. When it concerns specifically the employment policies, preliminary findings by the Commission services responsible for employment, social and equal opportunities suggest that in that respect, mostly the reinforcement and better implementation of general measures, including also those in the field of CSR and raising the quality of work, rather than the reinvention of new policy instruments seems to be most beneficial.  Those issues will be addressed further in the forthcoming Staff Working Document on "Employment Dimension of a Greener</p>

	<p>Economy", and the Europe 2020 flagship initiative "An Agenda for new skills and jobs".</p>
<p>3. Commission should issue a specific Communication on promotion of greening of jobs, on the basis of the data analysis currently being carried out by the ESF Committee and the DG EMPL working document.</p>	<p>The Commission has no plan to issue a specific Communication on green jobs. However, the findings of the survey made by DG EMPL in 2010 on ESF-funded projects relating to the greening of the economy will be discussed and disseminated within the ESF committee at the beginning of 2011. Furthermore, a specific report on the "ESF and sustainable development" will also be published and made available for the public around the same time. These findings together with further insight from the Staff Working Document on "Employment Dimension of a Greener Economy" will feed into further work linked to the development and implementation of sustainable growth policies in the course of 2011. Also exchange of practices and policy learning in terms of employment policies supporting green transition will be fostered.</p>
<p>4. The structural and Cohesion funds should be used. Operational programmes in the next programming period could provide support to a new 'Marshall Plan' for the environment and social sustainability.</p>	<p>EU funds are already used to this end. The EU budget review Communication clearly stipulates that the EU funds will follow the Europe 2020 Strategy objectives, providing therefore support to implementation of policies under sustainable growth pillar as well as inclusive growth pillar.</p> <p>The European Globalisation Adjustment Fund enables co-financing for measures through which the targeted workers can acquire skills needed for the transition to a low-carbon and knowledge-based economy.</p>
<p>5. ESF resources should be channelled into all activities which could help reduce the carbon footprint. There is no need to establish a sixth pillar of the ESF dedicated to green jobs, but to identify 'greening of jobs' as a specific priority within ESF strategies, and expand the guidelines on re-skilling and adaptation programmes.</p>	<p>The Commission will further explore the possibilities how the ESF could best meet the challenge and facilitate the transition to a green(er) economy and provide support to the workforce during the transition.</p> <p>Efforts should aim to reduce not only the carbon footprint, but also the wider ecological footprint.</p>

<p>6. EGF eligibility criteria could be reduced from businesses with at least 500 staff to firms with at least 50 staff.</p>	<p>Regulation (EC) No 1927/2006 – as amended in 2009 – allows the EGF to become involved when at least 500 redundancies occur in a company and its suppliers and downstream producers or in enterprises (especially small and medium-sized ones) operating in the same sector and the same region. The EGF therefore provides support to redundant workers notwithstanding the size of their former enterprise.</p>
<p>7. Idea of European Sector Councils deserves support. They should be based on the achievements of initiatives such as European Qualifications Framework (EQF), the European Credit Transfer and Accumulation System (ECTS), the European Credit System for Vocational Education and Training (ECVET), the European Quality Assurance Reference Framework (EQARF) and Europass.</p>	<p>At European level, the Commission promotes the establishment of European sectoral councils on employment and skills (ESCs) to support the management of changes at sectoral level and reduce skills mismatches, through the quantitative and qualitative analysis of labour market trends. Green jobs and skills are not specific to a single sector and should be addressed in the relevant sector councils. Moreover the Commission envisages the possibility of setting up a transversal council where green jobs and skills should be a theme for discussions and exchanges.</p>
<p>8. Set up a 'European sovereign fund' managed by EIB.</p>	<p>When investigating the role of ESF in promoting the green economy, the Commission will also explore partnerships with the EIB.</p>
<p>9. A serious impact-assessment policy is required as regards assessing energy and climate plans in connection with European and national legislation.</p>	<p>The Commission agrees with this recommendation. The EU impact assessment (IA) mechanism already includes the employment considerations in the course of development of all EU policies. Current practice shows its quality and detail could be further reinforced. Under the sustainability pillar, DGs should duly take into account in the preparation and IA of new policies initiatives the employment and social dimension.</p>
<p>10. The Commission should provide effective support for tele-working, with initiatives to encourage its spread.</p>	<p>The Commission will continue together with the Member States building knowledge and stimulating policy learning in order to identify the most efficient employment policies supporting green transition.</p>

<p>11. Extend Life + programme under the next Financial Framework (2014-2020).</p>	<p>In the framework of the preparation of the next Financial Perspective, the Commission is currently doing an Impact Assessment on the financing of environmental protection. A wide range of options are being considered and the suggestion by the EESC will be taken into account in that process.</p>
<p>12. At least 50% of funds deriving from sale of ETS should be invested to support energy efficiency and promotion of the green economy</p>	<p>According to the ETS Directive Member States, at least 50 % of the proceeds from the auctioning of allowances should be used inter alia to develop renewable energies, to encourage a shift to low-emission and public forms of transport and to develop other technologies as well as to develop other technologies contributing to the transition to a safe and sustainable low-carbon economy and to finance research and development in energy efficiency and clean technologies. The provision should therefore provide support and facilitate the creation of green(er) jobs.</p> <p>The Commission will continue supporting this approach; firstly, promoting a broad and effective commitment of the MS and secondly, monitoring the use of revenues and the actions taken by Member States.</p>
<p>13. It would be useful to adopt the 'ECSC' model which was used to manage an equally important transition – from coal to crude oil.</p>	<p>The Commission supports greater involvement of social partners in the development of green policies agenda. The Commission agrees that some lessons could be learned from the ECSC model, albeit keeping in mind its specificities and historical background. A successful transition can only succeed through a well prepared anticipation and management of change from all actors. The Commission will continue supporting this approach.</p>

<p><b>28. Towards a European Road Safety Area: strategic guidelines for road safety up to 2020</b></p> <p><b>Opinion at the request of the EP – EESC 1187/2010 – September 2010</b></p> <p><b>Rapporteur : M. RANOCCHIARI (Empl./IT)</b></p> <p><b>DG MOVE – Mr KALLAS</b></p>	
Main points of the EESC Opinion	Commission Position
<p>Paragraph 1.5.1 In view of the shared responsibility between the EU and Member States, strong political leadership is needed.</p>	<p>The Commission fully agrees that road safety requires strong political commitments both at EU (e.g. through the common goal of halving the number of road deaths by 2020 as proposed by the Commission in its policy orientations on road safety 2011-2020) as well as at national level (e.g. through road safety national strategies).</p>
<p>Paragraph 1.5.2 Harmonised, detailed road safety statistical data for the EU-27 is needed.</p>	<p>Harmonised data are already available through the CARE European database on road accidents. The Commission will continue to work with a view to improve the quantity, quality and reliability of data collected by CARE.</p>
<p>Paragraph 1.5.3 Targets should be set as regards severely injured road users, with a common definition of serious injuries.</p>	<p>The number of injured people on European roads remains a major health issue at EU level. The Commission supports the establishment in due time of a target for the reduction of injuries. However, the establishment of such target will only be possible after a common definition of serious injuries has been agreed upon. In accordance with the policy orientations on road safety 2010-2020, the Commission will work towards this objective in the framework of a specific strategy on the improvement of road accident emergency and post-injuries services.</p>
<p>Paragraph 1.5.4 A more stringent Community policy with regard to harmonisation and regulation of road safety measures, combined with assistance to Member States is needed to ensure that Member States implement road safety measures both better and faster, including implementation of the Pan-European eCall system on a mandatory basis if the voluntary approach does not work.</p>	<p>The establishment of a common road safety area in which citizens benefit from a similar level of road safety throughout Europe means that road safety policies and actions should be as convergent or harmonized as possible. The pan-European emergency system eCall is a good example of the benefits for road safety of a harmonized action at European level. The Commission has proposed in its policy orientations on road safety 2011-2020 that eCall is extended to a broader range of vehicles, including in</p>

	particular motorcycles.
Paragraph 1.5.5: More attention should be paid to differentiated education and training for all road users, especially younger and elderly road users, as well as other vulnerable road users such as riders of powered two-wheelers, cyclists and pedestrians.	The Commission has proposed in its road safety policy orientations 2011-2020 that education and training are considered as one of the major strategic objectives for the next decade. In this context, special attention will be paid to vulnerable road users, notably young novice drivers, motorcyclists and elderly people. The safety of cyclist and pedestrians is mainly related to urban management where most actions are under the competence of local authorities.
Paragraph 1.5.6: All employers (and especially private-sector employers) managing automotive fleets should be involved in current or future projects in areas such as promoting good practices to reduce commuting collisions, encouraging their staff to switch to public transport and developing fleet safety policies. The expected ISO 39001 for road safety at work will be an important tool to this end.	Road safety should be integrated in other policies, such as employment. The opinion of the EESC on the involvement of employers should be supported, considering that more than one third of fatal work accidents are road traffic accidents. The Commission will only be able to take a position on the ongoing work to develop the ISO 39001 standard on "Road-traffic Safety management systems" after it has been finalized.
Paragraph 1.5.7: EU legislation is required for the vulnerable categories of road users. For example: for powered two wheelers (PTW) new type approval is necessary, including mandatory ABS or CBS over 150 cc, AHO (automatic head lights on), and the introduction of roadworthiness tests and second-stage training into the revision of the driving license directive.	The Commission considers that the protection of vulnerable road users is a priority for the next decade which should be addressed in all its components: behaviour, vehicle and infrastructure safety.
Paragraph 1.5.8: With respect to infrastructure development, the EESC advises that the new action plan should include the target of raising the safety level of the trans-European road network and at least 25% of the non-Trans European Road Network to the state of the TEN.	The safety of the non-Trans European Road Network, in particular rural roads, a matter of concern for the Commission. Actions will be carried out to extend the principles of the current legislation of the safe management of infrastructure to the secondary road network of Member States, notably through the development of best practices.
Paragraph 1.5.9: The action plan should contain ambitious but realistic aims, proposing not only a global target for reducing the overall number of deaths but also specific targets for severely injured people and vulnerable road users such as pedestrians, cyclists and PTW riders. As	The Commission is convinced that a common and ambitious target is a prerequisite to further reduce road fatalities on European roads. At this stage, specific differentiated targets, e.g. for different categories of users, should rather be set at national level, taking into account the

<p>regards the global target, the EESC points out that the risk rate varies significantly across the EU and thus strongly suggests that differentiated fatality reduction targets be set for 2020, based on 2010 figures from the Member States;</p>	<p>diversity of situation and safety problems existing in Member States.</p>
<p>Paragraph 1.5.10: In order to ensure that the goals defined in the action plan will be reached, the EESC believes that yearly monitoring by the EU is necessary. To this end, the EESC suggests setting up a dedicated European road safety agency to monitor and follow up the implementation of the action plan in coordination with appointed Member State road safety representatives.</p>	<p>The Commission agrees that monitoring of national road safety policies is necessary in order to accompany and support the efforts made by Member States towards the common EU objectives. The setting up of a dedicated European road safety agency is not envisaged at this stage, taking into account the ongoing inter-institutional debate on the governance of agencies. However, the Commission considers that priority needs to be given to monitoring the implementation of EU road safety legislation and improving cooperation and exchange of best practices between Member States, building upon existing tools such as the European Road Safety Observatory.</p>
<p>Paragraph 1.6: the EU must establish a strong and permanent connection with “the decade of action for road safety” proclaimed by the United Nations, and should endeavour to become the global leader in road safety.</p>	<p>The Commission supports the objectives of the United Nations “decade of action for road safety”. The actions undertaken under the umbrella of the road safety policy orientations 2011-2020 will contribute to this global effort.</p>

**30. La pauvreté énergétique dans le contexte de la libéralisation et de la crise économique**  
**Avis demandé par Pce BE - CESE 990/2010 – Juillet 2010**  
**Rapporteur : M. SANTILLÁN CABEZA (Trav./ES)**  
**DG ENERG – Mr OETTINGER**

The Commission takes a strong interest in ensuring that energy consumers benefit fully from the implementation of the internal market legislation and the saving opportunities created by market liberalisation.

The recently adopted Commission report "An energy policy for consumers" (SEC(2010) 1407 final), which takes stock of the consumer benefits that existing energy policy measures provide for, addresses issues such as energy poverty and vulnerable consumers and analyses what more can be done to enhance consumers' interests. This document will feed into the discussion of energy ministers at the Energy Council in December 2010. It is available at:

[http://ec.europa.eu/energy/gas\\_electricity/doc/forum\\_citizen\\_energy/sec\(2010\)1407.pdf](http://ec.europa.eu/energy/gas_electricity/doc/forum_citizen_energy/sec(2010)1407.pdf)

**PARTIE C: Avis faisant l'objet d'une réponse substantielle**

<p><b>Pt 37</b> <b>1<sup>er</sup></b> <b>trim</b> <b>2010</b></p>	<p><b>Transport policy in the Western Balkans</b> <b>Rapporteur : M. ZOLTVÁNY (Empl./SK)</b> <b>Own-initiative Opinion - EESC 463/2010 – March 2010</b> <b>DG MOVE – Mr KALLAS</b></p>
<p><b>Main point of the EESC Opinion</b></p>	<p><b>Commission position</b></p>
<p>1.1 Recommendations to the European Union Commission. The EESC sets out the main objectives that should be achieved in the framework of the implementation of the future transport policy in the Balkans and in particular through the TCT (Transport Community Treaty), with a particular emphasis on the social dialogue.</p>	<p>The Commission can largely endorse these recommendations. The wishes expressed by the EESC concerning the need to strengthen the social dialogue in the transport sector have been duly taken into account for the preparation of the TCT. This was done in close cooperation with DG EMPL following the experience of the Energy Community Treaty with the aim to promote social dialogue at regional level.</p>
<p>3. Description of the Core Regional Transport Network. The emphasis is made on the need to increase investments in particular in the railway sector, which has not so far benefited from the appropriate attention in the SEE countries.</p>	<p>The Commission shares this opinion. It believes that beyond infrastructure investments (and maintenance), there is a need to launch an in depth railway reform that could bring (local) companies to higher management standards.</p>
<p>4. Institutional arrangements The EESC document presents the initiatives undertaken by the Commission which led to the setting up of the SEETO (SSE Transport Observatory) and the TCT.</p>	<p>The EESC document clearly points out the aim of the Transport Community Treaty which is the creation of a Transport Community in the field of road, rail, inland waterways and maritime transport as well as the development of the transport network between the European Union and the South East European countries. The Transport Community Treaty with the Western Balkan region is designed to integrate the region into the European Transport market. The agreement is based on the progressive implementation the whole Community <i>acquis</i> in transport as regards infrastructure development, market opening, technical interoperability, safety, environment as well as social legislation, which is in line with the expectations of the EESC.</p>
<p>5.3 Financing The EESC documents describes the different options that have been explored to cope with the need of the financing of the Balkan's</p>	<p>The EESC points out the opportunity to finance the networks through PPP. This possibility already exists. According to the Commission's experience, PPP should be</p>

network and that led to the creation, at the end of 2009 of the WBIF (Western Balkans Investment Framework)	carefully examines as they also entail certain risks especially for large investments of limited short term profitability.
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<p><b>1. L'initiative citoyenne - COM (2010) 119 fin – CESE 993/2010 – Juillet 2010 Rapporteur: Mme SIGMUND (Act. Div./AT) SG – Président BARROSO et M. ŠEFČOVIČ</b></p>	
<p><b>Points de l'avis du CESE estimés essentiels</b></p>	<p><b>Position de la Commission</b></p>
<p>Concernant le nombre minimum d'Etats membres dont les citoyens doivent provenir, le CESE estime qu'un quart des Etats membres constitue un seuil approprié pour représenter un intérêt commun à l'échelle de l'Union.</p>	<p>La Commission considère qu'il est important que les initiatives aient un véritable caractère européen. Pour cela, un seuil minimum d'Etats membres fixé à un tiers est préférable au seuil d'un quart. En outre, le seuil d'un tiers est en accord avec d'autres dispositions du Traité (par exemple : coopération renforcée, subsidiarité) et reflète le résultat de la consultation publique.</p>
<p>Le Comité suggère que la référence aux valeurs de l'Union comme motif de refus d'un enregistrement doit être clarifiée par la mention de l'Article 2 TUE et de la Charte des Droits Fondamentaux.</p>	<p>La Commission a déjà accepté, dans le cadre de l'approche générale adoptée par le Conseil, que l'Article 2 TUE soit mentionné.</p>
<p>Le Comité propose l'abaissement à 50 000 du nombre de signataires à atteindre avant la vérification de la recevabilité.</p>	<p>La Commission a accepté d'abaisser ce seuil à 100 000 signataires suite à l'orientation générale du Conseil.</p>
<p>La Commission devrait se charger de traduire un résumé des initiatives proposées dans toutes les langues officielles de l'Union dès leur enregistrement. Lorsque la proposition est déclarée recevable, la Commission devrait se charger de la traduction de l'ensemble du texte.</p>	<p>La Commission considère que les initiatives doivent être portées par les citoyens. Dans cet esprit, la Commission estime qu'elle ne doit pas intervenir dans la traduction des initiatives proposées; seul l'organisateur doit être responsable du contenu de son initiative et des versions linguistiques qu'il souhaite fournir.</p>
<p>Une aide financière de la Commission devrait être octroyée aux organisateurs d'initiatives qui sont déclarées recevables.</p>	<p>La Commission n'envisage pas d'octroyer une aide financière aux organisateurs.</p>
<p>Le délai prévu pour la collecte des déclarations de soutien devrait être de 18 mois.</p>	<p>La Commission a opté dans sa proposition pour 12 mois, afin, d'une part, de prendre en compte la complexité liée à la dimension européenne, et, d'autre part, d'assurer que les initiatives proposées restent pertinentes.</p>
<p>Le Comité propose que la Commission développe des logiciels open source pour la collecte en ligne.</p>	<p>La Commission s'est engagée à développer et à mettre à disposition des organisateurs d'initiative citoyenne un logiciel open source, suite à la demande du Conseil dans son approche générale.</p>

<p>Le Comité propose l'abandon de la mention d'un numéro d'identification lors de la signature d'une initiative et la référence au lieu de résidence comme principe d'affectation des signataires à un Etat membre (les citoyens de l'Union résidant dans un pays tiers étant comptabilisés sur la base de leur nationalité).</p>	<p>La proposition de la Commission prévoit que les signataires doivent fournir un numéro d'identification de manière à permettre un contrôle adéquat par les Etats membres tout en s'assurant qu'aucun citoyen de l'Union, y compris ceux qui résident en dehors de l'Union, ne soit exclu de la possibilité de soutenir une initiative.</p>
<p>Les organisateurs doivent fournir, au moment de la présentation de l'initiative à la Commission, des informations sur les formes de financement et de soutien dont bénéficie l'initiative.</p>	<p>La Commission a accepté d'ajouter une disposition allant dans ce sens dans le cadre de l'approche générale du Conseil.</p>
<p>Le Comité considère qu'une audition publique devrait suivre la présentation d'une initiative citoyenne réussie et est disposé à apporter son soutien et à organiser de telles auditions.</p>	<p>La Commission remercie le Comité pour sa disponibilité à apporter son soutien et organiser des auditions publiques.</p>
<p>Le Comité souhaite que lui soient adressées les communications que la Commission adoptera en réponse aux initiatives réussies.</p>	<p>Ces communications seront envoyées pour information au CESE.</p>
<p>Les voies de recours juridictionnel ou via le médiateur européen doivent être explicitement mentionnées dans le règlement, tout au moins dans l'exposé des motifs.</p>	<p>Les possibilités de recours résultant directement des articles 228, 263 et 265 du traité sur le fonctionnement de l'Union européenne, la Commission considère qu'il n'est pas nécessaire de les mentionner explicitement dans le règlement.</p> <p>En revanche, la Commission reconnaît la nécessité d'informer les citoyens au sujet de ces possibles recours, ce qui sera fait via le site internet/registre de l'initiative citoyenne. La possibilité de recours sera également notifiée aux organisateurs avec toute décision concernant l'irrecevabilité d'une initiative.</p>
<p>Le Comité suggère qu'une révision du règlement devrait avoir lieu au terme de trois ans.</p>	<p>Cela ayant également été suggéré par le Conseil dans son approche générale, la Commission a, dans ce cadre, d'ores et déjà accepté que cette révision ait lieu après trois ans.</p>
<p>Le Comité suggère la mise en place d'une coopération interinstitutionnelle afin de répondre efficacement aux besoins d'information des citoyens sur ce nouvel instrument.</p>	<p>La Commission accueille favorablement l'idée d'une coopération entre les institutions et organes de l'Union sur ce thème.</p>

Le Comité se propose d'intervenir en tant que "facilitateur" et qu'"accompagnateur institutionnel" dans le déroulement des initiatives citoyennes.	La Commission accueille favorablement les propositions du CESE concernant le rôle qu'il pourrait jouer dans la mise en œuvre de l'initiative citoyenne.
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<p><b>5. What services of general interest do we need to combat the crisis?</b>  <b>Own-initiative Opinion - EESC 1185/2010 - September 2010</b>  <b>Rapporteur : Mr HENCKS</b>  <b>SG – President BARROSO</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>It appears essential for the Commission to adopt a position on funding needs, not only through a short-term approach focusing on competition only (state aid) but also by ensuring that SGIs are financially viable and capable of carrying out their missions, as required under the Lisbon Treaty.</p>	<p>The Commission would like to underline that on the basis of the subsidiarity principle and subject to the stipulations of the Treaty on the functioning of the EU (TFEU), it is Member States' competence to provide, to commission and to fund services of general interest. This does not exclude, in certain cases and, where appropriate, an EU contribution, for instance through the EU structural funds.</p>
<p>The universal right of access to SGIs should therefore no longer be restricted to services provided by network industries alone but should encompass everything required for a decent standard of living, social well-being and the guarantee of fundamental rights.</p>	<p>The Commission takes good note of the view expressed by the EESC. In its Communication, "towards a single market act", the Commission undertook to examine the suitability and possibility of extending universal service obligations into new areas in the light of changes to the essential needs of European citizens, potentially on the basis of Article 14 of the TFEU.</p>
<p>We should examine whether, given the current crisis and the need to adopt a sustainable approach, the current regulations (in the area of telecommunications, postal services, electricity) are sufficient to prevent a reduction in the quality of services provided and the emergence of phenomena such as exclusion, social fragmentation and poverty.</p>	<p>In its Communication "towards a Single market Act", the Commission suggests that an in-depth analysis of the level of quality of the services of general interest on offer is, where appropriate, conducted, on the basis of experience in the field.</p>
<p>The fact that the economic crisis is continuing, together with the need to work out the best way to achieve economic recovery, should, in parallel with steps to implement the Lisbon Treaty (Article 14 of the TFEU, Charter of Fundamental Rights, Protocol 26), prompt the EU institutions to re-assess the place and role of SGIs in this context.</p>	<p>The Commission agrees that it will be necessary to conduct a dynamic assessment of the needs of Europeans, which evolve in line with rapid changes in society and in social practices.</p>

<p>With this in mind, the EESC calls for a report on the "promotion of universal access to EU rights and SGIs" and to define the new objectives which SGIs could be given as part of the fight against poverty and social exclusion and, more generally, as part of the EU 2020 strategy and the promotion of sustainable development and a green economy.</p>	<p>The Commission takes good note of the view expressed by the EESC.</p>
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<p><b>6. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Third strategic review of Better Regulation in the European Union</b>  <b>Commission Working Document – Reducing Administrative Burdens in the European Union</b>  <b>Annex to the 3rd Strategic Review on Better Regulation final; Commission Working Document – Third progress report on the strategy for simplifying the regulatory environment</b>  <b>COM (2009) 15 final; COM (2009) 16 final; COM (2009) 17 final</b>  <b>EESC 1160/2010 - September 2010</b>  <b>Rapporteur: Mr CAPPELLINI (Act. Div./IT); Co-rapporteur: Ms ANGELOVA (Empl./BG)</b>  <b>SG - M. BARROSO</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>(4.2) Better Regulation needs to be pursued in a more coherent and comprehensive way as isolated initiatives do not add value. The Communication provides a description of its actions and specific plans but fails to provide an overview of how these plans interact and respond to the shortcomings identified in the original agenda<sup>4</sup>. If Better Regulation is to be coherent it must provide more clarity on how it is shaped.</p>	<p>In presenting to the European parliament his political priorities, President Mr Barroso recalled that smart regulation remain a core task for the Commission to ensure that legislation is effective and in line with the principles of subsidiarity and proportionality. This approach has been reinforced in the Smart Regulation Communication adopted in October which <u>sets out action in three areas</u> to achieve regulation which sets out action in three areas to ensure regulation which is of the heist quality possible:</p> <ul style="list-style-type: none"> <li>- first, the Commission will <u>target the whole policy cycle</u> by attaching more importance to the <u>ex-post evaluation</u> of existing legislation and policies. It will continue to carry out impact assessments for all legislative initiatives having significant impacts, and continue to simplify legislation and reduce administrative burdens;</li> <li>- second, as smart regulation is a <u>shared responsibility</u> of all those involved in EU policy-making (the European Parliament, the Council, the Member States), the Commission will continue to work with all these actors to ensure that the smart regulation agenda is actively pursued by all;</li> <li>- third, the <u>voice of citizens and stakeholders</u> will be further strengthened</li> </ul>

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COM (2009) 16 final (footnote 8 in the EESC opinion).

	<p>by prolonging the consultation period from 8 to 12 weeks from 2012 onwards, and by carrying out a review of the Commission's consultation policy in 2011.</p>
<p>(4.5) The completion of the Commission's screening exercise clearly demands a political conclusion on this issue<sup>5</sup>. No such mention is to be found in the Communication, leaving doubts as to whether the Commission considers it has already undertaken this task.</p>	<p>The Commission has exploited the result of the screening exercise to feed its work programmes (CWP) for 2010 and 2011. They have been available to the institutions, including the CESE respectively on 31.03.2010 (COM(2010)135) and 27.10.2010 (COM(2010)623)</p>
<p>(5.3) While the Commission fails to promote such complementary activity<sup>6</sup> the legislative gap is being filled by an increasing number of national rules, and these undermine the coherence of the Internal Market. Ambiguous national legislation should be avoided. The exchange of best practices and benchmarking between the Member States should be encouraged in this respect. Better Lawmaking can only feed into tangible benefits to citizens if national authorities become fully involved in the process. Transposition should preserve the spirit of simplification and enhanced lawmaking by blocking the reintroduction of barriers and burdens through the back door.</p>	<p>The Commission considers that the choice of the most appropriate legislative instrument is made first of all to comply with the provisions of the Treaty and in particular to respect the principles of subsidiarity and proportionality. The most important Commission initiatives are accompanied by impact assessments where different policy options and instruments to achieve the objectives pursued are examined and assessed. Replacing directives with regulations can, under certain circumstances, offer simplification benefits, as regulations enable immediate application, guarantee that all actors are subject to the same rules at the same time, and focus attention on the concrete enforcement of EU rules. There are alternatives to regulation. Co-regulation (entrusting the achievement of the goals set out in law, for example to the social partners or to non-governmental organisations) and self-regulation (voluntary agreements between private bodies to solve problems by taking commitments between themselves) can be more cost efficient and effective ways to address certain policy objectives than the classic legal tools. The 'new approach' directives, based on the standardisation of technical requirements by independent bodies, are an example of a</p>

<sup>5</sup> Including the Simplification Rolling programme, the screening of the acquis, codification and recasting, repeal of obsolete acts among others (foot note 9 in the EESC opinion).

<sup>6</sup> Paragraph 5.2 of the opinion refers to "*Better Regulation (...) needs to reflect on alternative ways to reach similar results by promoting co-regulation and the more extensive use of codes of conduct through deliberative methods. The standardisation of technical requirements provides examples of good practice in tackling this complex issue without resorting to cumbersome harmonisation directives (...). The achievements in industrial goods should be mirrored by other activities, in particular services.*

	<p>well recognised 'co-regulation' instrument. For many industrial and consumer products, the 'CE' marking attests that a product has been certified and can be marketed in the EU. EU legislation only sets certification requirements and mandates private bodies. Thousands of industrial products are regulated in this way.</p> <p>Finally is clear that the implementation of better regulation is a shared responsibility of the EU institutions but also of Member States. The benefits of simplification and the reduction of administrative burdens need to be maintained also at national level.</p>
<p>(5.4) The achievements of the Internal Market are too often offset by barriers raised at the national level. Mapping results show that "a very significant proportion of administrative burdens appear to be the result of inefficient public and private administrative practices (between 30 and 40%)". Yet no indication on such practices is provided in the Communication nor are measures envisaged to redress such unwarranted moves. The EESC is concerned that the imposition of additional requirements through the transposition of directives into national law may undermine the enforcement of common rules across the Internal Market. The EESC believes that more should be done at the EU level to reduce the scope of potential burdens from being introduced by national authorities. A more comprehensive approach to Better Lawmaking, closely involving national authorities, private bodies and stakeholders seems essential. Directives should not only target minimum requirements but also the limits of discretionary lawmaking by Member States. Telecom rules provide an example where such limits have been imposed to curb any such unilateral action.</p>	<p>Section 5 of the opinion is mainly addressed to Member States. In relation to the comment made related to this section on administrative burdens, the Commission invited, in its Communication of 08.10.2010 "Smart regulation in the European Union" (COM(2010)543), to use the possibilities in EU legislation to waive obligations for businesses like SMEs. The Commission will analyse further the issue of "Gold Plating", and has asked the High level Group of independent Stakeholders to present a report by November 2011 of best practices in Member States in implementing EU legislation in the least burdensome way.</p>
<p>(5.5) Where Regulations and State aid guidelines are turned into national law but with different words and meaning the Commission should provide guidance to Member States.</p>	<p>The Commission's State aid control is based on the principle of compulsory prior notification to the Commission of all new aid measures. The Member State concerned may not put the notified aid measure into effect until the Commission has reached a</p>

	<p>decision (“standstill obligation”, Article 108(3) of the TFEU, Article 3 of Regulation 659/1999).</p> <p>The Commission may however declare some State aid compatible with the Common Market and exempt it from the obligation to notify. The General Block Exemption Regulation (“GBER”, Regulation 800/2008) defines the applicable compatibility criteria and exemption conditions. Member States are thus able to grant aid that meets the conditions laid down in this regulation without prior notification to and approval by the Commission.</p> <p>These principles also apply when Member States intend to adopt a new aid scheme by means of a national legal act. As long as the aid scheme does not fall under the GBER, the Member State is required to notify the measure to the Commission. The Commission will then assess the conformity of the notified aid scheme with the pertinent State aid guidelines or frameworks (e.g. Community guidelines on state aid for environmental protection, Community Framework for State aid for Research and Development and Innovation). Commission approval therefore ensures that the approved aid schemes comply with applicable rules.</p> <p>In case an aid scheme falls under the GBER, Member States are not required to notify the measure, but only to submit to the Commission a summary description of the aid measure within 20 working days following its implementation, so that the Commission can assess whether the formal conditions of the Regulation have been respected. The prior notification obligation is replaced by transparency requirements and ex-post monitoring by the Commission. These safeguards ensure that national aid measures based on the GBER comply with the conditions foreseen therein.</p>
6.3 TEU Article 11 gives a special role for the EESC in the realisation of vertical and horizontal dialogue. Consultation with	The mandate of the High level Group of independent Stakeholders on Administrative Burden Reduction has been expanded by

<p>stakeholders for reducing administrative burdens are still not at a satisfactory level. While the High Level Stakeholders group makes a useful contribution the European associations and organisations that represent the major stakeholders - employers, employees, consumers, environmental and other interests – should also be more involved in the consultation process. Only 148 submissions have been made on-line and only 237 ideas for cutting red tape have been submitted in reports and letters. Civil society groups need to be more involved in the Better Regulation agenda. They engage more broadly, communicate its value to citizens, businesses and workers and underline Europe's commitment to designing policies that are easy to grasp and to use.</p>	<p>Commission decision to the end of 2012. As the EESC notes this group has been delivering useful input and suggestions for reducing administrative burden. Furthermore, in its Communication of 08.10.2010 "Smart regulation in the European Union" (COM(2010)543), the Commission reiterates the need to strengthen the voice of citizens and stakeholders, not only during the development of new regulation, but also during evaluations.</p> <p>In order to allow all stakeholders to comment effectively, the duration of public consultations will be brought from 8 to 12 weeks.</p>
<p>(6.1) The EESC has devoted extensive analysis and time to the Better Regulation agenda. It has delivered general and targeted opinions on enhancing EU lawmaking and challenged Commission proposals (...)</p> <p>(6.2) The EESC's Single Market Observatory (SMO) has channelled stakeholder's views and initiatives to show good practice in better lawmaking. As an institutional forum of expression for organised civil society it has closely cooperated with EU institutions and in particular with the Commission, offering advice and support on Better Regulation issues. This Opinion builds on previous contributions, day-to-day cooperation and on good practice.</p> <p>(6.5) The EESC believes that closer involvement with civil society and social partners should be sought in order to deliver a more balanced overview. All too often, stakeholders represent particular interests that need to be combined with more general ones from civil society as a whole. The SMO and the Committee of the Regions are already playing an active role in this respect and the EESC reiterates its willingness to become more closely involved in the production of a sound evidence base to inform decisions.</p>	<p>The Commission recognised in the Smart Regulation Communication<sup>7</sup> the continued interest of the EESC on better regulation and consider that this Committee, as the Committee of the Regions, can mobilise an important source of information for the preparation of Commission's impact assessments.</p> <p>At the same time the Commission recalls its intention to increase the period for public consultation to 12 weeks (from 2012) and its intention to review in 2011 its consultation process to see how to strengthen the voice of citizens and stakeholders further.</p>

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COM (2010) 543 of 8 October 2010.

<p>(7.1) Effectiveness in implementing EU funds is often hampered by national rules on State aid or public procurement that go far beyond Community requirements. The EESC invites the Commission to prioritise the improvement of the legal framework governing EU Funds to address this issue. The low absorption rate and poor allocation of resources demonstrate that EU Funds suffer from barriers imposed by national legislation.</p>	<p>The Commission has recently adopted the Fifth cohesion report, which is intended to start a large consultation over the future of Structural Funds. In this regard, the review of current governance and management of Structural Funds is under assessment. The EESC will be consulted.</p> <p>Concerning the European Social Fund and its future, it has to be highlighted that the Commission has formally asked, at the beginning of October 2010, the Committee to adopt an explanatory opinion on this issue.</p>
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<p><b>7. Economic recovery: state of play and practical initiatives</b>  <b>Own-initiative opinion - EESC 1169/2010 - September 2010</b>  <b>Rapporteur : Mr NYBERG (Work./SE)</b>  <b>DG ECFIN- Mr REHN</b></p>	
Main points of the EESC Opinion	Commission Position
<p>The costs to support banks and discretionary measures, rising unemployment and the additional austerity measures in many countries represent a threat to economic growth. (paragraph 1.1)</p> <p>The restrictive impact on the overall European economy of proposals to reduce the highest public deficits pushes self-sustained growth into the future. (paragraph 1.4)</p>	<p>Restoring macro-economic stability and returning Member States' public finances on a sustainable path are prerequisites for growth and jobs, and growth is important to support fiscal consolidation.</p> <p>The Commission therefore considers that growth-enhancing structural reforms under the Europe 2020 strategy and fiscal consolidation under the Stability and Growth Pact (SGP) need to go hand in hand. It is important to ensure that macroeconomic and fiscal constraints are fully observed as they are a prerequisite for long-term sustainability of our social models.</p> <p>The pace of fiscal consolidation and the packages of structural reforms that need to be implemented to support growth depend on country-specific circumstances and extent to which Member States were affected by the crisis.</p>
<p>The Commission should urgently estimate the contractive effects of all this and put forward proposals for counteracting measures to retain growth (paragraph 1.4.1).</p>	<p>Building on the Commission's communication on "Europe 2020 – a European Strategy for smart, sustainable and inclusive growth", the European Council in June 2010 endorsed the Europe 2020 strategy. It provides a framework for the European Union and Member States for exiting the crisis and for ensuring growth in the next decade. The crisis has negatively affected EU's growth potential by putting constraints on productive investment and labour utilisation. Addressing the structural weaknesses of the European economy and the macroeconomic challenges that have increased with the crisis, as well as fostering the flagship policies to promote growth are the main objectives of the Europe 2020 strategy.</p>
<p>The Commission should conduct a check on current account balances, similar to those carried out on public deficits and debt. (paragraph 1.5.1)</p>	<p>On 29 September the Commission adopted a package of legislative proposals to improve the economic governance in the EU. According to the proposals, the scope of macro-economic surveillance should be widened to include</p>

<p>By letting EIB issue Eurobonds, or rather EU-bonds covering all 27 Member States, new capital could be raised for the public sector without total reliance of the private financial sector. Financial resources would be attracted directly from pension funds, for instance, but also with a possibility for the placement of long-term private savings. (paragraph 1.11)</p>	<p>surveillance of macro-economic imbalances.</p> <p>The issuance of Eurobonds, understood as the joint issuance of bonds to finance Member States budgets, has been brought up several times in the past. While such an initiative could have advantages in terms of market efficiency, there are no plans to issue Eurobonds at present.</p> <p>If such an initiative should gather political support, it is not clear how they would be issued. Most Member States fund themselves through a specialised agency, which does not issue debt for other purposes. Presumably a similar solution would be envisaged at EU level.</p>
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<p><b>9. Pour une politique européenne d'assainissement du secteur du web offset et de l'héliogravure en Europe</b>  <b>Avis d'initiative - CESE 981/2010 – Juillet 2010</b>  <b>Rapporteur: M. GENDRE (Trav./FR)</b>  <b>Corapporteur: M. KONSTANTINOUS (Trav./EL)</b>  <b>DG ENTR – Mr TAJANI</b></p>	
<p><b>Points de l'avis du CESE estimés essentiels</b></p>	<p><b>Position de la Commission</b></p>
<p>1.5. La Commission européenne a publié en 2007 les résultats d'une étude qui analyse les facteurs de compétitivité du secteur. Ces recherches ont conduit à des propositions en faveur d'un plan d'action pour l'industrie graphique. Le CESE soutient l'ensemble de ces propositions, que les entreprises commencent à appliquer et qui restent pertinentes. Il se félicite des réalisations déjà accomplies mais estime que les difficultés du secteur, fortement accentuées par la crise et la récession qui a touché tous les États membres de l'UE, nécessitent de nouvelles initiatives pour faire face aux défis qui se posent à court et moyen terme.</p>	<p>Le plan graphique européen qui a été salué par le CESE est dans une phase d'application par l'industrie graphique européenne aussi bien au niveau européen que national, en collaboration avec les services de la Commission. Les 40 principales actions illustrent les 6 objectifs principaux du plan à savoir:</p> <ul style="list-style-type: none"> <li>• Accompagnement de la dynamique de l'imprimerie européenne dans un marché mondial, notamment grâce au partenariat.</li> <li>• Développement des services à valeur ajoutée pour trouver une nouvelle base de croissance.</li> <li>• Meilleur investissement dans les ressources humaines.</li> <li>• Référence normative européenne renforcée au sein des industries.</li> <li>• Augmentation, de façon coordonnée, des efforts dans les domaines de la recherche et de l'innovation.</li> <li>• Amélioration de l'image et de la perception de l'industrie.</li> </ul>
<p>1.6. Le CESE a été informé de l'existence d'un nouveau projet conjoint entre syndicats et employeurs du secteur d'une durée d'un an dont l'objectif est de définir entre partenaires sociaux des lignes directrices sur la restructuration socialement responsable des entreprises. Ce projet lancé en 2009 permet aux employeurs et aux syndicats de procéder à une analyse commune des problèmes du secteur et d'amorcer une réflexion pour tenter de les résoudre de manière concertée. [...]</p>	<p>L'étude sur la restructuration sociale des entreprises sera présentée par les organisations professionnelles lors d'une conférence le 23 novembre à Bruxelles au cours de laquelle les services de la Commission seront présents. Cette étude couvre à la fois les PME et les grandes entreprises dont les problématiques ont été présentées lors de deux séminaires à Milan puis d'une réunion de synthèse à Londres, suivies de près par la DG Entreprises. L'étude essaie d'entrevoir un nouveau business model.</p> <p>Une boîte à outils contenant des meilleures pratiques dans le domaine de la production et de la gestion graphique sera présentée dans le</p>

	<p>contexte de l'étude. Publiée en 5 langues, elle devrait faire l'objet d'une diffusion ultérieure large.</p>
<p>1.6. [...] Les discussions devront s'orienter vers l'élaboration d'un plan d'action visant à réduire la surcapacité du secteur. 1.7. Un tel plan pourrait s'inscrire dans le cadre d'une politique industrielle à plus long terme intégrant une réflexion sur les nouveaux modèles d'activité de l'industrie graphique. Ces efforts devront être suivis par un groupe de haut niveau composé de représentants de l'industrie, de syndicats de salariés et d'experts, constitué sous les auspices de la Commission européenne. Le groupe aurait pour tâche d'identifier les mutations à venir et les outils permettant de les maîtriser grâce à un système transparent de collecte d'informations.</p>	<p>La Communication de la Commission sur la politique industrielle permettra d'identifier les mutations à venir et les outils permettant de les maîtriser. L'idée de créer éventuellement un groupe à haut niveau doit faire l'objet d'une analyse détaillée.</p>
<p>1.11. Dans l'immédiat, le CESE suggère que les associations européennes compétentes organisent, avec le soutien financier et logistique de la Commission européenne, et avec sa présence, une conférence de toutes les parties prenantes afin d'établir un état des lieux partagé pour dégager des perspectives d'action à court terme et de financer une étude indépendante sur l'avenir à moyen et long terme du secteur. Les partenaires sociaux pourraient se voir confier la mission de proposer les mesures à mettre en œuvre dans l'urgence pour orienter le marché vers un fonctionnement durable et d'identifier les scénarios possibles de l'évolution de la profession.</p>	<p>L'organisation d'une conférence de toutes les parties prenantes pour établir un état des lieux et dégager des perspectives d'action recueille le soutien des services de la Commission. Cependant l'organisation est du ressort des associations.</p>
<p>4.6. L'aide financière et logistique de la Commission européenne est indispensable pour préserver dans le futur une industrie du web offset et de l'héliogravure saine et prospère en Europe. Le CESE encourage les entreprises à solliciter l'intervention des aides européennes disponibles notamment à travers le fonds social européen, le FEDER, le fonds européen d'ajustement à la mondialisation et le fonds européen pour la recherche et l'innovation. Il serait également souhaitable d'évaluer les capacités d'intervention de la Banque européenne d'investissement pour financer l'adaptation des entreprises aux activités nécessitant des technologies nouvelles. Le</p>	<p>La Commission européenne considère que les investissements dans la recherche et le développement technologique sont des éléments clés pour assurer la compétitivité de l'industrie graphique européenne, tel qu'indiqué dans la Communication une filière bois innovatrice et durable dans l'UE, COM(2008)113. Les services de la Commission européenne encouragent la participation active de l'industrie graphique européenne aux travaux de la plateforme technologique forêt-bois-papier. Par ailleurs la Communication du 6 octobre</p>

recours souhaitable aux différents systèmes d'aide doit avoir pour unique objet de faciliter les transitions et non de financer indirectement des délocalisations.

"Europe Innovation" constitue un cadre stimulant pour l'innovation dans l'industrie graphique européenne qui se développe de trois manières: d'abord par le développement technologique lié à Internet, aux mobiles, à la télévision, ensuite par les stratégies de marché liées à l'édition en général et plus particulièrement à la publicité et aux médias et enfin par le nouveau modèle sociétal engendré par les réseaux sociaux.

<p><b>10. Textile services sub-sector in Europe</b>  <b>Own-initiative Opinion - EESC 982/2010 – July 2010</b>  <b>Rapporteur: Mr PEZZINI (Empl./IT) Co-rapporteur: Mr BOOTH (Work./UK)</b>  <b>DG ENTR – Mr TAJANI – DG EMPL – Mr ANDOR</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission position</b></p>
<p>1.2 The EESC calls on the European Foundation for the Improvement of Living and Working Conditions to launch a pilot initiative to map the size and geographical distribution of business in the sector and living and working conditions, as well as the extent of the sector's informal economy.</p>	<p>The EFILWC is an autonomous agency of the EU. The work programme for 2011 was adopted on 29 October by the (tripartite) Governing Board, and reflects the interests of the representatives of social partners and governments on the Governing Board. The Commission representatives on the Governing Board will transmit this request to the Foundation for consideration in the preparation of the 2012 work programme.</p>
<p>1.11 The EESC stresses the importance of a European campaign for safety at work, economic, social and environmental transparency in the textile services industry and better working conditions and employment prospects in the sector, with full implementation of the Charter of Fundamental Rights, in particular trade union and collective bargaining rights.</p>	<p>The Commission continuously supports the important work of the Sectoral Social Dialogue Committee and, in general, the European organisations of the Textile Sector. One of the initiatives taken recently by those organisation concerns the creation of a European Employment and Skills Council with EU funding.</p>
<p>4.9 The EESC calls for the annual work programmes under the 7th Framework Programme for RTD, the multiannual competitiveness and innovation programme, and Structural Funds operations to give sufficient consideration to technological and organisational innovation projects in the sector as regards integrated logistics and traceability of products supplied, not least using Galileo logistics applications.</p>	<p>Actions in favour of the textile sector, or traceability of products (in particular, in the area of food) are foreseen in FP7. They are reflected in the annual work programmes, e.g. in calls and projects under the NMP and the KBBE themes of the specific programme Cooperation. The innovative dimension is one of the criteria taken into consideration for these projects.</p> <p>With small and medium-sized enterprises (SMEs) as its main target, the Competitiveness and Innovation Framework Programme (CIP) supports horizontal innovation activities (including eco-innovation). Sectoral initiatives are supported if they have the potential to serve as best practices such as organisational innovation projects.</p> <p>Innovation is clearly a priority for Regional Policy, but sector priorities (for textile or any other) are not defined at the level of the European Commission. It is the competence</p>

	<p>of the Managing authorities of the Operational Programmes to define the priorities, for example in the framework of the future "smart specialisation" whose interest has been underlined in the Communication on "Regional Policy contributing to smart growth in Europe 2020", COM(2010)553 &amp; SEC(2010)1183.</p>
<p>4.14: The EESC calls on the Commission to submit without delay a Communication on a potential European economic and employment strategy to develop the textile services industry, with a view to drawing up an EU action plan for the industry tying in with the Lead Market Initiative for Europe, where textile services are referred to in terms of strategic potential for success.</p>	<p>Communications by the European Commission on specific sectors are very exceptional and are organized under exceptional circumstances. A Communication on textiles services is not foreseen in the Commission programme. The services will continue to ensure the follow-up of this sector associating it to relevant initiatives as is the case with the Lead Market Initiative for protective textiles.</p>

<p><b>12. GMES – composante spatiale</b>  <b>COM (2009) 589 final – CESE 963/2010 – Juillet 2010</b>  <b>Rapporteur: M. IOZIA (Trav. /IT)</b>  <b>DG ENTR – M. TAJANI</b></p>	
<p><b>Points de l'avis du CESE estimés essentiels</b></p>	<p><b>Position de la Commission</b></p>
<p>Le CESE accueille favorablement la communication de la Commission dont il espère qu'elle amènera les organes décisionnels à prendre des décisions opérationnelles et à prévoir des financements et des politiques conformes aux propositions et aux informations présentées.</p>	<p>La Commission se félicite du support du CESE. Les organes décisionnels de l'UE ont déjà pris des décisions importantes, en particulier en adoptant en septembre 2010 le Règlement du Parlement européen et du Conseil qui établit le programme GMES et sa phase d'opérations initiales (2011-2013).</p>
<p>La recherche spatiale en général et la "Surveillance mondiale de l'environnement et de la sécurité" (acronyme anglais GMES) en particulier, s'inscrivent de plein droit dans ce qu'il est convenu d'appeler la nouvelle économie verte. Le développement des applications dans les domaines de l'agriculture, de la gestion des changements climatiques, de la précision des prévisions météorologiques et de l'aménagement du territoire constitue le fondement d'un nouveau modèle, qui prend en compte le développement durable comme axe prioritaire de l'innovation et de la recherche technologique.</p>	<p>La palette de services de GMES décrite dans le règlement de programme touche en effet à plusieurs des domaines mentionnés par le CESE. La Commission inscrira ses activités – et en particulier ses programmes de dépenses pour le prochain cadre financier – dans la ligne de ses priorités politiques, avant tout la stratégie Europe 2020 et ses initiatives-phare telles que "Innovation Europe" et politique industrielle pour l'âge de la mondialisation.</p>
<p>Le CESE souscrit aux préoccupations exprimées par la Commission en ce qui concerne l'absence d'indications sur l'horizon temporel d'application du programme. Le CESE estime qu'il faudrait fixer l'échéance de ce programme à 2030 et prévoir également la poursuite de ses activités essentielles au-delà de cette date.</p>	<p>La communication de la Commission concernant la révision du budget propose le passage à une période de "5 ans + 5 ans", ce qui irait dans la direction suggérée par le CESE.</p>
<p>Le CESE estime que les moyens financiers sont insuffisants, d'une part, parce qu'ils ne tiennent pas compte de l'évolution du coût des composants technologiques des satellites Sentinel et, d'autre part, au vu de l'insuffisance du budget alloué aux activités de recherche et de développement, notamment en ce qui concerne la nécessité de recueillir des données pour la lutte contre le changement climatique et pour la sécurité. Un minimum de 700 à 800 millions supplémentaires serait nécessaire pour la</p>	<p>La Commission prépare ses propositions couvrant le cadre financier après 2013. L'approche concernant les grands projets d'infrastructure, y compris la composante spatiale de GMES, sera définie aussi sur la base du débat lancé par la Commission avec la communication sur la révision du budget.</p>

<p>période 2014-2020 pour faire face aux besoins. Les coûts des lancements ont considérablement augmenté, de même que ceux des appareils électroniques.</p>	
<p>1.12 Dans le contexte actuel de profonde crise économique, la nécessité de disposer de ressources financières importantes ne peut, de l'avis du CESE, constituer un obstacle à ces investissements mais, grâce à un effet de levier maximum des moyens disponibles et au soutien d'une opinion publique informée de toutes les potentialités qu'offre le programme, le GMES peut au contraire contribuer à anticiper la sortie de crise grâce à la disponibilité d'un potentiel scientifique et productif exceptionnel comportant des retombées positives, en mesure de redonner à l'UE sa position, aujourd'hui en déclin, de chef de file du secteur.</p>	<p>Le règlement établissant le programme GMES et ses opérations initiales (2011-2013) permet à GMES de jouer un rôle dans la sortie de la crise.</p> <p>Concernant la nécessité de ressources financières importantes, l'approche concernant les grands projets d'infrastructure tels que GMES et notamment sa composante spatiale sera définie en tenant compte du débat lancé par la Commission avec la communication sur la révision du budget.</p>

<p><b>13. Creativity and entrepreneurship: mechanisms for climbing out of the crisis</b>  <b>Own-initiative Opinion – EESC 1165/2010 - September 2010</b>  <b>Rapporteur: Ms Sharma (Empl./UK)</b>  <b>DG ENTR- Mr TAJANI</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission position</b></p>
<p>Entrepreneurship Education across Europe across the curriculum and as part of life-long learning (...) Educators need to be fully involved (...). Effective teacher training, exchange of good practice and networks as well as methodologies and tools can support the teacher (...)</p>	<p>The Commission fully agrees with the crucial role of teachers in promoting entrepreneurship education, and with the need to fully involve them and to train them. The Commission will organize in 2011 a high level Symposium focusing on training teachers for entrepreneurship education. One of the outcomes will be the publication of a handbook on teacher training in entrepreneurship, to be used both by policy makers and practitioners. As a follow-up it is planned to set up practice-oriented seminars (teacher training laboratories) where practitioners can exchange methods and teaching materials.</p>
<p>The Small Business Act for Europe and the "Think Small First" (SME) principle, still requires a strong commitment in many Member States and falls short of what is required in a crisis. Greater access and participation of SMEs in EU projects and public procurement, with open markets which support the growth of entrepreneurs must be addressed. Support for interactive environments can be created using incubators, clusters, science and technology parks, and partnerships with academia. This could include an EU ONE-STOP-SHOP source of information for entrepreneurship in all sectors.</p>	<p>In the first two years of implementation of the "Small Business Act" for Europe consistent progress has been registered. SMEs are now at the heart of European policy making and their role as major drivers of growth and job creation is widely acknowledged. While SMEs' interests are increasingly being taken into account in law and policy making both at EU level and in the Member States, further efforts are still required to help them fully recovering from the crisis. For this reason the Commission will adopt in the coming months a Communication on the Review of the SBA. The aim is to take stock of the progress achieved in implementing the actions included in the SBA both by the Commission and by the Member States, identifying possible bottlenecks in the implementation and proposing solutions and new actions which will link the SBA closely to the Europe 2020 strategy. The Review will focus on the priority areas identified in the SBA Action Plan (i.e.: implementation of "Think Small First" principle, access to finance and access to markets) but the full implementation of the ten guiding principles will remain an essential part of the SBA. Finally, improving the</p>

	governance and monitoring of the full implementation of the SBA, also at national level, will be one of the key points of the new Communication.
<p>Increasing awareness and greater support for Erasmus for Young Entrepreneurs. Solutions need to be found to attract a greater number of host companies and recognise their contribution for real impact. This could include a "European Entrepreneurs' Award", an EU Brand Mark or participation in high visibility opportunities. Skills Accreditation for Entrepreneurs, unlike workers, can rarely be undertaken and are unrecognised by society for the contribution made.</p>	<p>Although the proportion of host entrepreneurs' applications is increasing and represents 35% of the applications, the Commission agrees that host entrepreneurs' participation could be increased. This should be done by ensuring a targeted promotion of the action and by increasing its visibility.</p> <p>Regarding the visibility of the action, one of the EESC suggestions is already being explored: the EC already awards certificates to the participants as well as labels specifically designed for the host entrepreneurs. These documents can be hung in the enterprise's premises or displayed on the enterprises' websites.</p> <p>Other initiatives might be further developed in line with the EESC opinion. The EC is currently trying to organise a "Business plan award" addressed to the new entrepreneurs. Based on that experience, a "European Entrepreneurs' Award" could be considered in order to reward the host entrepreneurs.</p> <p>Besides, the recognition of the entrepreneurial skills is of utmost importance. This issue is examined under the 2020 flagship "New skills and jobs" and should result in concrete solutions.</p>

<p><b>15. Engines placed on the market under the flexibility scheme</b>  <b>COM(2010) 362 final – EESC 1158/2010 – September 2010</b>  <b>Rapporteur : Mr Pezzini (Empl./IT)</b>  <b>DG ENTR - Mr TAJANI</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission position</b></p>
<p>1.9 and 4.10.1 The Committee recommends to update implementation guidelines and to evaluate the use of ecolabels in the sector.</p>	<p>It is intended to issue revised guidelines as soon as the amendment which is currently under preparation will be adopted. The Commission does for the time being not intend to study the possible use of specific ecolabels in this sector.</p>
<p>5.1.1 The Committee wonders whether it would not be appropriate to postpone the application dates for Stage III B and for Stage IV</p>	<p>The Commission studied in detail the availability of compliant machines at the dates provided in the directive and concluded that any postponement would penalise those companies (engine manufacturers and OEMs) which already invested in the development of the new technologies and appropriate production lines. Increased Flexibility will be sufficient to help the other companies to progressively adapt their production.</p>
<p>5.2 The Committee suggests to provide detailed description of the after treatment device in the type approval</p>	<p>It is Commission's intention to add this change in the amendment of the directive (2011) to clarify the legal status of separate shipment.</p>
<p>5.3 The Committee recommends that the Commission submits a report on the application of the Directive.</p>	<p>It is in the interest of all stakeholders to get a clear understanding of the impact this directive will have and the Commission intends to prepare such a report.</p>

<p><b>16. Les structures de financement pour les PME dans le contexte financier actuel</b>  <b>Avis d'initiative - CESE 1159/2010 – Septembre 2010</b>  <b>Rapporteur : Mme DARMANIN (Trav. /MT)</b>  <b>DG ENTR – M. TAJANI</b></p>	
<p><b>Points de l'avis du CESE estimés essentiels</b></p>	<p><b>Position de la Commission</b></p>
<p>Le Comité estime au point 1.1 qu'il est utile de <b>conserver et de renforcer les instruments financiers du PIC</b> (notamment dans son volet garantie) dans le cadre du programme qui lui succédera.</p>	<p>La Commission en prend bonne note mais insiste sur le fait qu'il est nécessaire de démontrer la valeur ajoutée européenne pour un tel programme. En effet, presque tous les Etats membres possèdent des systèmes de garanties en place et fonctionnant. Cette valeur ajoutée peut néanmoins être observée dans certains Etats dans le cadre d'un effet multiplicateur des opérations menées.</p>
<p>Le point 1.3 fait référence à la notion de <b>transparence des activités bancaires</b>. Le Comité insiste pour plus de transparence dans les relations banques PME</p>	<p>La question de la transparence des relations banques-PME est essentielle aux yeux de la Commission européenne. Elle a été au cœur des débats lors des différentes tables rondes Banques-PME menées ces dernières années par nos services.</p>
<p>Le Comité propose que le phénomène des <b>banques participatives</b> au niveau de l'UE soit stimulé.</p>	<p>La Commission prend bonne note des commentaires du CESE mais souligne qu'au moment où les choix bancaires internationaux s'orientent dans la plupart des pays vers le modèle de la banque universelle, et où les défaillances des banques se multiplient, on voit apparaître de nouvelles institutions financières, originales de par leur philosophie et leurs techniques contractuelles de financement. La Commission prend bonne note de la proposition du CESE mais rappelle également que ce type de financement peut comprendre des risques qu'il serait bon d'étudier préalablement à toute initiative législative.</p>
<p>Le Comité propose que le <b>FEI investisse directement au sein des PME</b>.</p>	<p>Nous ne pouvons marquer notre accord sur cette proposition. En effet, le FEI agit en tant que fonds de fonds mais n'a pas l'expérience, les ressources humaines et techniques suffisantes pour réaliser des opérations de ce type.</p>

<p>le Comité suggère que les fonds de la BEI soient alloués à des intermédiaires via des <b>lignes de crédit</b> pour soutenir pleinement des PME dans le besoin.</p>	<p>La Banque Européenne d'investissement a joué un rôle primordial dans la crise et ceci dès 2008, en réservant une enveloppe budgétaire de 30 milliards € pour des prêts PME accordées via des banques commerciales. Plus de 75% du montant a été déboursé à ces banques intermédiaires fin 2009 et 90% a atteint les PME. La Banque a ainsi touché plus de 50 000 PME dans toute l'UE.</p>
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<p><b>17. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Preparing for our future: Developing a common strategy for key enabling technologies in the EU</b></p> <p><b>COM(2010) 512 – EESC 1162/2010 - September 2010</b></p> <p><b>Rapporteur : M. MORGAN (Empl./UK)</b></p> <p><b>DG ENTR – Mr TAJANI</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>The EESC supports the proposed focus on Key Enabling Technologies (KETs). It also underlines the need for powerful KET oriented R&amp;D in universities and research centres to stimulate development and to support the commercial and industrial application of these technologies.</p> <p>However, as it stands, this proposal appears to be just another in a long series of EU initiatives designed to improve innovation and R&amp;D intensity in the internal market. Previous schemes have not been successful, as is evidenced by the present state of affairs described in the Commission analysis (paragraph 3.8 below). A new approach is called for.</p>	<p>The structural weakness of the European Union to capitalise on its own R&amp;D results on Key Enabling Technologies (KETs) prompted the Commission to provide a first situation analysis and address the need for Community action in its Communication on Key Enabling Technologies (COM(2009) 512). The Communication is therefore an important starting point and aims at identifying solutions as to how to promote the industrial deployment of KETs in the EU.</p> <p>As outlined in the Communication, the Commission will first receive an analysis of competitiveness and policy recommendations from the High-Level Expert Group on Key Enabling Technologies, which has been launched in July 2010 and will deliver its final report in summer 2011. Following this exercise, the Commission will develop further policy measures, which will aim at improving the situation of KETs and facilitate their industrial deployment in Europe.</p>
<p>1.11 The Commission is rightly concerned that without correct information, a public misled by disinformation may unreasonably oppose the introduction of KET based products and services. The EESC would support the engagement of civil society so that the necessary progress can be made. A high priority needs to be given to engaging the interest of the public in general and the young in particular in the amazing science and technology that surrounds our everyday lives, whether it be the extraordinary TMT8 convergence represented by the iPhone class of products or the chain of biology, chemistry, physics and logistics which brings meals to our table via the microwave oven.</p>	<p>The Commission shares the EESC's concern that civil society be further engaged and informed about KETs based products and services.</p> <p>The Commission agrees with the analysis of the EESC that there is a need to inform the general public and in particular young people of the benefits of high-technologies while addressing any associated risks, in particular regarding nano- and biotechnology. We expect the High-Level Expert Group on Key Enabling Technologies to make some recommendations on how to engage and inform the general public more actively in this respect.</p>

<p>Europe needs more scientists with a mission to change the world.</p>	
<p>4.4 Increased focus on joint strategic programming and demonstration projects:</p> <ul style="list-style-type: none"> <li>• The Community, but also Member States and regions, should pursue a more coordinated and strategic approach to avoid uneconomical duplication and more effectively capitalise on R&amp;D results related to KETs.</li> <li>• Innovation programmes financed in Member States should provide stronger incentives for collaborative joint programming actions between Member States. This would unlock the benefits of scale and scope and facilitate strategic alliances between European companies.</li> <li>• As the costs of demonstration projects are sometimes an order of magnitude greater than those of upstream R&amp;D, greater collaboration across the EU with stronger industry and user involvement could allow progress to be realised efficiently and affordably.</li> </ul>	<p>The Commission welcomes the EESC's suggestions to look into joint strategic programming and demonstration projects in order to promote the industrial deployment of KETs.</p> <p>As outlined in the Commission's recent Communication on "An Integrated Industrial Policy for the Globalisation Era - Putting Competitiveness and Sustainability at Centre Stage" (COM(2010) 614), Key Enabling Technologies can provide the basis for a wide variety of new processes, goods and services and strengthened support for pilot and demonstration projects are deemed essential to accelerate the development of commercial technologies.</p> <p>The objective of creating the High-Level Expert Group on KETs is to provide the Commission by summer 2011 with, inter alia, suggestions for pilot and demonstration projects, which would accelerate the industrial deployment of KETs in Europe. The Commission will carefully look at these suggestions and consider them for future KETs-related projects.</p>
<p>4.10.3 It is very easy to lose money on high-tech investments. The Commission needs to look further than venture and bank capital in whatever form. High net worth individuals must have every incentive to put their money at risk in high-tech start ups at the early stage before VCs become involved. High-tech R&amp;D should receive maximum tax relief. Tax on the capital profits from the sale of high-tech start-ups should receive favourable treatment. The rewards of success need to compensate for losses on other investments. The EU is less friendly towards investors and entrepreneurs than other regions.</p>	<p>The need to strengthen the financing of the commercialisation of technological innovation has been identified by the Commission in COM(2009) 512. The High-Level Expert Group on Key Enabling Technologies is tasked to propose to the Commission policy recommendations as to how to promote access to risk capital in early stage investments.</p> <p>Taxation policies, however, are primarily the responsibility of Member States. The High-Level Expert Group may well make recommendations towards Member States with regard to fiscal policy measures in order to promote the industrial deployment of KETs.</p>
<p>5.1 The EESC is extremely concerned about the European deficit amongst global high technology companies. The two tables below have been compiled from the 2010 Financial Times listing of the global and regional top 500 companies by market value. They contain data on the industry sectors best</p>	<p>While it is true that relatively few European-owned companies are listed in the Financial Times' global top 500 as outlined in the EESC's opinion, the European Union still has considerable strengths across a broad range of high-technology industries as well as among</p>

<p>able to exploit KETs. (see also similar comments made under 1.3 and 1.6)</p>	<p>small and medium-sized enterprises, which are an indispensable part of the supply chain of high-technology products and services. Further, Europe is well-positioned in crucial high-technology sectors, such as micro- and nano-electronics where STMicroelectronics, Infineon, AMD and NXP feature among the world's top 20. However, in order to become even more globally competitive, European policy making needs to be improved and the right measures put in place to foster the industrial deployment of Key Enabling Technologies in the European Union.</p>
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<p><b>19. Report on Competition Policy (2008)</b>  <b>COM(2009) 374 final – EESC 961/2010 - July 2010</b>  <b>Rapporteur: Mr METZLER (Var. Int./DE)</b>  <b>DG COMP – Mr ALMUNIA</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>1.1 The European Economic and Social Committee (EESC) welcomes the fact that the Commission has for the first time devoted a chapter to the issue of consumers in the field of antitrust law. It would like to point out that the collective action procedure still has to be transposed. In addition, the impact and significance that competition and antitrust law can have on and for other areas of European civil society and the economy should be highlighted. Reports should be compiled on this in the future.</p>	<p>The Commission would like to highlight that in the year 2009 and 2010, it has continued its strong enforcement of antitrust law with the view to protect consumers.</p> <p>Fighting cartels has remained an important priority for the Commission since cartels are the most serious infringement of competition law and arguably the most damaging to consumers. Moreover, the Commission would like to emphasise that cartel prevention is essential in times of crisis in order to protect consumers and SMEs facing revenues and margins constraints. The Bathroom fittings decision of June 2010 highlights this commitment from the Commission. More generally, the continuous enforcement of antitrust law is essential to foster the right framework conditions for a swift recovery of the European economy.</p> <p>The Commission would also like to point out that a public consultation will be launched in early 2011 with the aim of achieving a coherent framework for collective redress initiatives. Collective redress has the potential to provide both an additional deterrence tool and a compensation mechanism for consumers. Careful planning and design of potential measures is required. On the basis of such a coherent framework, further initiatives can be proposed, for example, in the field of competition, consumer and environmental law</p>
<p>1.4 The EESC asks the Commission to explain whether and to what extent it will make changes to the rules and guidelines in place to date on the basis of its experience with emergency relief for the finance system and the real economy with state aid, triggered by the crisis.</p>	<p>The Commission reiterates its conviction that the temporary measures adopted during the crisis to facilitate the functioning of financial markets, their restructuring and to support lending to the real economy should remain temporary. However, they should also be removed with care since timing and co-ordination will be essential to a fast and sustainable exit from the crisis.</p> <p>Given the still uncertain state of financial markets, the crisis regime for financial institutions will be extended to 2011, albeit with</p>

	<p>stricter conditions on access. The Temporary Framework for State aid for the real economy will also be prolonged in an amended form for 2011 and gradually phased out. In particular, the Commission is willing to ensure that the measures lead to a limited distortion of competition in the Single Market and will pay particular attention to the conditions of SMEs. Moreover, the Commission is willing to draw the main lessons from the crisis in designing its State aid control rules, paying particular attention to SMEs. It will also review its Rescue and Restructuring Guidelines for financial firms in normal market conditions in 2012.</p>
<p>1.5 The EESC would reiterate the statement made in its opinion on the 2007 Report, namely that the Commission should direct its attention to the importance of social dumping and non-compliance with employment protection legislation, inter alia, and report on its findings. This should be a particular priority in the field of transport.</p>	<p>The Commission takes note of the EESC request and highlights that Member States are under the obligation of implementing the European <i>acquis</i> on employment and social conditions; any potential infringement is monitored by the Commission.</p>
<p>9.2.4 The Committee calls on the European Commission, when monitoring state aid and the conditions relating to it, to ensure that - in the financial sector - the recapitalisation of the banks remains linked to the restoration of financial flows and the supply of credit. The burden on public finances can only be justified if the beneficiaries' role in the real economy is supported sustainably.</p>	<p>The Commission agrees with the Committee that it is essential to monitor that the recapitalisation of banks during the crisis have not led to significant and sustainable distortion of competition and that the recapitalisation effectively served the primary objective to boost credit flows to the real economy. In its Recapitalisation Communication of December 2008, the Commission has defined the conditions for such State recapitalisation and has paid particular attention that State capital injection should be priced according to the risk profile of each beneficiary bank. Furthermore, in its Restructuring Communication of July 2009, the Commission has clarified its approach to assess restructuring aid given by Member States to banks. Such aid should aim at creating viable banks in the long term while aided banks and their owners should bear a fair burden of the restructuring costs. Furthermore, restructuring should limit distortions to competition. The Commission has thus paid particular attention in defining its temporary State aid measures for the financial sector to the issues of limiting distortion of competition and shared</p>

	burden of restructuring. A detailed assessment of these rules and of its application is available in the Report on Competition Policy 2009 (COM(2010)282 final) and its accompanying Staff Working Document (SEC(2010)666).
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<p><b>23. The Social Dimension of the Internal Market</b>  <b>Own initiative opinion - EESC 970/2010 – July 2010</b>  <b>Rapporteur : Mr JANSON (Work./SE)</b>  <b>DG EMPL – Mr ANDOR - DG MARKT – Mr BARNIER</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>The own initiative opinion recalls that the social dimension is a fundamental, core component of the internal market, without which it can not function properly, while stressing that the EU has an important role to play in order to create political acceptance, solidarity and coherence and should place greater emphasis on the social aspects of its policies.</p> <p>The opinion deals amongst others with the economic and legal aspects of the social dimension of the internal market and also tries to capture some of the most important recent developments affecting the possibilities for the social dimension to function, recalling that even if "social policy" is a shared competence between the national and the European level, social policies are primarily the responsibility of Member States but that a coordinated European approach is necessary in view of social challenges arising from globalisation.</p> <p>The EESC also calls for a better balance between social development, a favourable economic environment and environmental protection which is key to a functioning internal market, remaining competitive over the long-term and the promotion of long-term sustainable growth and development</p>	<p>The Commission welcomes in general the opinion, which has been the subject of heated, lengthy discussions between Group I and II in order to find an acceptable shared compromise text</p> <p>It gives an overview of the main economic and legal aspects of the social dimension of the internal market, including the judicial developments in the Viking-Line, Laval, Rueffert and Commission-Luxembourg cases. The Commission shares the goal expressed in the opinion of achieving a better balance between social and economic objectives in the functioning of the Single Market.</p>
<p>The opinion formulates a number of demands in order to ensure that the social dimension of the internal market functions more effectively, in particular:</p> <ul style="list-style-type: none"> <li>- <i>in the short term</i> the EESC calls for the posting of workers Directive to be implemented more effectively, urges the Commission to assess the situation in the EU in the light of the ECHR's recent judgments, and supports measures by the Commission seeking to strengthen social dialogue;</li> <li>- <i>in the medium term</i> the EESC supports Commission initiative clarifying the legal</li> </ul>	<p>A considerable number of the recommendations and demands are coinciding with ongoing actions following the commitment given by the President to the EP in September 2009 (and reiterated in the letter to President Buzek accompanying the CWP 2010) intended to provide the requested clarifications and solutions for the problems encountered with the application and enforcement of the Posting of Workers Directive.</p> <p>Furthermore the recently adopted Single</p>

obligations for national authorities, business and workers when implementing the Posting of Workers Directive and which ensures that these rules are universally applicable. It finds the proposal in the Monti report, where the right to strike is exempted from the internal market, interesting and believes that it might resolve some of the problems, without however excluding a partial revision of this Directive in order to apply the equal pay for equal work principle consistently;

- *in the longer term* the EU should strive to strengthen the social dimension and realise the full potential of the internal market, which requires that the fundamental social rights be strengthened and that any limitation of these fundamental rights should be very restrictive. According to the EESC a Treaty change could be pursued to achieve this objective.

Market Act (see in particular action/proposal 29 and 30 and the Communication on effective implementation of the Charter of Fundamental Rights by the EU [COM (2010) 573] clearly demonstrate that the Commission takes the concerns expressed by stakeholders very seriously and gives due weight to these considerations.

More specifically, as regards the demand to partially revise the Posting of Workers Directive to introduce equal pay for equal work, the Commission would like to refer to the well-established case-law of the ECJ in the area of posting of workers. It prevents Member States from applying all their rules, including labour law, to incoming service providers and their staff. The principle of equal pay for equal work only applies to workers moving to another Member State to take up employment there.

The EESC acknowledges that social fundamental rights may be limited by certain restrictions. This is in line with the Charter of fundamental rights and the ECJ case law on fundamental economic freedoms. In that context, the Commission does not see any contradiction between the ECHR and the ECJ judgements. It all amounts to balancing fundamental rights against fundamental freedoms.

<p><b>25. The situation of people with disabilities in the EuroMed countries</b>  <b>Own-initiative Opinion - EESC 1190/2010 – September 2010</b>  <b>Rapporteur : Mr JOOST (Var. Int./EE)</b>  <b>DG RELEX – Mrs ASHTON</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>The EESC calls on the European Commission to ensure that the funding for the Mediterranean partner states is also available to civil society organisations representing people with disabilities and that resources from the European Neighbourhood Policy programmes are not used in such a way as to create additional barriers to the equal participation of people with disabilities in the life of society.</p>	<p>In the frame of the ENPI, some programmes exist opened to the participation of civil society organizations. These programmes are defined by areas/sectors of cooperation and civil society can apply depending on the different requirements established by each programme. Priorities are usually given to minorities and less advantaged groups. They are therefore open to civil society organisations representing people with disabilities. Equal opportunities and transparency are priority principles in the implementation of EC development cooperation.</p>
<p>In view of the cultural background of the Mediterranean partner states and with due recognition for the work of charities to improve the quality of life of people with disabilities, the EESC calls on the parties concerned to move towards a rights-based approach. This kind of approach is in line with the United Nations Convention on the Rights of Persons with Disabilities.</p>	<p>The EC pays special attention respect of all United Nations conventions and in any case, EC policies are always oriented towards a rights-based approach.</p>
<p>The European Commission could give greater weight to the question of development in the social sector in the partnership agreements and lay greater stress on the urgent need for improvements in social cohesion.</p>	<p>The EC give an enormous importance to the development of the social sector in the partnership agreements and the social sector is included in all the Action Plans negotiated with all Neighbourhood countries.</p>
<p>European Years and other initiatives aimed at publicising the European Union's priorities with a broader public could be used for publicity purposes by civil society organisations in the Mediterranean partner countries working in the social arena and concerned with human rights issues and combating discrimination.</p>	<p>Effectively, the EC uses the European Years to publicise, even increase support for specific EU priorities.</p>

<p><b>26. A better functioning food supply chain in Europe</b>  <b>COM (2009) 591 fin– EESC 1176/2010 - September 2010</b>  <b>Rapporteur : Mr NARRO (Var. Int./ES)</b>  <b>Corapporteur : Mr KAPUVÁRI (Work./HU)</b>  <b>DG AGRI - Mr CIOLOŞ</b></p>	
<b>Main points of the EESC Opinion</b>	<b>Commission Position</b>
<p>The EESC regrets the slowness in follow-up to the Communication on "A better functioning food supply chain in Europe".</p>	<p>The Commission has established a High Level Forum for a Better Functioning Food Supply Chain. The first meeting of the Forum was held on 16 November 2010.</p>
<p>Contractual practices must be strengthened.</p>	<p>The High Level Forum is currently examining contractual practices by a specific expert platform on Business to Business contractual practices in the food supply chain.</p>
<p>National and Community competition law must be adjusted.</p>	<p>EU competition law tackles agreements that restrict competition to the disadvantage of consumers. However, competition law does not provide a general regulation for commercial agreements between contractual parties with a view to achieving a particular outcomes.</p> <p>Anticompetitive practices in food markets, which are dealt with by competition law, should therefore be distinguished from unfair trading practices resulting from contractual imbalances and differences in bargaining power between the parties. These practices are tackled at national level through different policy tools other than competition law instruments such as, for example, contract law, SME policy, or unfair commercial practices laws.</p>
<p>The EESC urges the European Commission not only to concentrate supply but act decisively in the demand sector, checking abuses of a dominant position and various unfair and anticompetitive practices.</p>	<p>The Commission and National Competition Authorities will continue concentrating their efforts and strengthening the application of competition rules against the most harmful anticompetitive practices on food markets, such as cartels and abuses of dominant positions by large players in the food sector and cartels.</p> <p>With regard to unfair commercial practices, it should be noted that within the High Level Forum for a Better Functioning Food Supply Chain, business to business contractual relations are being discussed</p>

	<p>with the aim of addressing these unfair practices resulting from imbalances of bargaining power in the food supply chain. This may include sales below cost, late payments, unilateral changes of contract terms, listing fees, and other trading practices which tend to occur in the framework of the contractual relationships between suppliers and buyers in the food supply chain. The High Level Forum discusses also the appropriate actions which could be envisaged to tackle these practices, such as the definition of standard contracts or codes of conduct reflecting best practices on contractual arrangements, the launch of awareness campaigns or the establishment of ombudsmen for the food retail sector. As far as the dairy sector is concerned, the Commission has tabled a legislative proposals to strengthen the bargaining power of milk producers in this specific sector following the debate within the High Level Group on Milk.</p>
<p>It is essential to give adequate protection to products covered by quality marks.</p>	<p>The Commission has tabled a legislative proposal on the adaptation of quality legislation for agricultural products on 10 December 2010.</p>
<p>A study should be made of the different national approaches on establishing codes of good practice and setting-up of price monitoring centres.</p>	<p>The High Level Forum will deal with these issues and recommend to launch a study if considered appropriate.</p>
<p>The impact of CAP reforms on price volatility has to be examined.</p>	<p>The Commission will provide a comprehensive Impact Assessment, including price volatility issues, accompanying the legislative proposals for CAP post 2013.</p>
<p>The Commission should encourage initiatives that favour local markets.</p>	<p>The Commission Communication on future of the CAP will address this issue.</p>

<p><b>29. Enhancing the effectiveness of the European Union energy policy in favour of SMES and particularly micro enterprises</b>  <b>Own initiative Opinion - EESC 986/2010 - July 2010</b>  <b>Rapporteur : Mr DAVOUST (Empl./FR)</b>  <b>DG ENERG – DG ENTR – Mr OETTINGER – Mr TAJANI</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>The aim of the EESC opinion is to encourage EU institutions to take SMEs into account in future EU energy policies, notably on energy efficiency where the SMEs' situation has not been specifically addressed.</p>	<p>Partial acceptance of observations: The Commission notes that a general SMEs policy already exists at EU level. While it is true that energy efficiency policy has not developed a specific SME policy or special SMEs communication channels, SMEs' networks and associations participate in the stakeholders' consultations organised by the Commission in the framework of the preparation of new energy proposals. Moreover, where relevant, the impacts of such proposals on SMEs are assessed in the impact assessments accompanying the proposals.</p> <p>The Commission plans to launch a specific study in 2011 (under Intelligent Energy Europe programme) on energy-efficiency and energy-saving potential in SMEs and on possible policy mechanisms to further involve SMEs in energy-efficiency improvements. This study would contribute to assess possible gaps, to better define the role of SMEs in energy efficiency policy, and to explore possible approaches and mechanisms to enhance cooperation between SMEs and ESCOs.</p>
<p>The report also points to the need of stepping up the introduction of energy efficiency contracts with ESCOs (energy service companies), especially for micro businesses.</p>	<p>Acceptation of observations by the Commission : the Energy Services Directive (2006/32/EC) promotes the development of an energy efficiency services market by requesting Member States to "ensure that there are sufficient incentives, equal competition and level playing fields for market actors other than energy distributors (...), such as ESCOs..." Member States may also oblige energy distributors and operators either to offer to their final customers energy services or to ensure the availability of competitively-priced energy audits. Member States shall also make model contracts for the financial instruments available to existing and potential purchasers of energy services.</p>

	<p>The Commission agrees with the EESC that the uptake of energy efficiency contracts by SMEs should improve and will look in its forthcoming new Energy Efficiency Plan to the various possibilities to promote energy performance contracts and other energy services among households and businesses, including SMEs. In the light of these orientations, the proposal of a revised Energy Services Directive (scheduled in 2011) will propose adjustments in the regulatory framework.</p>
<p>The report notes the very weak contribution of Structural Funds to small companies, only 1-2% in certain regions. The insufficient access of SMEs to EU programmes and the need to simplify procedures to access for financing to allow for eco-energy investments is also highlighted.</p>	<p><b>Partial acceptance of observations:</b> For what regards the contribution of Structural Funds to actions on the promotion of sustainable energies, there is for instance an un-capped financial support already available for the promotion of energy efficiency and the introduction of renewable energies in public and commercial/industrial buildings. The Commission is supporting Member States in better use of all available Structural funds to stimulate investments in these areas. In addition, up to 4% of the total national amounts of the European Regional Development Fund can be used for increasing energy efficiency and use of renewable energy in the housing sector, including through the establishment of revolving funds. The building stock renovation programmes put in place by the MS will mostly benefit small businesses of the construction and renovation sector. But beyond the Structural Funds there are other programmes and financial instruments that have SMEs as main direct or indirect beneficiaries, such as the Intelligent Energy Europe Programme (IEE) or Eco-innovation funding scheme. Even though, the IEE Programme is not specifically designed to support SMEs, the participation of SMEs in projects and dissemination activities is quite high at up to 49 %. In absolute numbers, about 500 SMEs participate in the 115 projects funded by the two first calls. More generally and not related to energy efficiency, the JEREMIE initiative (“Joint European Resources for Small and Medium-sized Enterprises”) offers Member States the opportunity to use part of their allocated Structural Funds to finance small and medium-sized enterprises (SMEs) by means</p>

	<p>of equity, loans or guarantees, through a revolving holding fund acting as an umbrella fund.</p> <p>The Competitiveness and Innovation Framework Programme (CIP) also supports SMEs through different intervention mechanisms, such as co-funding projects and measures aimed at improving the business environment in which enterprises, most of which are SMEs operate. Such direct support to SMEs, in the period January 2007 – end 2009, enabled 58,767 SMEs to receive loans. In addition to that, 82 highly innovative SMEs benefited from venture capital (16 of them in the eco-innovation sector).</p>
<p>The EESC recommends the introduction of a plan to help SMEs identify eco-energy innovations, support their development, certification and patenting, and facilitate access to market; introduction of simplified techniques for standardising eco-energy innovation (harmonised EU technical standards).</p>	<p>Partial acceptance of observations: While there is no plan at such, the Commission has already made efforts to help SMEs in eco-innovation. In the light of the Small Business Act, the Commission has taken action to raise SMEs' awareness on environment and energy-related issues and provided support to assist them implementing legislation, assessing their environment and energy performance and upgrading skills and qualifications. The review of the SBA to be adopted soon stresses the need to continue with these actions at EU and national level and puts an emphasis on actions aiming at helping SMEs to become key players in the resource-efficient economy. The Commission will certainly continue to promote the exchange of good practices, e.g. to encourage the take-up by SMEs of innovative business models and invite Member States to simplify procedures and help SMEs to acquire the necessary skills.</p> <p>With the objective of providing pro-active services to help SMEs turning environmental challenges into economic opportunities, the Commission has created a network of environment and energy efficiency experts in the Enterprise Europe Network. The network will offer on-site environmental services to SMEs and build local cooperation with Environmental Service Providers. The 7 proposals selected in 2009 started its activities at the beginning of 2010 involving 55 network partners from various regions and 8 sectors of activity. A second call for proposals is now open.</p> <p>On the other hand, aware that complying</p>

	<p>with environmental obligations can be harder for a small business than for a larger one, the Commission launched in 2007 the Environmental Compliance Assistance Programme which intends to reduce the burden of compliance by designing instruments and policies to integrate environmental concerns into the core of SME activities. The measures include the dissemination of information specifically targeted for SMEs, promoting support networks, and training activities that build local environmental expertise. The Commission will strengthen the implementation of ECAP further.</p> <p>Regarding standardisation, the Commission already supports the involvement of SMEs in the European standardisation process through a Framework Partnership Agreement signed with NORMAPME, the "European Office of Crafts, Trades and Small and Medium sized Enterprises for Standardisation". It seeks to establish, for example, permanent contacts with the recognised European standards organisations and improve SMEs and craft enterprises' information on, and use of European standards.</p>
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<p><b>31. The EU's new energy policy: application, effectiveness and solidarity" Own-initiative Opinion - EECS 1186/2010 – September 2010</b>  <b>Rapporteur: Mr HERNÁNDEZ BATALLER (Var. Int./ES)</b>  <b>DG ENER – Mr OETTINGER</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission position</b></p>
<p>The EESC largely supports the objectives of the current EU energy policy. The EESC stresses the need to boost all aspects of the operation of the internal energy market including infrastructure, public procurement and proper operation of the market and consumer protection.</p> <p>Mechanisms should be established to prevent serious and unjustifiable price disparities often wrongly based on the type of energy being consumed, supply sources and distribution facilities. Energy production should be rationalised.</p> <p>In its view there is a certain legal tension between supranational task of liberalising and harmonising the energy market and the national task of protecting the social well-being (avoidance of energy poverty). It will be difficult to balance the broad discretion granted to national authorities with regard to services of general economic interest and the free and undistorted play of competition in the internal market.</p> <p>The EESC calls therefore for a <u>proper European public service</u> in energy, which in compliance with the subsidiarity principle, would be responsible i.a. for drawing up a public register of energy consumption patterns in the Member States, the type of energy consumed in each country, measures to prevent disasters resulting from the use and transport of energy, and co-ordination of civil protection to this end.</p>	<p>The new energy strategy of the European Commission takes into account many of the issues raised by the EESC.</p> <p>The Commission attaches due importance to energy poverty issues and the need to ensure an efficient protection of consumer rights.</p> <p>The Commission takes note of EESC's opinion. However, given the different national traditions the Commission for the time being does not foresee to propose a harmonisation of services of general economic interest in the field of energy.</p>

<p><b>32. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 663/2009 establishing a programme to aid economic recovery by granting Community financial assistance to projects in the field of energy.- COM (2010) 283 final – EESC 1188/2010 – September 2010</b>  <b>Rapporteur : Mr BUFFETAUT (Empl./FR)</b>  <b>DG ENER - Mr OETTINGER</b></p>	
Main points of the EESC Opinion	Commission Position
<p>"Details are needed (or at least an estimate) as soon as possible – by the end of 2010 – of the total amount available under this envelope over and above the EUR 114 million already announced (...)."</p>	<p>The Commission takes note of the concern expressed by the EESC. As at 1<sup>st</sup> October 2010 the amount of unspent funds that will not be committed through grant agreements or Commission decisions, and that are therefore available for the new energy efficiency facility, is €146.344.644,50.</p> <p>Consequently, this precise amount of € 146.344.644,50 will be referred to in the Amending Regulation.</p>
<p>In the absence of a list of pre-selected projects (as under Regulation (EC) No 663/2009), the EESC will take a close interest in the way funds are allocated between project financing and technical assistance. The EESC believes that the bulk of funding should go to concrete investments or projects.</p>	<p>The Commission agrees that the main part of the unspent funds should be dedicated to the Fund for concrete investments of energy efficiency and renewable energy projects.</p> <p>Technical assistance to local, regional or national, authorities will be provided in the limits of up to 15 % of the EU contribution.</p>
<p>The EESC stresses that this financial assistance to investment projects must comply with the principle of neutrality of treatment vis-à-vis the public or private operator. There should therefore be scope to implement these projects as Public Private Partnerships.</p>	<p>The Commission agrees with the opinion of the EESC. The Amending Regulation endeavours to target regional and local public authorities for the implementation of projects. However, the Regulation invites public or private entities acting on behalf of those public authorities to be part of these projects and thus the implementation of energy efficiency and renewable energy projects as Public Private Partnerships is possible.</p>

<p><b>33. Building a sustainable economy by transforming our model of consumption</b>  <b>Own-initiative Opinion - EESC 959/2010 – July 2010</b>  <b>Rapporteur : Mrs DARMANIN (Work./MT)</b>  <b>DG ENV – Mr POTOČNIK</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>1.3 The EESC recommends that the EU2020 strategy would take into consideration both measures for sustainably producing and also measures for sustainable consumption.</p>	<p>The EU 2020 Strategy aims to a smart and sustainable growth, fostering knowledge, innovation, education and digital society, and making our production more resource efficient. This implies also fostering sustainable consumption, to orient it towards more sustainable products and services.</p>
<p>1.4 Achieving 80-95% emission cuts over 40 years while sustaining annual economic growth of 2-3% means reducing the carbon intensity of the economy by 6-10%/year. To address such a challenge, it would be prudent to begin a serious dialogue about the potential for changing consumption patterns and the overall economic and social model that relies on expanding production and consumption, as well as seeking the most rapid possible improvements in production and supply chains</p>	<p>The Commission agrees with the Committee that such a challenge needs dialogue with all stakeholders. It has already started consulting MSs experts within sight of the review of the Sustainable consumption and Production / Sustainable Industrial Policy Action Plan which will intervene in 2012. Other discussions are led with business representatives, for example in the Retail Forum or the Food Round Table, to improve the environmental performance of the supply chain and consumer's information.</p>
<p>1.5 Efforts for change from the top down alone are unlikely to work. Social change often starts with small groups in society and spreads through a variety of communication channels. The role of the EU, national and regional government may be to identify, encourage and support existing groups working for sustainable living.</p>	<p>Many initiatives led at local levels are supported by the Commission, notably through projects which come within the 7<sup>th</sup> Framework Research Programme. Many of these projects aim to gather researchers and civil society organisations to promote more sustainable ways of life and behaviour.</p>
<p>1.6 A dialogue is needed involving EU institutions, national and local government, and all the social partners. One way forward would be for the Commission to work with EESC to create a forum on sustainable consumption exploring:          - the values that could shape a sustainable economy, and the tensions between growth and ecological sustainability, social inclusion and personal freedom, the quality of life of the current population and that of future generations etc.,          -whether we need to consume less in certain</p>	<p>The Commission is aware that the demand-side of SCP has to be addressed more in depth. It has already begun to think at the best ways to facilitate and promote sustainable consumption patterns, notably by tackling financial, social and behavioural barriers which inhibit changes. This will be part of the review of the SCP/SIP Action Plan.          The suggestion to create a forum on sustainable consumption is interesting however, resource constraints must be taken into account.</p>

<p>areas,</p> <ul style="list-style-type: none"> <li>- what prevents citizens from choosing more sustainable consumption patterns and how can local, national and EU government help,</li> <li>- the experiences of individuals and groups that have adopted low-impact ways of living, and the potential for replicating them,</li> <li>- the measures needed to support more sustainable consumption among particular groups, e.g. the elderly, young people, the unemployed, recent immigrants, families with small children.</li> </ul>	
<p>1.7 Dialogue must be connected to action, including support for experimentation by groups working for sustainable living and for communication of their experiences, adjustment and strengthening of policies where relevant, and practical action within EU institutions to provide leadership and demonstrate the potential for more sustainable practices. Furthermore best practices ought to be publicised so as to demonstrate the possibility of changes in consumption models.</p>	<p>As said above, many Commission research actions aim to connect researchers and organisations of the Civil Society so that they can work together, build on their respective activities, and disseminate their results.</p>
<p>1.8 Sustainable consumption cannot be seen as an environment policy brief only. It will require initiatives in many policy areas including health, education, employment, trade, consumer affairs, transport, agriculture and energy</p>	<p>The Commission agrees with the Committee that the issue of sustainable consumption must not be considered from an environmental point of view only. So the works related to the Europe 2020 Strategy, such as the Resource Efficiency flagship, will also address sustainable consumption in a cross-cutting manner. They involve all the concerned services of the Commission, including those in charge of all the issues mentioned by the Committee. The issues related to sustainable consumption must be considered as a whole.</p>

<p><b>35. Green Paper on forest protection and information</b>  <b>COM(2010) 66 final– EESC 1179/2010 – September 2010</b>  <b>Rapporteur : Mr KALLIO (Empl./FIN)</b>  <b>Corapporteur : M. BURNS (Empl./UK)</b>  <b>DG ENV – Mr POTOČNIK</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>1.4 The EESC recommends that the Commission:</p> <ul style="list-style-type: none"> <li>- set an example to the Member States with regard to coordination of forestry-related matters with other sectors, policies, neighbouring states and other operators with regard to anticipating future developments and risk and crisis management;</li> </ul>	<p>The Commission organises regular interservice group meetings and has close contacts with the forest sector (private and public forest owners, wood and paper industry associations, research communities) and NGOs.</p> <p>The Commission envisages continuing coordination via the advisory group 'forestry and cork' and the advisory committee on forestry and forest based industries, the Standing Forestry Committee and related expert groups.</p>
<ul style="list-style-type: none"> <li>- support the production of information on the properties of wood and wood-based products, for example their climate benefits, in order to promote sustainable consumption and production;</li> </ul>	<p>The Commission recognises the substitution effect of wood and wood-based products and supports all information production. However, this will not necessarily lead to promoting sustainable production.</p>
<ul style="list-style-type: none"> <li>- commission a study on the various operators involved in gathering information on forests and the information they gather;</li> </ul>	<p>The Commission is not giving priority to such a study, as the data providers are well known.</p>
<ul style="list-style-type: none"> <li>- develop forest information and planning systems, as well as good practice based on these systems, in partnership with the forest-based sector technology platform, research centres, national organisations and the various operators in the forest-based sector so as to help locate and respond to sudden changes, such as disasters;</li> </ul>	<p>One of the follow-up actions of the Green Paper could indeed be the establishment of a new forest monitoring scheme. The Commission is ready to involve the MS, their national forest inventories, as well as the broader research community.</p>
<ul style="list-style-type: none"> <li>- provide more support to Member States and other operators in implementing and monitoring sustainable forestry, and in the production of the information necessary for this and in the harmonisation of information production.</li> </ul>	<p>Currently, Rural Development can provide support for implementing sustainable forestry. The Commission will explore, in the context of the CAP review, how access to this support can be improved.</p>
<p>2.1 The purpose of this Green Paper is to encourage an EU-wide public debate and to secure views on the future of forest protection and information policy, as well as to provide elements for a possible update of the EU Forestry Strategy, especially in relation to</p>	<p>The purpose is not to provide elements for a possible update of the EU Forest Strategy, but this goes hand in hand.</p> <p>It is the White Paper which invited to update the EU Forest Strategy on climate related aspects and to launch a debate on</p>

<p>climate issues. The issues raised in the Green Paper follow on from the preceding Commission White Paper <i>Adapting to climate change: Towards a European framework for action</i><sup>9</sup>.</p>	<p>forest protection and information.</p>
<p>7.2. (...) The Commission has put in place monitoring systems for phenomena with a cross-border impact such as forest health and forest fires, as well as joint European information and communications systems".</p>	<p>The Council and Parliament 'Forest Focus' Regulation concerning monitoring of forests and environmental interactions expired in 2006. Today there is no legal basis for a coherent continuation of forest health and forest fire monitoring.</p>
<p>7.4. (...)The main lacunae in terms of forest protection and climate change are forest diversity outside protected areas, sustainable use of bioenergy resources, carbon stocks and sinks, including wood-based products, and rapid location of damaged areas. Support for national operators and the collection of forest information and its harmonisation must be stepped up.</p>	<p>The Commission prefers not to anticipate the outcome of the public consultation on the Green Paper.</p> <p>Rapid location of areas damaged by forest fires is not a problem. Together with rapid location of damages caused by storms, insects, pests or other climate change induced challenges, it could contribute to a future holistic forest monitoring system.</p>

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<sup>9</sup> COM(2009) 147 final.

<p><b>36. Communication from the Commission - Options for an EU vision and target for biodiversity beyond 2010</b>  <b>COM(2010) 4 final - CESE 1178/2010 - September 2010</b>  <b>Rapporteur : Mr Ribbe (Var. Int./DE)</b>  <b>DG ENV – Mr POTOČNIK</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>The EESC supports the ambitious targets drawn up in Option 4 of the Commission communication, which has also been adopted by the Council of Environment Ministers and by the European Council.</p>	<p>The 2050 vision and the 2020 target as endorsed by the European Council are almost identical to the 2050 vision and the most ambitious option for a 2020 target proposed by the Commission in its Communication (2010)4.</p>
<p>The Committee therefore calls on the Commission and the European Council not to dress up old objectives with new data but finally to draw up a binding plan of action for all Commission departments, with a clear timetable and interim objectives as well as sufficient funding, and also to provide guidelines as to the changes needed at Member State level.</p>	<p>The Commission is currently developing the future EU post 2010 Biodiversity Strategy. In the ongoing stakeholder consultations, broad support is emerging for a prioritised, sequential approach with a limited number of subtargets such as the one adopted for climate change with the Climate and Energy package ("20/20/20" objective), or the 5-headline-target approach of EU2020. On this point, the Commission will carefully consider the EESC opinion as well as the input of stakeholders in developing such subtargets.</p>
<p>The forthcoming budget reform and the reorientation of the common agricultural and fisheries policies and Structural Funds will therefore to some extent be a test of the EU's biodiversity policy, in terms of both its integration into other policy areas, which has been advocated for years, and the necessary funding.</p>	<p>The Commission is aware and concerned of the under spending on biodiversity within the current operational programmes and this would be assessed in the context of the reform of these policies. The Commission indicated in its Communication (2010)4 that one of the shortcomings of the current policy is the insufficient funding for Natura 2000 sites, given that early estimates show that only 20% of the total financing needs for managing protected areas in Europe are being met. To overcome this very serious gap, the Commission will adopt a Communication on Natura 2000 financing in 2011.</p>
<p>The current content of the new EU 2020 strategy does not do justice to the challenges of maintaining biodiversity. The new approach to biodiversity must fill these gaps and in due course become an integral part of this strategy.</p>	<p>The EU 2020 Strategy identifies seven flagship initiatives the EU should take to boost growth and employment. These include an initiative for a "Resource efficient Europe" in the frame of which the Commission will launch an initiative that will positively impact on and directly contribute to our biodiversity objectives. The scope of the initiative will</p>

	<p>cover all natural resources, encompassing biodiversity and the ecosystem services it provides, therefore has the potential to significantly reduce pressures and threats faced by biodiversity in Europe and at global level.</p>
<p>The new approach to biodiversity must define responsibilities more clearly, e.g. the relationship between the EU, the Member States, the regions and local authorities, and between the business world, associations and society, but also within the Commission's departments.</p>	<p>As Parties to the United Nations Convention on Biological Diversity, the 27 EU Member States are obliged to adopt National Biodiversity Strategies and Action Plans. Given that many of the issues that have to be addressed in these Plans very often fall under the competence of regional and local authorities, it would seem indeed necessary to ensure that the measures needed to comply with the aim of the Convention be reflected in local or regional biodiversity programmes to ensure a comprehensive and coherent articulation between national and regional and local obligations. The same will need to apply for the implementation of the upcoming EU Biodiversity Strategy.</p> <p>Through the Platform Business and Biodiversity set up by the Commission, it is intended to enhance the involvement of the private sector in the challenge of halting biodiversity loss.</p>
<p>The EESC therefore expects the Commission to publish during the autumn of 2010 a detailed list of those policy areas in which there are shortcomings in the integration of biodiversity targets, referred to only very vaguely in the communication. It should also be established why the 2006 biodiversity strategy, which after all included around 160 measures of various kinds, was not successful.</p>	<p>The Commission has just adopted the 2010 Assessment of the Implementing the EU Biodiversity Action Plan (COM(2010)548). This report contains a wealth of facts and data on actions taken to halt biodiversity loss in all 27 individual Member States and at EU level. It identifies the main gaps and deficiencies of the current policies and confirms that the EU has missed its target of halting the loss of biodiversity by 2010, although significant progress has been made over the last two years. It draws up important lessons learned from implementing the action plan which will underpin the EU's post-2010 strategy.</p>
<p>Biodiversity maintenance must play a greater role, particularly in the CAP. With the 2013 reform of agricultural policy, biodiversity maintenance criteria must play a major part in the CAP, in order to resolve the current conflict between economic production and nature conservation.</p>	<p>The Commission is finalising a Communication on the Common Agriculture Policy towards 2020 which will present some options to address several challenges faced by current agriculture and among those the environmental challenge. In this context the</p>

	greening of the CAP to better integrate biodiversity protection aspects is been considered.
<p>The concept of "green infrastructure" put forward in the Commission communication should be vigorously developed. What is needed in order to achieve the biodiversity targets is not only a system of individual protected areas, of the kind currently being developed with the NATURA 2000 network, but also a linear European system of linked biotopes or, in EU terms, a trans-European nature network, which could include:</p> <ul style="list-style-type: none"> <li>- corridors for terrestrial migratory species like the wolf, lynx, bear and wildcat, e.g. of a linear kind for forest-dwelling species;</li> <li>- linking water margin and wetland biotopes in implementation of the Water Framework Directive (WFD), which would be helpful for species tied to water margins and wetlands (open land structure); but also</li> <li>- field margins, headland, copses, species-rich grasslands (lowland meadows), avenues for open-land species (linking with agricultural support).</li> </ul>	<p>Green Infrastructure, a concept which was already introduced in the White Paper on Adaptation to climate change (COM(2009)147, is a very important tool to integrate biodiversity considerations into these other policies as recognized in the Council Conclusions of March 2010. In addition it will allow making use of the maintenance and restoration of ecosystem functioning to contribute to biodiversity protection, climate change mitigation and adaptation, as well as disaster prevention. The Commission will adopt in 2011 an initiative on Green Infrastructure.</p>
<p>In order to maintain and further develop the Natura 2000 areas, at present the core of EU biodiversity policy, the EU must finally develop sufficient support facilities for the development and safeguarding of these areas.</p>	<p>The Commission fully agrees that substantial efforts need to be made to ensure the full implementation of the Directives on Habitats and Birds, as well as other environmental legislation which contribute to halt biodiversity loss.</p>

<p><b>38. Promoting sustainable green jobs for the EU energy and climate change package</b>  <b>Own-initiative opinion – EESC 985/2010 - July 2010</b>  <b>Rapporteur: Mr IOZIA (Work./IT)</b>  <b>DG CLIMA – Mrs HEDEGAARD</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>General assessment of the EESC opinion.</p>	<p>The observations and views expressed in the opinion appear to be very much in line with the position of the Commission on the issue in subject. In particular, the Commission appreciates the EESC's opinion with regard to EU policy priority setting (focus on a green, social, competitive Europe in a new economic, social and environmental equilibrium), coordinated and streamlined policy intervention and public funding, as well as balanced EU labour market development. Furthermore, the Commission welcomes the EESC approach to reflect and report on concrete measures suited to support and steer the transition towards a low-carbon economy, characterised by a high intensity of decent green jobs. Also, the Commission shares the EESC's views on the relevance of dialogue, cooperation and consultation at EU, national and local level, involving all stakeholders. In particular facing the restructuring process the involvement of social partners.</p>
<p>1.Summary of the opinion</p>	<p>The Commission agrees with the outlined policy focus, including the necessity to ensure a balanced EU labour market development.</p> <p>The scope of the inherent economic and societal changes and the relevance of a comprehensive stakeholder involvement and complementary employment measures appear to be properly assessed by the EESC.</p> <p>Stakeholder consultation by the Commission in the field of climate change policies is ensured on a regular basis. The Commission is also in a process of establishing a permanent consultation structure for the cross-industry social partners on the employment consequences of climate related policies.</p> <p>The Commission agrees with the EESC on the important role of public procurement, particularly in view of encouraging the market to accelerate investment in technological</p>

	<p>innovation, and notes the focus the EESC puts on the potential contributions of the agricultural industry, the energy, transport and housing sectors.</p>
2 Introduction	<p>The Commission shares the opinion of the EESC with regard to the potential economic benefit of green policies, the latter being continuously reviewed and further extended, as appropriate.</p> <p>The Commission wishes to underline the relevance of "cost-effectiveness" and "sustainability" concepts when it comes to the choice of appropriate policy measures, including support for biomass production and use in the framework of renewable energy policies.</p>
3 The economic crisis and green jobs	<p>The emphasis on high-quality vocational training and measures proposed about it is welcome and reflects the orientation of the EU Agenda for New Skills and Jobs .</p>
4 The key players and good examples	<p>The Commission shares the EESC's view with regard to the role the organised civil society can play in the transition towards a green economy.</p>
5 Outlook	<p>The Commission is of the opinion that the impact of climate change policies on employment should be measured in a holistic way. An excessively narrow definition of the green jobs may result in a failure to take advantage of the wider economic and labour-market consequences of tackling the environmental challenges. The 'green' factor in employment should be understood as all jobs that are created, substituted, lost or redefined (in terms of skills sets, work methods, profiles greened, etc.) in the transition process of greening the economy.</p> <p>In the long-term all types of jobs could become green(er), i.e. influenced by the 'green(er)' thinking than today.</p>
6 Positive measures to promote green jobs	<p>The Commission agrees with the challenges as outlined by the EESC and appreciates the approach followed by the EESC to propose concrete policy measures.</p> <p>The Commission takes these proposals into consideration.</p>

<p><b>39. Simplifying the implementation of the research Framework Programmes COM (2010) 187 final – EESC 1166/2010 – September 2010</b>  <b>Rapporteur : Mr WOLF (Var. Int./DE)</b>  <b>DG RDT– Mrs GEOGHEGAN-QUINN</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>1.2 ...the Committee welcomes the Commission communication and in principle endorses the proposals set out therein.</p>	<p>The Commission is comforted in its approach by the support given to the options presented in the communication.</p>
<p>1.5 The Committee [...] recommends a gradual harmonisation of the relevant rules and processes, initially as regards research funding from the EU</p>	<p>The Commission agrees that the multiplication of funding mechanisms and implementing bodies is a source of complexity. The proposal for the next Framework Programme will pay due attention to reducing this complexity and to harmonising the implementation modalities.</p>
<p>1.6 The EU's research funding needs a better balance between freedom and supervision. [...] The Committee recommends an approach based on trust ...</p> <p>In this respect, the Committee supports the Commission proposal to increase the tolerable risk of error in the research field.</p>	<p>The Commission is committed to moving towards a more trust-based approach regarding the management of the research programmes. The next Framework Programme will address simplification as deeply as possible while ensuring a sound financial management.</p> <p>A higher Tolerable Risk of Error would certainly allow the Commission to modulate the control effort to optimise cost-effectiveness and to balance the need for effective control with establishing a trust-based relationship with researchers.</p>
<p>1.7 The Committee also recommends the following practical measures that largely tie in with the Commission communication:</p> <ul style="list-style-type: none"> <li>• Admission of the awardees' settlement procedures carried out under existing national rules</li> <li>• Appropriate and efficient practical implementation of the rules</li> <li>• Lump sum amounts as options, but not as a pretext for reduced support; actual costs as a basis for calculation</li> <li>• Maximum possible coherence and transparency of the procedures</li> <li>• Maximum possible continuity and stability of laws and procedures</li> <li>• Coherent audit strategy defined by transparent procedures</li> <li>• Further development of software tools</li> <li>• Eligibility of value added tax</li> <li>• Simplification specifically for SMEs</li> </ul>	<ul style="list-style-type: none"> <li>• The Commission takes all the calls for stability and legal certainty very seriously and prefers therefore to consider the changes requiring an adaptation of the legal basis in the context of the preparation of the next framework programme.</li> <li>• A broader acceptance of usual accounting and management practices of the beneficiaries, including average personnel cost methodologies, would indeed simplify the Framework Programmes funding principles. Rules for participation applicable across all intervention mechanisms or less reimbursement rates and indirect costs methods would reduce complexity and increase legal certainty for the participants. Such directions, which will ease the participation of smaller players, including</li> </ul>

<ul style="list-style-type: none"><li>• Reliable, clear and timely guides (instruction manuals) for support programmes and instruments.</li></ul>	<p>the SMEs, will be explored in the consultation on FP8. The Commission also takes note that the committee is not against the principle of using lump sums, provided this approach remains optional and does not prevent using actual costs.</p> <ul style="list-style-type: none"><li>• The Commission services are meanwhile working intensively on implementing measures assuring uniform interpretation and application of the rules across all concerned Commission departments. In parallel to this, all the continuous efforts to improve guidance to the participants as well as the IT tools and services are intensified. This ongoing process will also benefit future activities.</li></ul>
<p>1.8 The Committee is fundamentally sceptical about the Commission's more far-reaching proposal to consider "results-based funding" as an alternative support method for the next framework programme, given that it has not yet received any detailed, clear information from the Commission on which to objectively assess, among other things, the (potential) procedural impact of such a move. Nonetheless, the primary purpose and concern of any support programme should clearly be to obtain new and important knowledge by opting for the best and most efficient means of achieving this and making the rules and how they are applied subject to this goal.</p>	<p>The Commission's most radical option for FP8 is to move from the current cost-based system to a system where lump sums are paid on the basis of the assessment of the research carried out in a project. Paying lump sums against output or results would allow removing all checks on actual costs incurred in the project and would shift the control efforts from the financial to the scientific side. The Commission is well aware that such a result-based approach has major risks and takes the concerns of the stakeholders very seriously. Many actors rather favour a science-based funding system, putting emphasis on scientific/technical criteria associated with a simplified and efficient financial control. Further discussions and stakeholders' consultation for the preparation of FP8 will allow to further elaborate on such an approach.</p>

<p>1.9 However, as well as simplifying the legal, administrative and financial rules and procedures, it is equally important to streamline scientific and thematic application, evaluation and monitoring procedures, in order to curb overregulation and the deluge of European and national institutional reporting requirements, application procedures, reviews, evaluations, authorisation arrangements, etc., and to work towards harmonisation.</p>	<p>The Commission agrees that harmonisation and at the end rationalisation of programmes and instruments across Europe would bring simplicity and allow concentrating resources and efforts on the generation of new knowledge. Such issues are part of the ongoing interaction with stakeholders in research, and relate to the full realisation of a 'European Research and Innovation area'.</p>
<p>3.9 An approach based on trust. Mistakes or errors detected in settling costs are largely due to the complexity of support criteria and generally speaking have no fraudulent intent. A clearer distinction should therefore be made between mistakes, errors and fraud. The Committee thus recommends that the Council, Parliament and Commission follow an approach based on trust and make this a central aspect of European research support. In this respect, the Committee supports the Commission proposal to increase the tolerable risk of failure in research.</p>	<p>The current FP7 control strategy has been designed to comply with the current approach of the Court of Auditors for its annual declaration of assurance. It aims to detect and correct errors so as to bring the residual error level down to below 2%. The Commission agrees that this is costly and puts a great administrative burden both on beneficiaries and on the Commission. A higher Tolerable Risk of Error would indeed allow the Commission to modulate the control effort to optimise cost-effectiveness and to balance the need for effective control with establishing a trust-based relationship with researchers.</p>

<p><b>40. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on "Transforming the digital dividend into social benefits and economic growth"</b>  <b>COM(2009) 586 final - EESC 988/2010 – July 2010</b>  <b>Rapporteur : Mrs DARMANIN (Work./ MT)</b>  <b>DG INFSO - Mrs KROES</b></p>	
<b>Main points of EESC Opinion</b>	<b>Commission Position</b>
<p>1.1 The EESC welcomes the Commission Communication on Transforming the digital dividend into social benefits and economic growth. This is a very important step forward in fulfilling one of the EU2020 objectives of a Smart, Sustainable and Inclusive growth, whereby the Digital Dividend will be an integral part of the Digital Agenda for Europe.</p>	<p>The Commission welcomes the wide-ranging support expressed in the opinion of the Committee regarding the need for a coordinated approach to the digital dividend.</p>
<p>1.2 The EESC in fact supports the Commission in ensuring that the 2012 deadline for the freeing of the spectrum is kept by the Member States. The EESC understands that a few countries may have difficulties and realistic reasons for not keeping to such a deadline. However the non-conformance to the deadline should be based on valid reasons and the period after January 2012 for their compliance should be as short as possible.</p>	<p>The Commission shares the view of the Committee. It is to be noted that since Member States have committed themselves to analogue switch off in 2012, the Commission is not thinking in terms of formal enforcement.</p>
<p>1.5 The EESC urges the Commission to initiate an integrated communication strategy which would show the motivation of changing from analogue to digital and the benefits derived there-from.</p> <p>4.3 The reason for the switch over from analogue to digital may not have been evidenced clearly in the past. The public may have the perception that such a switch over is purely for commercial gain of the TV operators, as there may be a cost to the change in the household equipment. Hence it is crucial that a proper communication strategy is prepared and implemented so that the real reason for this switch over is known.</p>	<p>The Commission understands the concern regarding proper communication to consumers. However, the Commission believes that Member States are in the best position to ensure such communication.</p>
<p>4.4 It is crucial that all the Member States share a common band in order to allow a universal service all over the EU and to all</p>	<p>The Commission issued a proposal, as part of the Radio Spectrum Policy Programme initiative, which aims at making</p>

<p>European citizens. The optimal choice is the 800 MHz band, which is located in the UHF sub-band 790 862 MHz.</p> <p>4.10 Member States will be recommended to free the 790-862 MHz sub-band for the digital dividend, but they will not be obliged to do so. If a particular country's spectrum situation is such that all TV broadcasting services cannot be packed into the remaining part of the UHF spectrum, the country in question will be allowed to keep TV broadcasting services in the 800 MHz band. Countries may also choose to accommodate simultaneous operation of TV broadcasting and wireless broadband services as a compromise solution.</p> <p>4.11 Since all Member States are likely to use the 800 MHz band for wireless broadband services on the long term, it is essential to develop appropriate technical specifications in order to avoid harmful "border effects" which would certainly damage the wireless broadband services because of the lower power levels used for the wireless cellular networks.</p>	<p>mandatory the opening of the 800 MHz band to wireless broadband by 1 January 2013, with justified derogations possible until 2015. This complements the EC decision harmonising the conditions of use of this band when allocated to wireless broadband (Decision 2010/267/EU).</p>
<p>4.7 Because of their critical financial situation, many TV operators that are currently forced to switch on digital TV transmitters in those Member States which are implementing the ASO are not able to purchase equipment that performs well (typically manufactured in the EU). In these difficult circumstances, they find themselves forced to purchase cheaper but also lower-performance and less reliable broadcasting equipment, typically manufactured in the Far East. As a result, this equipment could already be out of commission after only two or three years, thus forcing the broadcasters to once again purchase new broadcasting equipment (hopefully of higher reliability and performance).</p>	<p>The Commission services were not aware of this potential issue. Therefore, the Commission will request information from Member States through the Radio Spectrum Committee (RSC). Further action will depend on the outcome of this first information gathering exercise.</p>
<p>4.8 Within the current economic scenario TV operators, particularly the small operators, may be struggling so as to finance the changing of the equipment due to the digital switch over. Hence the EESC believes</p>	<p>Regarding possible funding for the switchover from analogue to digital TV, it is the responsibility of Member States to establish public funding mechanisms if required, and to clear any public subsidy</p>

<p>that some form of pre-financing structures should be put in place so as to assist such SMEs in the adaptation process to the new technologies. Such assistance may not necessarily be in the form of grants, it may be linked to the availability of funds prior to the investment which shall then be returned over a feasible period, as in the case of loans. Furthermore guarantee schemes ought to be also targeted at assisting SMEs within the field.</p>	<p>with the EU competition authority, according to EU law.</p>
<p>4.12 The same problem arises where non-EU countries at the borders of the EU are concerned. In these countries the existing high-power broadcasting services in the 800 MHz band will most likely interfere with the wireless broadband services adopted by the EU neighbouring countries. When an interference problem arises with an adjacent non-EU country, the only solution is to negotiate an agreement with that country on the frequency allocation of their TV transmitters located near the border with the EU, though this may be no easy matter.</p>	<p>The Commission services are working with concerned Member States to establish common positions. These common positions on international spectrum coordination issues should be instrumental to support the spectrum coordination negotiations with third countries.</p>
<p>4.15 A very interesting aspect of the new digital dividend implementation is the fact that TV services will be increasingly available over new generations of mobile telephone networks (3G and higher). This means that in some ways mobile operators would offer the same services as those typically offered by traditional TV broadcasters, thus opening up a new competition scenario. It is advisable, however, to avoid implementing hybrid networks managed simultaneously by broadcasters and telecom operators. This will allow the two business entities to remain entirely independent and prevent business models that may not be consumer friendly.</p>	<p>The Commission services do not share the view of the Committee with regards the potential disadvantage of hybrid networks or more specifically networks managed simultaneously by broadcasters and telecom operators. As long as competition laws are abided for, we see on the contrary some potential synergy and advantages of a cross-sector cooperation. In particular, the convergence between the various content distribution platforms is often considered as a step towards more spectrum efficiency and more innovation. Finally, we agree that the consumer interests have to be protected. This is an overall objective that drives virtually all our policies in the field.</p>
<p>4.16 The interactive applications that may be offered by TV broadcasters within their new digital programmes may be developed on any standard for interactive TV services. Nevertheless, it is advisable to use technologies such as the MHP standard</p>	<p>The Commission has been a promoter of MHP. However, we also recognise that a degree of diversity in the standards should be conducive of innovation. There is therefore no mandatory obligation to use MHP in the EU. We agree on the principle</p>

<p>(Multimedia Home Platform, an open middleware system standard designed by the DVB project for interactive digital television) since it is European technology and also completely open. It thus requires no royalties and offers economic advantages to operators and, above all, to end users. Other technologies are also available, but it is advisable to select an open standard, whichever that might be, for the sake of end-user accessibility to this new technology.</p>	<p>expressed by the Committee and need to ensure that there is a choice for companies and consumers.</p>
<p>4.18 An element to be considered in the process of opening the 800 MHz band to the new wireless broadband services is that the TV broadcasters that are currently broadcasting in the VHF band may have to move (at a date yet to be determined) to the UHF band in the case the corresponding VHF channels would be used by Digital Audio Broadcasting (DAB). The transition to digital radio will not in itself contribute to the digital dividend because it is not yet clear if traditional analogue radio broadcasting will be switched off. Moreover, even if it is switched off, the portion of the freed band is too small to significantly contribute to the digital dividend. Nevertheless, the new DAB services will certainly use the same VHF band currently used by TV operators, so this issue will further contribute to the spectrum squeezing in channels 21-60 of the UHF band.</p>	<p>The view expressed by the Committee will have to be confronted with the actual market evolution. At this stage, we do not see a sufficiently significant increase in DAB services to create a capacity bottleneck in the VHF band. The Commission will continue to monitor the situation in the future.</p>
<p>4.20 To achieve an optimal spectrum efficiency, it is strongly recommended that the new technologies adopted (such as MPEG-4 encoding and DVB-T2) shall make it possible to further carry [or transmit] TV programmes into a narrower band. At the same time, the adoption of these new technologies should not have a strong impact on the end users' costs, otherwise the universal accessibility of the new services would be seriously impaired.</p>	<p>The Commission services have tasked the Radio Spectrum Policy Group (RSPG) to provide advice on future improvements in the efficiency of digital broadcasting services.. The Commission will consider the report from RSPG (foreseen for 17 November 2010) before possibly proposing concrete measures to address the issue addressed under 4.20.</p>
<p>4.21 Another useful technology to optimally exploit the (scarce) spectrum resources is the implementation of Single Frequency Networks (SFN). With this</p>	<p>The Commission notes the comment from the Committee regarding the use of GPS. At this moment, one must recognise that there is no feasible alternative. The future</p>

<p>technology a regional network can be implemented using a single spectrum channel, while with standard multi-frequency networks at least three or four frequencies are needed for medium-sized TV networks. In order to use a single frequency, all the transmitters of the network must be synchronised by using a common time reference. The only method currently used is the Global Positioning System (GPS), which is a military application wholly managed by the USA. This means that all the SFN Digital TV networks are 100% dependent on this system, which might be altered or switched off at any time by the USA authorities, thus creating a huge problem for these TV operators.</p> <p>4.22 The GPS, however, is not the only system that enables network synchronisation. Other potential alternative systems could be a source of common synchronisation. The EU might work towards the rapid completion of the GALILEO project, which could become a European alternative to GPS and would allow the complete independence of EU Member States from a US military system.</p>	<p>launch of geo-location services based on the Galileo system can indeed provide more alternatives to operators.</p>
<p>4.24 In order to open the 800 MHz band completely for the new wireless broadband services, all the low-power transmission systems used for entertainment or sport events (the "wireless microphone" systems) should be relocated to frequencies outside of this band to avoid harmful interference to the new services of the digital dividend. These systems typically operate as secondary uses in idle spectrum left between two active broadcasting coverage areas. Some of these systems are for professional use (e.g., the ones in operation during the Olympic Games or during official music concerts) and use regularly licensed portions of the UHF spectrum. Many others systems operate under general authorisation which does not require individual licences. Thus a careful regulation of these services should be planned in a co-ordinated manner at EU level in order to avoid the digital dividend band being impaired by residual interferers in the</p>	<p>The Commission fully recognises the importance of this issue. While the Commission has called on Member States to address this issue on the short term due to the urgency (in the Communication and also in the proposal for a Radio Spectrum Policy Programme), the Commission has also started a common reflection for a longer term solution for spectrum access for this type of application (Programme Making and Special Events applications, in short PMSE). This initiative, which also aims at reducing fragmentation of spectrum for PMSE across Member States, was launched on 26 October 2010 by holding a stakeholders workshop to identify possible long term action at EU level. Following this workshop, the Commission services are preparing a proposal on how to follow-up with concrete action.</p>

<p>spectrum even after the Analogue TV switch-off has been successfully accomplished.</p>	
<p>4.25 Another very delicate situation to deal with is the presence of military UHF services in some Member States and/or in some neighbouring non-EU states. These services will be another source of interference for the new communication services of the digital dividend. Careful negotiations should be carried on with the military authorities of the relevant countries with a view to shifting these existing services to different portions of the radiofrequency spectrum.</p>	<p>The Commission agrees with the Committee on the importance of these negotiations but underlines that the EU has no direct competency to be involved in such negotiations with military authorities.</p>

<p><b>41. Improving "participative public – private partnership" models in deploying "e-services" for all in the EU 27</b>  <b>Own-initiative Opinion - EESC 1184/2010 – September 2010</b>  <b>Rapporteur : Mr CAPPELLINI (Var. Int./ IT)</b>  <b>DG INFSO - Mrs KROES</b></p>	
<p><b>Main points of EESC opinion</b></p>	<p><b>Position of the Commission</b></p>
<p>1.1 The EESC agrees with the EC, European Parliament (EP) and the Committee of the Regions (CoR) that more monitoring activities are needed to ensure that everyone benefits from fixed line and wireless broadband by 2013. More investments are needed at all levels and Public Private Partnerships (PPPs) should also be explored for rural and remote areas and for updating networks.</p>	<p>Monitoring of developments of Internet broadband penetration, fixed and wireless, will be strengthened under the implementation activities of the pillar IV of the Digital agenda for Europe<sup>10</sup> and also by the Progress Report<sup>11</sup> on the implementation of the regulatory framework for the Single European Electronic Communications Market.</p>
<p>1.2 The EESC supports the EU and national common policy framework to meet Europe 2020 targets and therefore asks the EC to establish an ad hoc advisory group able to help Member States, Candidate Countries and interested private operators in better monitoring rural and remote areas' access to broadband coverage.</p>	<p>The Commission agrees with the Committee that monitoring and coordination is a key factor to achieve the Europe 2020 targets. Thus, the current Future Internet Forum (FIF) aims at networking national Future Internet related initiatives, to encourage their coordination with other national and European initiatives, and to discuss the leverage they could have on the use of European Regional funds.</p>
<p>1.3 (...) The EU must fully exploit the development of e-services in the public and private sectors to help improve local and regional services in healthcare, education, emergency services of general interest, security and social services. The adoption of PPPs by all authorities may offer strategic support to SMEs specialising in public Information and Communication Technologies (ICT) services as well as the ICT skills of young entrepreneurs.</p>	<p>A number of actions initiated in the Competitiveness and Innovation framework Programme (CIP) aim at the implementation of pan-European common basic eServices (components) through pilot projects in areas such as eIdentification, eAuthentication, with the pilots spanning across many Member States.</p> <p>The Future Internet Public-Private Partnership (FI-PPP)<sup>12</sup> aims at taking the eServices notion further towards more innovative services. The FI-PPP builds on ongoing work and results from past EU and national programmes. Being an industry-driven initiative, the FI-PPP will foster the</p>

10 [http://ec.europa.eu/information\\_society/newsroom/cf/pillar.cfm?pillar\\_id=46](http://ec.europa.eu/information_society/newsroom/cf/pillar.cfm?pillar_id=46)

11 [http://ec.europa.eu/information\\_society/policy/ecommlibrary/communications\\_reports/annualreports/15th/index\\_en.htm](http://ec.europa.eu/information_society/policy/ecommlibrary/communications_reports/annualreports/15th/index_en.htm)

12 [http://ec.europa.eu/information\\_society/activities/foi/lead/fipp/index\\_en.htm](http://ec.europa.eu/information_society/activities/foi/lead/fipp/index_en.htm)

	<p>emergence of new market opportunities for Internet based services with high public value.</p>
<p>1.4 Private investment and PPPs in remote, rural and low income areas should be promoted through structural funds, together with EIB (European Investment Bank) and EIF instruments in order to deliver internet connections at a fair price for vulnerable citizens and SMEs. Dedicated EC programmes and measures should be directed to promote and multiply local PPPs in cross regional and cross border pilot projects and a "European Day on e-services for all" should be promoted.</p>	<p>The recently adopted Commission package on measures to deliver fast and ultra-fast broadband in Europe<sup>13</sup> will help to deliver wireless broadband services at affordable cost and Member states are studying options for an effective implementation. Investment co-funded by regional policy funds in the area of the digital economy – roll out of broadband and exploiting ICT use in the public and business sectors - is slower than average, with uneven performance. This is an opportunity which regions could address as a priority.</p>
<p>1.5 The EESC assigns great importance to the building of stronger partnerships between public and private providers of public e-services delivering a better and more efficient service. More transparency and active citizen participation is needed, whilst retaining ownership of the public infrastructure investment and oversight of performance. Public services are often provided at regional and local levels where SMEs and their associations could take part in partnerships with the public sector, either as direct providers or, if significant financial resources or more global expertise are required, in a consortium. This already happens in some regions in France (Auvergne), Italy (Trentino A.A., Lombardia) and other EU Member States.</p>	<p>It activates and invigorates regional actors to build innovation ecosystems in which users, SMEs, public and private innovation actors, the academic environment, industry and public authorities come together to leverage all possible opportunities emerging from ICT technologies, infrastructure and data, together with economic incentives. Through the Competitiveness and Innovation Programme (CIP) the Commission co-funds and leads a number of eGovernment related large scale pilot activities, such as STORK on eIdentification or SPOCS: Simple Procedures Online for Crossborder Services.</p>
<p>1.8 The EESC agrees that every household should have access to broadband Internet at a competitive price by 2013. The digital dividend should be promoted and used to extend mobile broadband coverage and services quality. Member States must update national targets for broadband and high-speed coverage to push regional authorities and private actors in their coherent support of a European high-speed broadband strategy. In particular, regional authorities, EU and/or</p>	<p>The Digital Agenda for Europe sets out quantitative targets such as download rates of 30 Mbps for all Internet users and 100 Mbps for at least 50% of web users by 2020. The Commission invites the EESC to contribute to the process and governance of the ambitious Digital Agenda for Europe programme, e.g. by participating in the annual Digital Assembly</p>

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[http://ec.europa.eu/information\\_society/newsroom/cf/itemdetail.cfm?item\\_id=6070](http://ec.europa.eu/information_society/newsroom/cf/itemdetail.cfm?item_id=6070)

<p>national consultative institutions, SMEs, organisations and other private actors, should be involved from the very beginning in the EC "Future of Internet" Initiative.</p>	
<p>1.9 The EESC supports PPP solutions whose financing models can provide cost effective and timely broadband to citizens in rural and cross borders regions. To this extent the EESC underlines that digital skills, in particular for SMEs and young entrepreneurs in rural and remote areas, are crucial for an inclusive digital society especially where access to e-services creates a digital divide for elderly people, disadvantaged groups and those on low incomes. Existing access problems must also be addressed.</p>	<p>The Commission Communication on the Europe 2020 Flagship Initiative Innovation Union<sup>14</sup> advocates the instrument of public-private partnerships as a future model for enhancing the access to finance for innovative companies.</p> <p>'eSkilling' continues to be an important cross-cutting policy topic, which is addressed by enterprise and industry policies (<i>eSkills Week</i> initiative) and by Information Society policies in various context, for instance through Digital Agenda for Europe and its specific actions to close the Digital Divide.</p>

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<sup>14</sup> COM(2010) 546 final.

<p><b>42. Communication "Towards the integration of maritime surveillance: A Common Information Sharing Environment for the EU maritime domain"</b>  <b>COM (2009) 538 final – EESC 987/2010 – July 2010</b>  <b>Rapporteur : Mr LIOLIOS (Var. Int./EL)</b>  <b>DG MARE –Mrs DAMANAKI</b></p>	
<p><b>Main points of the CESE Opinion</b></p>	<p><b>Commission Position</b></p>
<p>Overall assessment.</p>	<p>The EESC opinion is an important orientation towards the integration of maritime surveillance. Generally, the opinion's alignment with the options and actions already undertaken or prescribed for the future reinforces the confidence that the integration process is on a good track. It has to be noted that the CESE opinion was adopted before the adoption by the Commission of the Communication establishing a Roadmap towards the common information sharing environment (CISE) on 20.10.2010 (COM(2010)584 final); several points raised by the CESE have already been addressed therein.</p>
<p>(1.4) The integrated maritime surveillance system should be built to provide in a sustainable manner accurate, timely, quality and cost-effective data when and where needed and for the exact reason required. Therefore, the expandability of the IMS system must also be considered</p> <p>(4.5) The IMS sustainability must be ensured through the provision of built-in expandability in order to accommodate the integration of future stand-alone surveillance systems.</p>	<p>The Commission welcomes the EESC's call for expandability of the CISE. A flexible process will be followed especially with regard to the supporting technical framework to allow present and future maritime surveillance needs to be satisfied. The setting up of the CISE will also allow for technical improvements and sectoral enhancements.</p>

<p>(1.6) The EESC acknowledges the importance of the international dimension of the maritime domain and urges the need to develop technical and legal standards and explore the cooperation opportunities with third countries</p>	<p>The Commission recognises the importance of the international dimension of the EU maritime domain and agrees that cooperation opportunities with third countries should be explored. The Roadmap Communication of 20.10.2010 specifically foresees that the Commission's Member State Experts sub-Group on the integration of maritime surveillance (MSESG) will also reflect on the extent and modalities for candidate and potential candidate countries to be associated to this initiative at the appropriate stage of the integration process and that appropriate association of certain non Member States may further be considered in the future. At first stage the integration process will involve EU and EEA states, insofar as lawful exchange of maritime surveillance data could only take place in accordance with EU law provisions already binding on EU-EEA recipients of the data (e.g. on confidentiality, commercial secrecy requirements of certain data types as well as protection of personal data, IPRs</p>
	<p>and data security) and following an agreed set of access rights and obligations. In the meantime, confidence building with neighbouring countries will be pursued.</p>
<p>(1.8) Data should be disseminated “on a need to know basis” in order to safeguard data protection and undue proliferation of data. It is also imperative to define clearly the confidentiality levels as well as the authoritative level for data usage, through the development of a concrete and transparent access right granting scheme</p>	<p>The Commissions shares this view. It is envisaged that data sharing will take place both on a ‘need to know’ and a ‘need and responsibility to share’ basis, in accordance with an agreed and transparent access rights scheme ensuring data confidentiality and the authoritative use of data (need to know principle).</p>
<p>(1.9) The EESC proposes the development of a framework that will collect the data and verify its correctness, as well as ensuring information security during its dissemination process</p>	<p>The CISE will not collect or store data nor verify its correctness. The principal idea is that of a decentralised framework, where the data provider shall remain responsible for validating his own data before disseminating via the CISE. Particular attention will be paid to the overall IT security of the network in accordance with Step 4 of the Roadmap (see below)</p>
<p>(1.10) A roadmap should be followed towards the implementation of the integrated maritime surveillance, utilising the experience of pilot projects, expert groups, and impact assessment</p>	<p>The Commission presented at the request of the Council and the EESC a Communication on a draft Roadmap towards establishing the CISE for the surveillance of the EU maritime domain</p>

<p>in dealing with the legal and technical aspects of information integration (see also para 4.2)</p>	<p>on 20.10.2010. The six-step process established by the Roadmap is designed to feed into the Impact Assessment that will be presented in 2013.</p>
<p>(1.11) The EESC recommends the development of single national coordination mechanisms and one information hub per national user group (community)</p>	<p>On the basis of experience gained from other data exchange systems in the maritime domain (e.g. SafeSeaNet, Eurosur) and the input from other relevant projects, the Technical Advisory Group will propose the available options for management at national level. In accordance with the principle of subsidiarity including on the allocation of competences amongst national authorities, this issue will then be discussed within the MSESG.</p>
<p>(1.13) Invites the EU to adopt a more centrally managed network approach where coordination will be achieved through the network's formal structure</p>	<p>The Commission follows the view of the MSESG, which clearly opted for a decentralised network reflecting the principle of equal footing amongst the different User Communities. The Commission with the Member States will however ensure coordination in the implementation of the CISE.</p>
<p>(1.14) In order to safeguard the interlinking process of the user communities, the EESC suggests that the EU should define a clear and robust platform regarding the access granting scheme, based on a common EU understanding of the different political views as well as on an operational effectiveness. The beneficiaries of the access right provided have to be governed by the EU Transparency Regulation.</p>	<p>Access rights will essentially be granted by the members of the CISE themselves, i.e. the User Communities being the participants therein together with the Member States represented in the MSESG. EU legislation on transparency will not be affected by the CISE.</p>
<p>(1.15) The adopted system architecture should have feedback loops to enable adjustments and updates utilising inter alia the evolving legal framework.</p>	<p>The Commissions shares this view. At this stage it is envisaged that the supporting technical framework will be based on an open source software and a common informatics language enabling any time upgrade to accommodate future legal developments and evolving needs</p>
<p>(1.16) The EESC recommends that advanced security risk management should remain a top priority for the European maritime domain. To this extent, a tiered architecture that ensures data validity and data security is preferable.</p>	<p>The CISE is an enabler for advanced risk management to be carried out by the User Communities. The envisaged architecture shall enable dissemination of different information layers that increases efficiency by filling information gaps. Particular attention will be paid to the overall IT security of the network in accordance with Step 4 of the Roadmap. However User Communities (in their capacity as data providers) shall remain responsible for validating their own data.</p>

<p>(3.6) The EESC considers that there are three major issues in materialising the IMS: legal, technical/technological and managerial issues. The most important legal issues seem to relate to confidentiality, with respect to the mixture of personal, business and military data. In addition, data (security) policies may prohibit or restrict the sharing (or further use) of certain data (see also paras 4.14, 4.18 and 4.19)</p>	<p>Legal and technical requirements for lawful and efficient data exchange will be tackled by the relevant steps of the Roadmap. The Commission has already identified the confidentiality, commercial secrecy, personal data, IPRs and data security requirements as essential for materialising the CISE and therefore agrees with the opinion of the EESC. An essentially decentralised management of the CISE was the option discussed and agreed with the Member States.</p>
<p>(4.3 and 4.4) The EESC reiterates the importance of examining the results of the currently running pilot projects prior to undertaking certain decisions. Pilot projects have to be targeted both to business settings and administrations operating in representative EU maritime domains. In addition, these pilot projects should also report on the long term sustainability of the IMS. To that extent, the launching of additional pilot projects will benefit our understanding of the issues in developing the IMS. Furthermore, specific time frames should be set and monitored for the timely completion of these pilot projects. the IMS strategy could draw lessons as to implementation of data sharing from other practices in the transport sector</p>	<p>The Roadmap towards the CISE makes reference to all relevant pilot, sectoral and FP7 projects and systems. It specifically provides that their results and lessons learned will feed into the CISE-building in accordance with a settled timeframe taking account of their completion date. The Commission will now focus on the implementation of the Roadmap on the financial basis to be provided by the IMP Financial Regulation proposed in September 2010 rather than embarking on new projects which might not fit in with the established timetable. It is moreover envisaged that all sectoral projects will feed into the Roadmap, including those of the transport sector. The Technical Advisory Group to be established shortly by DG MARE will bring into the process the necessary sectoral experience, including on maritime transport..</p>
<p>(4.8) The EESC consents with the proposed layered system architecture. This approach will enable the cutting edge “cloud architecture” currently used by all IT developers. Nevertheless, it should be born in mind that such architectures are more security breach prone and thus increased security mechanisms should be adopted. However an intra-organisational hierarchical decision making and data access framework might improve data confidentiality.</p>	<p>The Commission shares this view and has recognised that it is highly unlikely that one single technical solution will fit each and every exchange of information within the CISE. As already mentioned above, particular attention will be given to the overall IT security of the CISE. Thus the means to be used will be determined by the degree of sensitivity of the different data types (from open to secure point to point networks).</p>
<p>(4.10) Regarding the first principle set in the Communication, the EESC proposes an active attempt towards establishment of common standards and data rules both at a sectoral and at a functional level in order to improve data quality.</p>	<p>Standardised ‘functional’ user communities and data sets, common data classifications levels and the development of common informatics language for data exchange exemplify the commonality of the Commission's approach vis-à-vis the EESC's opinion.</p>

<p>(4.11) Given the fact that the maritime domain is broad, data security may be potentially weakened from a flexible information sharing environment and the potential threat this implies.</p>	<p>Flexibility is a prerequisite for accommodating future developments and corresponding needs. The challenge of ensuring security of data on the basis of its nature has been recognised and is addressed within the steps of the Roadmap.</p>
<p>(4.12) The EESC considers that technical interoperability is important and should lead to a facilitation of data exchange by all interested industrial and governmental stakeholders</p>	<p>Technical interoperability lies naturally at the heart of the CISE. However the CISE will only serve institutional users; industrial stakeholders and their interaction with public authorities shall be addressed by means of sectoral initiatives (e.g. by e-maritime in the maritime transport domain)</p>
<p>(4.13) The EESC agrees that surveillance information should be shared between civilian and military authorities. The EESC repeats the necessity for establishing underlying mandates; common standards and operating procedures for access to and use of the relevant information should be in place to allow for a legal two-directional information exchange where data usage is bound by community laws.</p>	<p>The mandates of national authorities is largely defined by national law, in accordance with the principle of subsidiarity. CSDP missions and other defence tasks will also benefit from enhanced maritime situational awareness. Two-directional data exchange between civilian and military authorities is expressly mentioned as a core objective of the CISE. Common standards and operating procedures are an essential prerequisite for this purpose as well.</p>
<p>(4.21) The EESC asks the European Commission to publish an annual report on the implementation and results of its maritime surveillance activities.</p>	<p>The Commission is already regularly communicating on its sectoral maritime surveillance activities (e.g. on maritime traffic, EMSA's annual Work Programmes contains all the relevant information). Progress on the establishment of CISE will also be communicated in due time, when essential practical progress has been made.</p>

<p><b>44. Interconnexion des registres du commerce</b>  <b>COM(2009) 614 final –EESC 1163/2010 – September 2010</b>  <b>Rapporteur : Mrs BONTEA (Empl./RO)</b>  <b>DG MARKT – Mr BARNIER</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>The Committee broadly supports the Green Paper, subject to a comprehensive impact assessment and provided that no additional administrative burdens are imposed on companies. The Committee is in favour of developing and strengthening cooperation between business registers across all EU Member States; this should be underpinned by the principles of transparency, rapidity, reduced costs, administrative simplification, adequate protection of personal data and interoperability (automatic communication with local and regional registers).</p>	<p>The Commission welcomes the support expressed by the Committee for its Green Paper. The Commission is currently carrying out a comprehensive impact assessment. The Commission does not intend to impose additional administrative burdens on companies. The Commission wishes to develop and strengthen the cooperation between business registers across all EU Member States. The principles of transparency, rapidity, reduced costs, administrative simplification, adequate protection of personal data and interoperability will be respected.</p>
<p>Cross-border cooperation between business registers should guarantee better and more reliable official information for creditors, business partners, shareholders and consumers. It will provide greater legal certainty and help the internal market to function more smoothly.</p>	<p>The Commission shares the Committee's objectives. It strives to obtain more reliable official information for creditors, business partners, shareholders and consumers in order to provide greater legal certainty and help the internal market to function more smoothly.</p>
<p>The Committee is in favour of setting up a compulsory cooperation instrument to facilitate and strengthen the electronic interconnection of central Member State registers, and in particular with the e-Justice portal, making it the main access point for legal information in the EU, in order to apply the Company Law Directives effectively.</p>	<p>The Commission will introduce shortly a legislative proposal containing provisions making cooperation between national registers compulsory. The instrument will be compatible with the e-Justice portal. But it will not pre-empt the choice of the precise platform or network solution, which will be chosen at a later stage taking into account Member States' preferences.</p>
<p>The Committee is in favour of boosting cross-border cooperation, especially regarding cross-border mergers and branches in other Member States, making use of the advantages offered by IMI.</p>	<p>The Commission strives to enhance cross-border cooperation, especially regarding cross-border mergers and branches in other Member States. The choice of the technical instruments will be made taking due account of the assessment of the existing IT and network options.</p>
<p>The Committee believes that interconnecting business registers can only create real added value if the network comprises not only</p>	<p>The Commission intends to include all national business registers in the cooperation. It will, however, not change</p>

<p>central registers, but all local and regional registers from across the 27 Member States and if the information transmitted within the network – regardless of country of origin – is up-to-date, secure, standardised, readily available via a simple procedure and in all official EU languages, and, preferably, free of charge (at least for basic information).</p>	<p>the internal organisation of business registers. The Commission strives to ensure that the information transmitted within the network – regardless of country of origin – is up-to-date, secure, standardised, readily available via a simple procedure and in all official EU languages. The Commission will, however, not change the national pricing policies.</p>
<p>The Committee would highlight the need to take this opportunity to amend the rules on publication in the register, in order to reduce the administrative burden on companies, and particularly SMEs, without reducing transparency, bearing in mind that disclosing information to national register journals entails considerable additional costs for businesses, without providing real added value, given the possibility of accessing this information in online registers.</p>	<p>This recommendation falls outside the scope of the present Commission initiative. The Commission would like to stress, however, that simplification proposals on the publication have been made on 17 April 2008 with the proposal for a Directive of the European Parliament and of the Council amending Council Directives 68/151/EEC and 89/666/EEC as regards publication and translation obligations of certain types of companies (COM(2008)194).</p>
<p>It may be useful to create a firmer legal basis for some features of the network, but the details of the cooperation should be determined through an agreement on the governance of the electronic network of business registers. Consideration should be given to the conditions for joining the network, the designation of a body to manage the network, aspects relating to liability, funding, settlement of disputes, maintenance of the central server and guaranteeing access in all official EU languages, minimum rules on data protection and security.</p>	<p>The Commission will propose amending the relevant Directives and thus creating a firmer legal basis. It will leave the details of cooperation to a second instrument to be adopted at a later stage. This second instrument will deal with the factors mentioned by the Committee.</p>

<p>As regards connecting the network of business registers with the electronic network of regulated information on listed companies set up under the Transparency Directive (2004/109/EC), the Committee believes that this objective should be subsequent to the full interconnection of all business registers, and that an impact assessment should be carried out on the technical difficulties involved, the effectiveness of such a measure, its real added value and the costs involved. It might be more appropriate to use Directive 2003/58/EC, which introduced electronic business registers.</p>	<p>The Commission agrees that the connection of the network of business registers with the electronic network of regulated information on listed companies set up under the Transparency Directive should be subsequent to the full interconnection of all business registers. The choice of the instrument to achieve this and the overall initiative itself would both be subject to an impact assessment on the technical difficulties involved, the effectiveness of such a measure, its real added value and the costs involved.</p>
<p>To achieve the objectives set out in the Green Paper, the Committee proposes opting for a solution that integrates and builds on all of the existing cooperation mechanisms and initiatives, especially the EBR, BRITE, IMI and e-Justice, by extending the EBR to all Member States, and developing it as an advanced and innovative interoperable system – in the form of an ICT service platform.</p>	<p>The Commission holds the view that the cooperation mechanisms will be chosen at a later stage taking due consideration of the preferences expressed by Member States. Existing mechanisms and initiatives shall be taken into account as much as possible to avoid duplication of efforts and to build on the work already carried out.</p>
<p>The disclosure requirements for foreign branches, established by Directive 89/666/EEC, render the cooperation of business registers indispensable in practice to ensure that information and documents are disclosed when a branch is opened. The Committee supports building on and developing the results of the BRITE project and the solution of automatic notification among registers in order to verify that the relevant data is accurate and up-to-date and thereby protect the interests of creditors and consumers coming into contact with the branch.</p>	<p>The Commission shares the Committee's view that the disclosure requirements for foreign branches render the cooperation of business registers indispensable in practice. This is why it will propose to amend Directive 89/666/EEC. The objective is to obtain data that is accurate and up-to-date in order to protect the interests of creditors and consumers coming into contact with the branch.</p>

<p><b>45. After the crisis : a new financial system for the internal market</b>  <b>Own-initiative Opinion - EESC 1164/2010 - September 2010</b>  <b>Rapporteur : Mr IOZIA Co-rapporteur Mr BURANI</b>  <b>DG MARKT – Mr BARNIER</b></p>	
<p><b>Main Points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>1.8 The Committee calls on the EU institutions to speed up the reform process. A year and a half since the publication of the de Larosière recommendations, the EU decision-making process is not yet in its final stages. Unfortunately, governments have watered down the reform plan, ruling out, for example, the possibility of intervention by a European authority on cross-border financial institutions.</p>	<p>On 22 September, the European Parliament – following agreement by all Member States – voted through a new supervisory for financial regulation in Europe that will come into force in January 2011. The broad thrust of the original Commission proposal is reflected in the final compromise. From the Commission's perspective, some elements of the final compromise are improvements compared to the original proposals, for example the possibility for the new Authorities to temporarily ban or restrict certain financial activities, such as short selling for example, in emergency situations. This is an important development which will help foster greater financial stability. The activities of the Authorities have indeed been widened but they will retain teeth, i.e. they will still have binding decision-making powers vis-à-vis national authorities and, in certain circumstances vis-à-vis financial institutions too. They will be able to arbitrate between national authorities and propose technical standards to form a common rulebook.</p> <p>Day-to-day supervision will continue to be done at national level, close to the ground, where appropriate expertise can be found. There will always be a pivotal role for national supervisors. The proposed system is a "hub and spoke" type of network of EU and national bodies. The new authorities will act only where there is clear added value, and the areas where the authorities can act will be strictly defined by Member States and the European Parliament in co-decision. The objective is for European and national bodies to work hand in hand.</p> <p>Mechanisms, such as Joint Committees, will be introduced to ensure agreement and co-ordination between national supervisors of the same cross-border</p>

	<p>institution or in colleges of supervisors. For example, the European Banking Authority (EBA) and the new European Insurance and Occupational Pensions Authority (EIOPA) and the European Securities and Markets Authority are to form a Joint Committee to oversee cooperation and coordination between national supervisors in the case of financial conglomerates</p> <p>The new system has been designed in a way that it can be adapted to future developments in financial services. Every three years the Commission will publish a wide-ranging report on the functioning of the new Authorities and assess whether further steps are needed to ensure the prudential soundness of institutions, the orderly functioning of markets and thereby the protection of depositors, policy-holders and investors. This may or may not lead to proposals to change the structures or tasks of the Authorities; any such proposal would have to be considered and adopted by Council and Parliament.</p>
<p>1.8.1 The Commission has committed itself to tabling further proposals within the next six to nine months, including initiatives to improve the functioning of derivatives markets, appropriate measures on short selling and credit default swaps, and improvements on the Markets in Financial Instruments Directive (MiFID).</p>	<p>Proposals to increase transparency and ensure coordination for short selling and Credit Default Swaps and to make derivatives markets in Europe safer and more transparent were adopted on 15/09. The review of MiFID is scheduled for spring 2011.</p>
<p>1.11 The Committee recommends greater transparency, particularly in identifying risks. OTC markets should not be open to bilateral transactions, but limited to central counterparty transactions, which by monitoring the overall level of risk can limit access to transactions for over-exposed parties. Such transactions should take place either on a single platform, or at least on a defined set of platforms, in order to increase market transparency.</p>	<p>Under the Commission's proposal on OTC derivatives, central counterparties and trade repositories adopted on 15 September 2010, all OTC derivatives that are standardised would have to be cleared through central counterparties (CCPs), which should indeed reduce counterparty credit risk. If a contract is not deemed eligible for central clearing (e.g. prices are not available or the contract is not liquid), or if one of the parties to an eligible contract is not subject to the clearing obligation, then that contract cannot be cleared by a CCP. However, for such contracts, the proposal will require the institutions subject to the clearing obligation to apply robust bilateral risk management</p>

	<p>technique, including marked-to-market on a daily basis of outstanding contracts and holding of additional capital.</p> <p>The pre- and post-trade transparency provisions applicable to trading in derivatives, including the question of which contracts should trade exclusively on organised trading venues, will be comprehensively explored in the MiFID review.</p>
<p>1.12 Corporate social responsibility should permeate all activities and <i>modi operandi</i> in the financial sector. Sales volumes have taken precedence over proper investment advice. A high level of professional ethics ought to be restored, and there should be explicit condemnation by the sector's associations, who should encourage proper conduct by taking preventative measures and impose penalties on businesses found guilty of acting in bad faith, of commercial fraud or of other acts falling under criminal law.</p>	<p>The Commission intends to strengthen corporate social responsibility not only in the financial sector but more broadly. This could enhance more ethical behaviour of market participants.</p> <p>A Commission Communication on this issue will be published next year. DG MARKT launched on 26 October a public consultation on a possible policy change regarding reporting on company policies and performance in the field of corporate social and environmental responsibility in November 2010.</p> <p>Strengthening investor protection is one of the overarching objectives of the MiFID review. The Commission is considering the appropriate modifications in the regulatory framework for the provision of investment services, including requirements for investment advice, conduct of business obligations and rules on conflicts of interest and payments received by intermediaries distributing financial instruments, in order to better protect investors.</p>
<p>1.15 Managers have come to play an excessive role, often receiving astronomical remuneration which has remained intact even after their institutions have been bailed out through nationalisation. A serious policy on curbing bonuses, which should perhaps be awarded only where consistent above-average results are achieved in the medium term; staff incentives should be linked to responsible sales and not to banking-product campaigns without due respect to consumers' needs; the incentives should upgrade the quality of human capital in</p>	<p>New rules on remuneration of managers in the banking sector have already been proposed in the context of the recently adopted modifications of the Capital Requirements Directive (the so-called CRD 3). These rules already address the issue of improper incentives: <i>inter alia</i>, they link bonus payments with long term performance of companies; introduce non-financial qualitative criteria, such as customer satisfaction, for performance measurement; and deal with the remuneration in bailed-out banks. In</p>

<p>terms of professional contribution, client satisfaction and greater professionalism.</p>	<p>addition, in 2009, the Commission issued Recommendations on remuneration in the financial services sector and on remuneration of directors of listed companies which also tackle the issues raised in the report.</p>
<p>1.17 The Committee calls for the removal from European legislation of references to ratings in respect of classifying investments and their coverage in risk funds, in line with the Basel II principles, and calls on national authorities to revise investment policy.</p> <p>1.18 The rating of Member State sovereign debt should be carried out exclusively by a new independent European agency. Announcements of sovereign debt downgrading – as recently happened in Greece and other EU countries in difficulty – have triggered serious market upheaval and massive speculation, thus increasing the perception of a serious crisis.</p>	<p>As announced in the Commission Communication of 2 June ("Regulating Financial Services for Sustainable Growth"), the Commission Services launched, on 5 November, , a public consultation on further policy in the field of credit rating agencies to gather input from all stakeholders in order to calibrate the scope and ambition of any possible future policy initiative in the field of credit rating agencies. The issue of overreliance on credit ratings will be also addressed.</p> <p>The consultation document on CRAs will also address the issues on sovereign debt ratings and how to enhance competition in the credit rating business. Any initiative to create a new independent European credit agency to rate sovereign debt has to be carefully assessed, as the same strict conditions to be applied by CRAs under the CRA Regulation should apply, in particular the rules on conflicts of interest. After having analysed the contributions, the Commission services will work on the impact assessment and propose, where appropriate, further amendments to the the CRA Regulation by mid-2011.</p>
<p>1.21 The Committee advocates developing integrated crisis management systems, including effective criteria for early warning, prevention and exiting the crisis. Reliable mutual accountability mechanisms need to be developed between Member State authorities, especially with regard to the major European groups: in central and Eastern Europe, for example, the financial markets are almost exclusively in the hands of Western insurance companies and banks.</p>	<p>The Commission is working on the design of a crisis management framework. It adopted a communication in October where it defines the main lines of the project and intends to adopt legislative proposals to that effect by June 2011.</p>

<p><b>47. Innovation in island tourism</b>  <b>Own-initiative Opinion – EESC 968/2010 - July</b>  <b>Rapporteur : Ms Gauci (EMPL./MT)</b>  <b>DG ENTR – Mr TAJANI</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>1.1. The EESC suggests that On-going life-long learning programmes should be developed specifically for island staff working in the tourism sector – specific funding from the ESF and cohesion funds should be earmarked for this. An appropriate framework of labour relations to promote quality working conditions and measures to support entrepreneurs (networks, marketing, promotion, ...) should help foster tourism on islands.</p>	<p>The recently published Commission Communication on a new political framework for tourism<sup>15</sup> proposes stepping-up of efforts to improve the professional skills of workers in the sector, with a particular view to facilitating their adaptation to new technologies and new market expectations. Such efforts would form part of the 'Europe 2020' strategy, and particularly the flagship initiative 'An Agenda for new skills and jobs'.</p> <p>Action 5 of the Communication proposes the promotion of the opportunities offered by various EU programmes such as Leonardo or the Competitiveness and Innovation Framework Programme (CIP) with its 'Erasmus for young entrepreneurs' and 'E-skills for innovation' strands.</p>
<p>1.2. Similarly, and bearing in mind the growing importance of Internet booking for travel &amp; tourism, small and medium-sized companies in the (island) tourism sector should be offered either EU-supported training, or simplified access to appropriate service providers to develop a successful web-presence, without which they risk losing 'modern' customers.</p>	<p>See above.</p>
<p>1.3. The EESC proposes that an inter-regional school, supportive of a concept similar to an "Erasmus for students and workers in the Tourism sector" be set up in a strategically placed island.</p>	<p>In addition to the initiative in action 5, the Commission also proposes, in the short term, the development of a pilot project, aimed at networking research institutes, universities, public and private monitoring units, regional and national authorities and national tourism offices (action 9).</p>
<p>1.4. Although business, and especially small business, benefits when there is less and better legislation, a specific administrative authority within the European Commission services, e.g. a Directorate General for</p>	<p>In the medium term, based on the results of the pilot project described in action 9 of the Communication, the Commission will promote the implementation of a 'virtual tourism observatory' to support and</p>

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<p>Tourism should be considered – tourism accounts for some 11/12% of EU GDP, but attains as much as 25% of GDP in islands like Malta. The EESC sees such a tourism authority on the Commission as the watchdog of (island) tourism interests within the EU institutions and policies. The EESC has proposed that a European Tourism Agency should be set up in previous opinions on Tourism – the Committee reiterates this proposal.</p>	<p>coordinate research activities by the various national research institutes and provide socioeconomic data on tourism at European level.</p>
<p>1.5. Islands have an inherent handicap compared to the mainland: distance, accessibility, insularity. The EESC believes that a favourable fiscal regime should be sought, taking into account the special efforts that have been made on investments, maintaining and creating jobs, adapting the periods that businesses are open, all with a view to mitigating the effects of seasonality.</p>	<p>The Commission notes that these concerns are taken into account by the Code of Conduct<sup>16</sup> for business taxation, where in relation to the assessment of harmful tax measures, it states that "particular attention will be paid to special features and constraints in the case of the outermost regions and small islands, without undermining the integrity and coherence of the Community legal order, including the internal market and common policies.</p>
<p>1.6. The EU definition of islands is inappropriate in a number of cases, and often stand in the way of solutions. Earlier EESC opinions<sup>17</sup> have recommended to modify this definition. This recommendation is hereby repeated.</p>	<p>The Commission does not wish to give an opinion on this question, as it regards the Treaties.</p>

<sup>16</sup> Agreed by a Resolution of the Council and the representatives of the Governments of the Member States of 1 December 1997 (OJ C2 ,6.01.1998).

<sup>17</sup> "A better integration in the internal market as key factor for cohesion and growth for islands", OJ C 27 of the 3.02.2009, p.123.

<p>1.7. The European Union is developing a new concept in regional policy, namely macro-regional cooperation (e.g. the Baltic Sea Strategy – the Danube Strategy). The EESC is persuaded that this concept is an interesting one and one that can certainly be applied to groups of islands. Thus a macro-regional strategy for the islands of the West-Mediterranean could improve some of the problems of accessibility experienced by them.</p>	<p>Macro-regional strategies are not limited to cooperation issues but should cover all the significant challenges facing the macro-region.</p> <p>The Commission is still assessing the results of the existing macro-regional strategy and watching the progress on the Danube Region strategy. It will continue to examine the concept and its applicability but has no resources at present to apply to new strategies.</p>
<p>1.8. The EESC takes a favourable view of, and gives its full support to the CALYPSO programme on social tourism. The EESC believes that after the preparatory actions which started in 2009, a full programme should be pursued. The EESC recommends to integrate the CALYPSO programme in a future macro-regional strategy encompassing the West Mediterranean region.</p>	<p>The Commission expresses gratitude to the EESC for the support. Calypso is a Preparatory Action with a maximum life span of 3 years. It is also linked to Action 6 of the Communication<sup>18</sup>.</p> <p>The Commission will evaluate the success and take up of Calypso prior to deciding whatever other initiatives to launch in this field. Still, it envisages initiatives in all Europe, not only in West Mediterranean regions.</p>

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<sup>18</sup> COM(2010 352 final - OJ C 179, 3.7.2010

<p><b>49. La politique de multilinguisme de l'UE</b>  <b>Supplément d'avis - CESE 1171/2010 - Septembre 2010</b>  <b>Rapporteure: M<sup>me</sup> LE NOUAIL MARLIERE (Trav./FR)</b>  <b>DG EAC - M<sup>me</sup> VASSILIOU</b></p>	
<p><b>Points de l'avis du CESE estimés essentiels</b></p>	<p><b>Position de la Commission</b></p>
<p><b>Recommandation n° 1 à la Commission:</b> La Commission devrait respecter les droits fondamentaux des participants aux plateformes consultatives sur le multilinguisme qu'elle a instituées, composées de représentants d'organisations de la société civile et/ou des partenaires sociaux, en leur permettant de travailler oralement et par écrit dans une des trois ou quatre langues pivots, incluant au moins une langue d'un État membre des élargissements de 2004 et 2007. (2.10)</p>	<p>La Commission organise deux fois par an des réunions sur les plateformes consacrées au multilinguisme. Elle leur offre, à ces occasions, un service d'interprétation selon les besoins des participants, assurant leur bon fonctionnement tout en tenant compte des restrictions budgétaires</p>
<p><b>Recommandation n° 2 à la Commission:</b> La Commission devrait faciliter la compréhension du guide d'accès aux programmes et aux procédures en ce domaine, notamment ceux dans le cadre du "Programme pour l'éducation et la formation tout au long de la vie" dont l'objectif spécifique n° 7 vise à promouvoir l'apprentissage des langues et la diversité linguistique. (2.11)</p>	<p>La prochaine génération de programmes à partir de 2014 envisagera la simplification des procédures de candidature afin de faciliter la participation. Les Agences exécutive et nationales sont également tenues de clarifier et informer les participants sur la procédure à suivre.</p>
<p><b>Recommandation n° 3 à la Commission:</b> La Commission doit dresser un tableau clair de la situation s'agissant des efforts propres au multilinguisme, budgétés et réalisés, fournis respectivement par les niveaux européen et nationaux. (2.12)</p>	<p>Pour 2010, le budget pour les projets multilatéraux, les réseaux et autres activités spécifiques dans le domaine du multilinguisme - partie centralisée du programme LLP - était de 12.9 millions d'euros. Concernant les activités et projets centralisés ayant une composante linguistique - sous-programmes sectoriels du LLP ou projets administrés par les Agences Nationales - la Commission estime leur budget à 50 millions d'euros par an. Avec l'introduction des nouveaux programmes post 2014, un instrument pour identifier les "efforts propres au multilinguisme" pourrait également être pris en considération.</p>
<p><b>(Recommandation n° 5).</b> La profession d'interprète n'est pas réglementée. L'AIIC dans ce contexte, fait remarquer que tenant compte de la diversification de la demande (entreprises, secteur social) il peut s'avérer nécessaire d'entamer une réflexion sur une promotion de la profession en</p>	<p>Les conditions de travail et de rémunération des interprètes freelances, sont régies par une Convention interinstitutionnelle négociée entre les services d'interprétation des institutions avec l'organisation professionnelle des</p>

<p>établissant des critères clairs d'utilisation du titre d'interprète (diplôme d'études de niveau universitaire, critères professionnels et d'expérience,...) afin de prévenir l'impact négatif sur l'ensemble de la profession d'interprète et de protéger l'utilisateur ou le client contre des pratiques abusives (facturation élevée de prestations de qualité inférieure à celle annoncée). La Commission pourrait lancer une consultation européenne des partenaires sociaux dans ce sens (4.4)</p>	<p>freelances, l'AIIC. Par ailleurs, la Commission a mis en place, en coopération avec le Parlement européen et la Cour de Justice, des mécanismes conjoints d'accréditation des freelance sur base des conditions les plus strictes en termes de formation, expérience et de qualité, ainsi que des procédures de suivi de la qualité des prestations professionnelles.</p>
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<p><b>50. Financial Transaction Tax</b>  <b>Own-Initiative Opinion - EESC 969/2010- July 2010</b>  <b>Rapporteur : Mr NYBERG (Work.SE)</b>  <b>DG TAXUD – Mr SEMETA</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>The Conclusions of the EESC report do not contain policy recommendations but provide a detailed account of the pros and cons of an FTT</p>	<p>The European Commission on 7 October 2010 set out its ideas for the future taxation of the financial sector. Working on the basis that the financial sector needs to make a fair contribution to public finances, and that governments urgently need new sources of revenue in the current economic climate, the Commission puts forward a two pronged approach.</p> <p>At global level, the Commission supports further exploration and development of a Financial Transactions Tax (FTT) and will promote an agreement with the most relevant partners. At EU level, the Commission sees potential in a Financial Activities Tax (FAT) and will carry out an impact assessment with a view to policy actions by summer 2011. If carefully designed and implemented, an EU FAT could generate significant revenues and help to ensure greater stability of financial markets, without posing undue risk to EU competitiveness.</p>
<p>The report seems to suggest that short-term transactions are of a speculative nature and that speculative transactions have been a major cause of the crisis</p>	<p>The European Commission agrees that speculation can be an issue to tackle but the European Commission has been cautious about drawing direct links between short-term activities and speculation. For example, it is difficult, if not impossible, to distinguish speculative from non-speculative transactions. For example, CDOs have been instrumental to triggering the financial crisis but can be medium to long-term financial products. The de Larosière report and the Turner review do not cite speculation as a cause for the financial crisis.</p> <p>In the same vein, the WIFO (2010) quoted in the report under point 6.1.3.1. argues that markets are under- or over-shooting prices. The study shows this via</p>

	<p>fluctuations of short-term prices around the long-term trend (moving average). The European Commission is cautious about this conclusion as by definition short-term prices shall fluctuate around a moving average.</p>
<p>The report also seems to take a strong negative view on the use of derivatives compared to spot transactions, notably in the occurrence of speculative operations.</p>	<p>The European Commission agrees that some derivatives have been used for speculative purposes. However, many derivatives are used to help the financial sector to carry out its traditional activities. For example, many national laws allow the borrower of a mortgage to anticipatively reimburse his/her loan and the way financial companies seem to hedge against that risk is by use of derivatives. The same goes for saving and investment products offered with protected capital. On the other hand, spot operations (e.g. buy and sell of shares) can be of speculative nature. Therefore, the Commission remains prudent on drawing immediate policy conclusions.</p>
<p>The report quotes figures for the possible tax revenues of an FTT.</p>	<p>While these figures are publicly available and have been also quoted in the Communication of the European Commission, this latter document stressed that some of these estimates could not be reliable. This is because part of the data used are stocks and not flows, leading to multiple counting.</p>

<p><b>52. Frontex</b>  <b>COM (2010) 61 fin –EESC 974/2010 - July 2010</b>  <b>Rapporteur : M. PEZZINI (Empl./IT)</b>  <b>DG HOME –Ms MALMSTROM</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>1.5. We nevertheless need to give some thought to the risk of "militarising" the surveillance and control of external borders. As a result, any "overlap" with the investigative, military and customs functions that individual Member States entrust to their own police, land, naval and air forces, and customs authorities needs to be carefully coordinated, ensuring that their control capacities are not diminished but enhanced (European added value).</p> <p>1.5.1. Furthermore, questions concerning international legislation relating to intervention on the high seas, as well as under the UN Convention on the Law of the Sea, i.e. the Montego Bay Convention of 1982<sup>19</sup> remain "open".</p>	<p>The activities of the Frontex Agency are confined to the coordination of operational activities conducted by the Member States at the external borders of the Member States of the European Union. As a result the operations coordinated by Fontex do not in se have an impact on other functions of the authorities of the Member States participating in such operations.</p> <p>Shortly after the adoption of the Commission's proposal to amend the Frontex Regulation, the Council adopted on 26 April 2010 a Council Decision supplementing the Schengen Borders Code as regards the surveillance of the sea external borders in the context of operational cooperation coordinated by the Frontex Agency, which addresses these questions(OJ L 111 of 2010, p. 20).</p>
<p>1.7. The Committee, aware of Europe's social and legal tradition in the area of human rights and asylum rights, recommends that the members of these teams be given clear and sound initial training, with regular updates, on the psychological and behavioural aspects (thus ensuring regular oversight) that allow better relations with those who are more vulnerable, and who are trying to improve their social well-being, as has been the case for many Europeans over the centuries.</p> <p>4.1. Strict compliance with the principle of non-refoulement under the Geneva Convention, the UN Convention against "inhuman and degrading treatment" and the European Convention on Human Rights must be guaranteed in all Frontex</p>	<p>The Commission inserted in its proposal (Art 2 (1a)) a provision that all border guards and other personnel shall prior to their participation in operational activities organised by the Agency have received training in relevant EU and International law, including fundamental rights and access to international protection.</p> <p>Since 2009 those training modules are part of the annual Frontex work programme. The trainings and the curricula are conducted in close cooperation with the Fundamental Rights Agency and UNHCR.</p> <p>The Commission's proposal also foresees an enhanced cooperation mechanism with the European Asylum Support Agency for matters related to asylum that might occur</p>

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In addition to disagreements with other Member States regarding the correct application of rules on reception and the illegality of "push-back" operations, the Italian courts have now charged civil and military officials with harassment for the *refoulement* to Libya of 75 illegal migrants intercepted in international waters in August 2009. The Italian government does not, however, share the views of the Syracuse public prosecutor's office. The UNHCR, for its own part, maintains that the push-back operation jeopardised the migrants' ability to avail themselves of asylum procedures in Italy.

<p>operations.</p> <p>4.3. Frontex activities should focus mainly on the following priority values:</p> <ul style="list-style-type: none"> <li>• pursuing and disempowering international criminal networks engaged in human trafficking;</li> <li>• making asylum law a reality for victims of injustice, as foreseen in the EU Treaty;</li> <li>• assisting migrants in difficulty, even in international waters.</li> </ul>	<p>during Frontex operations.</p> <p>However the Frontex Agency does not have a mandate to pursue international criminal networks. The investigation and prosecution of those networks fall under the remit of the competent national authorities, supported by Europol and Eurojust. If relevant information is gathered during Frontex operations, Frontex can share that information through its established working arrangement with Europol.</p>
<p>4.7. Frontex should avail itself of the new SIS II<sup>20</sup> system (second-generation Schengen Information System) as soon as possible.</p>	<p>The mandate of Frontex is limited to the enhancement of the level of cooperation between Member States. The decision to allow or deny entrance to third country nationals on the territory of a Member State remains exclusively in the remit of the powers of that Member State. As such the Commission does not see the added value for Frontex to become a partner in SIS II.</p>
<p>4.9. The role set out for Frontex in coordinating joint return operations should also, in the Committee's opinion, be carried out in close cooperation with humanitarian NGOs with a recognised awareness and long experience in dealing with people in difficult or vulnerable situations.</p>	<p>The Commission's proposal (Art 9 (2)) includes the requirement for the Agency to develop a Code of Conduct for the return of illegally present third country nationals. Frontex is currently setting up a Committee to define the Fundamental Rights' Strategy of the Agency. The Committee will also include representatives from those organisations that have experience and know-how in return matters.</p>
<p>4.10. The EESC believes that Frontex can only be given a limited mandate to process personal data related to fighting criminal networks organising illegal immigration, and always in close cooperation with the national prosecution authorities.</p>	<p>Although the processing of personal data was not included in the Commission proposal (the Commission indicated to come back to this issue at a later stage), the Commission Communication on the Internal Security Strategy adopted on 22 November 2010, indicates the support from the Commission for the Agency to process in a limited manner personal data.</p>

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The SIS (Schengen Information System) should be operational by 31 December 2011 (EP Coelho Report).

	<p>Therefore the Commission is open to reflect and discuss this issue further on the basis of the operational requirements of the Agency to process personal data which should be necessary to achieve the goals and tasks of the Agency, including the necessary safeguards based on concrete amendments made both by the Council and the Parliament.</p>
<p>5.3. Article 1a(a)(2) – the expression "adjacent to" should be more clearly specified, mainly in order to avoid issues of unwarranted interference in national sovereignty.</p>	<p>The Commission is working with the Council and the European Parliament to find the appropriate alternative wording.</p>
<p>5.3.1. Article 2(1)(c) – the Agency's mandate to carry out "risk analyses" should be extended to the "costs" involved in dealing with pressure on the external borders of the most exposed Member States. Indeed, it only seems fair that all Member States, and not just the "border" countries, should bear the burden.</p>	<p>All the operational activities of the Agency are driven by risk analysis. The functioning of the Frontex Agency is financed by the Community budget. As such all Member States participating in the Frontex Regulation are contributing financially.</p>
<p>5.3.2. Article 14(1) – it seems appropriate to clarify the detailed arrangements under which the Agency would "facilitate" operational cooperation between Member States and third countries.</p>	<p>The term 'facilitate' is already part of the existing Frontex Regulation Nr 2007/2004 and should be understood in such a way that the Agency is providing support to those Member States that demand assistance in their contacts with third countries.</p>
<p>Article 14(2) – the possibility for the Agency to deploy liaison officers in third countries should be better clarified, insofar as officers seconded as observers and/or consultants can "only be deployed to third countries in which border management practices respect minimum human rights standards", with the added proviso that these third countries must also have formally subscribed to binding international Conventions on human rights, asylum and international protection.</p>	<p>The Commission's proposal regarding the posting of Frontex liaison officers in third countries gives priority to those countries that are on the basis of risk analysis a country of origin and transit regarding irregular immigration. These countries shall respect a minimum of human rights standards. The provisions of Article 14 are guided by the principle of Article 14 (1) i.e. that the framework of the European Union external relations policy, including with regard to human rights, is applicable.</p>

	<p>Furthermore the posting of Frontex liaison officers in third countries require a prior favourable opinion of the Commission. In other words the Commission will examine these requests on a case by case basis in order to determine if the conditions and requirements, including regarding fundamental rights, are fulfilled.</p>
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<p><b>54. Proposal for a Directive of the European Parliament and of the Council on combating the sexual abuse, sexual exploitation of children and child pornography, repealing Framework Decision 2004/68/JHA</b>  <b>COM (2010) 94 final – EESC 1173/2010 – September 2010</b>  <b>Rapporteur : Ms SHARMA (Empl./UK)</b>  <b>DG HOME – Mrs MALMSTROM</b></p>	
Main points of the EESC Opinion	Commission Position
<p>Article 2(b): The term "primarily" should be deleted throughout, as it detracts from the focus on "for sexual purposes"</p>	<p>The Commission's proposal needs to ensure consistency with the COE convention (CETS 201) and the Optional Protocol to the CRC on child pornography. The term "for primarily sexual purposes" is a constitutive element of the definition.</p>
<p>Article 2(e): Delete the exceptions "<i>for States or public bodies in the exercise of State authority and for public international organisations</i>".</p>	<p>This definition of legal persons is part of the EU acquis and takes account of the principle of immunity of jurisdiction and that the State cannot impose criminal sanctions on the State itself.</p>
<p>Article 3(4)(i): In light of the number of cases occurring within the family, "<i>parental responsibility</i>" should be itemised as a position of trust. The term "<i>recognised</i>" should be deleted in reference to "<i>a position of trust, authority or influence over the child</i>":</p>	<p>It is clear that "parental responsibility" is a recognized position of authority.  The word "recognized" ensures consistency with the COE convention.</p>
<p>Article 3(5): Offences concerning sexual abuse should also contain "<i>exhibitionism</i>" in the list of practices following an acceptable definition for exhibitionism from the Commission</p>	<p>The Directive focuses on the most serious forms of child sexual abuse.</p>
<p>Articles 4-8: With regard to the words "<i>knowingly</i>" and "<i>intentional</i>", the Directive must provide a clear definition of these terms.</p>	<p>These concepts are consolidated in criminal law theory of Member States' legal orders, and definitions in a directive concerned with a specific type of crime might affect the coherence of MS criminal law systems.</p>
<p>Article 4(1): The term "<i>intentional</i>" should be deleted since this would allow offenders to claim that they did not know the age of the victim to avoid prosecution.</p>	<p>The intentionality of behaviour as a necessary element for criminal liability is a well-established principle for these sorts of crimes in the EU acquis and in the national criminal law systems of Member States.</p>
<p>Article 4(8): "<u>Engaging in sexual activities (...)</u>" should include "<u>or agreeing to engage</u>" and should allow for the possibility of prosecution, "<u>irrespective of whether or not the sexual act is committed.</u>"</p>	<p>The COM will take this suggestion into account in the framework of negotiations with the other institutions, subject to a consideration of whether the behaviour of the client of child prostitutes who agrees to payment before any sexual contact has taken place is not covered already under "attempts" to commit the offence (Art 7).</p>

<p>Article 6 ("Solicitation of children for sexual purposes") should be expanded to recognise different forms of grooming, including grooming by protective adults and offline grooming.</p>	<p>The Commission's proposal is in line with a similar provision in the COE convention. The Commission is aware that this provision is already very ambitious, as some voices criticise that grooming is already covered as attempt to commit other offences, and would not require a specific criminal offence.</p>
<p>Articles 7 and 9: In line with the rest of the Directive, these articles should define a period of sentencing, or punishment, to be attached to the crime.</p>	<p>The Commission's proposal already includes 22 different offences distributed across 5 levels of penalties. Distinguishing in turn for every offence different sublevels for attempts, aiding and abetting, and aggravating circumstances would make the Directive excessively detailed.</p>
<p>Article 8: The statement "insofar as the act did not involve any abuse" should be replaced with "<u>insofar as the act did not involve any coercion</u>"</p>	<p>This addition would excessively limit the provision and leave out situations where abuse has taken place without coercion.</p>
<p>Article 11 ("Liability of legal persons"): Legal persons should be held responsible wherever they have enabled the conduct of the abuser, whether or not they benefit from it. Therefore, the phrase "for their benefit" (by any person) should be removed.</p>	<p>This suggestion could be taken into account in the framework of negotiations with other institutions.</p>
<p>Article 12(b) ("<i>Sanctions on legal persons</i>"): This article should be modified to not only exempt the abuser from taking up commercial activities, but also prevent him from taking up "any activities" in relation to contact with children.</p>	<p>This suggestion could be taken into account in the framework of negotiations with other institutions.</p>

<p>Article 14 relates to "investigation and prosecution". In order for investigation and prosecution to be practical and effective, adequate provision must be made for access to funds for training and counselling and for research into new and emerging technologies. The investigation process must be fully transparent. This article should also allow for certain types of crimes to have no statute of limitations.</p> <p>Article 14(2) With regard to "a sufficient period of time", Member States should have flexibility in applying the statute of limitations so that they can also take account of the gravity of the impact on the life, health and/or wellbeing of the victim.</p> <p>The EESC recommends that the Directive should specify that the statutes of limitation existing under national law shall begin when the victim has reached the age of majority. It further suggests that the Commission should work to promote harmonisation of the national statutes of limitation in order to avoid confusion or mistakes when law enforcement agencies undertake cross-border investigations.</p>	<p>The provision of Art 14(2) of the Directive imposes an obligation as to the objective to be achieved (that prosecution is possible after the victim has reached majority), in order to ensure that the young age of child victims at the time of the offence does not hinder access to justice.</p> <p>It leaves Member States flexibility as to the means to achieve that objective.</p> <p>The suggestions would probably interfere too much with the core principles of each national criminal law system at this stage.</p>
<p>Article 16(3): There can be no exceptions if Member States are to be serious about the global protection of children. Hence, the derogation "<i>A Member State may decide that it will not apply or that it will apply only in specific cases or circumstances (...) as far as the offence is committed outside its territory.</i>" should be deleted.</p>	<p>The Commission is aware that a binding clause to extend national jurisdiction in these cases would not be acceptable for Member States.</p>
<p>Article 21 ("<i>Blocking access to websites</i>") should be redrafted. Priority should be given to removing websites rather than blocking them, which should be a secondary measure where removal cannot take place. Blocking can work alongside removal as a short-term tactic to disrupt access and protect innocent users from exposure to child sexual abuse content. This article should require Members States to act immediately to take down the site.</p>	<p>This suggestion could be taken into account in the framework of negotiations with other institutions.</p>

<p><b>55. Proposition du règlement du Parlement européen et du Conseil relatif à la compétence, la loi applicable, la reconnaissance et l'exécution des décisions et des actes authentiques en matière de successions et à la création d'un certificat successoral européen</b>  <b>COM (2009) 154 final – EESC 962/2010 - July 2010</b>  <b>Rapporteur : Mr CAPPELLINI (Var. Int./IT)</b>  <b>DG JUST - Mrs REDING</b></p>	
<b>Main points of the EESC Opinion</b>	<b>Commission Position</b>
3.4.3, 3.4.4.: drafting proposals to the Explanatory Memorandum of the proposal	In the Explanatory Memorandum the Commission explains the background and gives justifications for its proposal. It will not be part of the Regulation and will therefore not be amended.
4.1.1.: specify the international character of the rules	International character of the rules is evident and does not need to be explicitly mentioned in the provisions. This is the approach followed also in other Regulations on jurisdiction, applicable law and recognition and enforcement.
4.3.8: replace the word "subsequent" by the word "additional" or "other"	Before adoption of the Regulation all the language versions will be checked and corrected.
4.3.9: universal nature of the rules on applicable law	This proposal will be taken into account in the negotiations with other institutions.
4.3.10.1: allow renvoi in certain situations	Commission is for total exclusion of renvoi: major objective is to guarantee unity of applicable law; renvoi would complicate the tasks of the authority; political choice is to apply the law of the last habitual residence and this choice should be valid also when the deceased was habitually resident in a third state.
4.3.11: modifications to the rule on public policy	These proposals will be taken into account in the negotiations with other institutions.
4.3.12: replace "its clauses" by "its provisions" in Article 27(2) in all the language versions	Before adoption of the Regulation all the language versions will be checked and corrected.
4.6.1.: extend the validity period of the certified copy of the European Certificate of Succession	This proposal will be taken into account in the negotiations with other institutions.

<p><b>56. Proposal for a Council Regulation (EU) implementing enhanced cooperation in the area of the law applicable to divorce and legal separation</b>  <b>COM (2010) 105 final – EESC 975/2010 - July 2010</b>  <b>Rapporteur : Mr Retureau (Work./FR)</b>  <b>DG JUST - Mrs REDING</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission position</b></p>
<p>3.3 Risks associated with the application of foreign laws that are incompatible with the common values of the European Union should be contained by the inclusion of a public policy exception to avoid e.g. unequal treatment of men and women.</p>	<p>The Commission agrees with the Committee's opinion: a standard public policy exception has been included in Article 7 of the Commission proposal. Additionally, the Commission proposal also contains an anti-discrimination provision in Article 5. According to this provision, the law of the court seized applies if the applicable law under Articles 3 and 4 does not grant one of the spouses equal access to divorce or legal separation on grounds of their sex.</p>
<p>1.4, 3.4 Due to the many grounds of jurisdiction in Regulation (EC) No 2201/2003, there is a risk of a 'rush to court', which describes a situation where one of the spouses applies for divorce before the other one does in order to ensure that the proceedings are governed by a law that he or she regards as more favourable to his or her own interests.</p>	<p>The Commission agrees with the Committee's opinion: the proposal is designed to facilitate divorce or legal separation by mutual consent and thus to avoid a 'rush to court'. The introduction of harmonised conflict-of-law rules should reduce the risk of a 'rush to court', since any court seized in one of the participating Member States will apply the law designated on the basis of common rules. However, this risk will not be completely eliminated as not all Member State will be bound by this instrument, which is to be adopted under the enhanced cooperation procedure.</p>
<p>3.4, 3.5 Choice of applicable law should be introduced to guarantee, among other things, greater certainty and security in an area often characterised by conflict.</p>	<p>The Commission agrees with the Committee's opinion: currently, the laws of most Member States do not allow spouses to choose the law applicable to divorce and legal separation. This may lead to application of a law with which the parties did not reckon and are only tenuously connected. The possibility of choosing the applicable law in Article 3 of the proposed Regulation provides a strong incentive for couples to deal in advance with the consequences of a potential breakdown of their marriage. The proposed rules therefore facilitate divorce by mutual consent, which is often the most appropriate way to avoid drawn-out and tortuous proceedings,</p>

<p>1.4, 3.4 The applicable law should be designated on the basis of a close connection between the spouses and the relevant law, which unlike the law of the court seised is more likely to meet the legitimate expectations of the 'weaker' spouse.</p>	<p>especially if the couple have children.</p> <p>The Commission agrees with the Committee's opinion: if the parties do not choose the applicable law, Article 4 of the proposed Regulation introduces harmonised conflict-of-law rules on the basis of a scale of successive connecting factors. These harmonised rules will better guarantee legal certainty and predictability than 26 separate national regimes, where courts often apply their own law. The connecting factors have been chosen to ensure that the divorce or legal separation proceedings are governed by a law with which the spouses have a close connection. The rules are intended to protect the 'weaker' spouse by giving priority to the application of the law of the family's habitual residence prior to the breakdown of the marriage, irrespective of the court seised by one or the other spouse. If the 'weaker' spouse stays in the place of common habitual residence or the last habitual residence of the family, the proposed Regulation guarantees that the law of those courts will apply, which would normally correspond to his or her expectations.</p>
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<p><b>57. Quelle information pour les consommateurs</b>  <b>Avis d'initiative – CESE 960/2010 – Juillet 2010</b>  <b>Rapporteur : M. PEGADO LIZ (Act. Div./PT)</b>  <b>DG JUST – Mrs REDING</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Position de la Commission</b></p>
<p>Point 1.5 – criticism against full harmonisation and Point 1.10.</p>	<p>The Commission does not share the conclusion that the full harmonisation character of the UCP Directive has produced negative effects nor that the proposal for a Consumer Rights Directive (pCRD, COM(2008)614) will produce such effects. On the contrary, only fully harmonised provisions complete the internal market with a lower prices and more offers as a result. Full harmonisation will also make it possible to carry out pan-European information campaigns informing and educating consumers about their rights in (see EESC point no. 2.7).</p> <p>The Commission takes a high level of consumer protection as reference for all its initiatives in the field of consumer laws, as requested by the Treaty. This is reflected in the provisions of the UCP Directive and the pCRD concerning information requirements. In the UCP Directive, for example, the concept of misleading omission was not employed in several Member States: the UCP Directive has ensured that all traders across the Union are prevented from omitting material information the consumer needs to take his purchase decision. In addition, under the Directive such information must be provided in a clear, intelligible, and timely manner.</p> <p>The Commission is aware of the difficulties linked to the effects of full harmonisation on certain national rules. However, the Commission considers that the UCP Directive provides for a sufficient high level of protection in relation to misleading and incomplete information.</p> <p>The Commission is currently examining the national rules affected by full harmonisation. The report which the</p>

	<p>Commission must submit to the European Parliament and the Council under Article 18 of the UCP Directive will provide for an overview of the difficulties faced by MS when transposing the Directive and will be the first step of its possible review. However, the Commission is not in a position to determine at this stage whether and the extent to which the Directive will be reviewed.</p> <p>As regards the pCRD, the Commission is currently considering in the context of the ongoing negotiations whether certain sectors such as social and healthcare services should be excluded from parts of the proposal in order to allow Member States to address specific national problems.</p>
Point 1.6 - consumers as vulnerable party and Point 3.	<p>The Commission also believes that in case of business-to-consumers transactions, the consumer is the weaker party: this is precisely why the consumer acquis provides for certain rights and guarantees and obliges traders to provide certain information so as to enable consumers to make an informed purchase.</p> <p>The UCP Directive is based on the idea that it is appropriate to protect all types of consumers from unfair commercial practices and it, therefore, contains also provisions to protect specifically vulnerable consumers.</p> <p>When commercial practices are likely to materially distort the economic behaviour of only a clearly identifiable group of consumers who, for various reasons, are particularly vulnerable to the practice or the underlying product in a way that the trader could reasonably expect to foresee, then the practices must be assessed from the perspective of the average member of that vulnerable group.</p> <p>Regarding the most vulnerable ones, the UCP Directive provides for example that the "average consumer test" shall be replaced by a vulnerable-consumer test when a commercial practice specifically affects vulnerable consumers because of their age, infirmity or credulity.</p>

	<p>For instance, the UCPD sets a high level of protection of vulnerable consumers' economic interest: several of its provisions aim at protecting children. Firstly, its Black List bans the practice of including in an advertisement a direct exhortation to children to buy or persuade their parents or other adults to buy the advertised products. Secondly, under UCP, whenever a commercial communication is directed to a particular (vulnerable) group of consumers such as children or teenagers, its fairness will be assessed from the viewpoint of the average member of that group (e.g. an average child of 8-12 years).</p>
<p>Point 1.12 – review of the pre-contractual and contractual information requirements.</p>	<p>It is one of the aims of the pCRD to align its information requirements with those in other Directives, e.g. the UCP Directive, the Services Directive and the E-commerce Directive. This is an important issue in the current negotiations in the European Parliament and Council.</p>
<p>Point 1.13 and 1.14 – General guidelines for information requirements.</p>	<p>In its pCRD, the Commission has taken into account an important part of the guidelines of the EESC, see Art. 5 (1) (a) – (f) and (3), Art. 9 (e), Art. 10 (1), Art. 11 (4) and Art. 13 pCRD. Furthermore, the Commission supports the Member States in Council who wish to insert a provision on the burden of proof. The Commission refrained from inserting a principle of cost-free information, but focussed on the transparency of the price and costs (see Art. 31 (3) pCRD).</p> <p>However, the Commission informs the EESC that, according to the amendments discussed in Council and Parliament, all these information requirements will only apply to off-premises and distance contracts and <u>not</u> to on-premises contracts.</p>
<p>Point 5 – Consumer Rights Directive</p>	<p>The Commission draws the attention of the EESC to the fact that the information requirements of the pCRD are mandatory. However, in order to reduce their burden, traders should neither be obliged to provide information which is already available to the consumer ("information already apparent</p>

	from the context") nor which does not apply to the contract to be concluded (e.g. on codes of conduct where such codes do not exist).
Point 9 – consequences of a lack of information	Contrary to the EESC's opinion, the pCRD requests from Member States to ensure that adequate and effective means exist to ensure compliance with the Directive (see Art. 41 pCRD). The sanctions for any breach of the information requirements are left to national legislators (see Art. 6 (2) pCRD). In case of omission of information of the right of withdrawal, the pCRD prolongs the withdrawal period to 3 months (Art. 13); however, in the negotiations, the Commission has showed openness to prolonging this period to one year.

<p><b>60. Les relations entre le Canada et l'Union européenne</b>  <b>Own-initiative Opinion - EESC 1189/2010 – September 2010</b>  <b>Rapporteur : Mr RODRÍGUEZ GARCÍA-CARO (Empl./ES)</b>  <b>DG RELEX – Mrs ASHTON</b></p>	
<p><b>Main points of the EESC Opinion</b></p>	<p><b>Commission Position</b></p>
<p>Canada must be a key partner for the EU. Existing relations are adequate, but could be described as unambitious. In this regard, the EESC welcomes the opening of the negotiations on a Comprehensive Economic and Trade Agreement. The agreement raises expectations not only for the future of EU-Canada relations, but also for transatlantic relations more generally. It should be borne in mind that the US and Canada, together with Mexico, are NAFTA signatories, and Canada could thus provide a way in to the very significant US market.</p>	<p>An upgrade of the 1976 Framework Agreement is envisaged to reflect the change in scope and ambition of the EU-Canada Relations over the time. The Council adopted an upgraded authorisation to negotiate such an agreement. Signatures of both the CETA and the new FA have to be seen as a package envisaged for the end of 2011.</p>
<p>The EESC hails the results of the recent EU-Canada Summit, held on 5 May 2010. The EESC welcomes the fact that the leaders undertook to resolve their differences on granting visas and considered that Canada's intention to revise its asylum policy should make a positive contribution to making it easier for all EU citizens to obtain visas under fully reciprocal arrangements.</p>	<p>Visa reciprocity issues are closely monitored by the Commission and a bilateral Canada Czech Republic working group, where the Commission is an observer, has been set up to facilitate necessary measures to solve the problem.</p>
<p>The EESC considers that inclusion of specific arrangements for the participation and consent of the provinces and territories and of civil society in the negotiations will therefore be vitally important to the successful implementation of the agreement. Opening up the public procurement markets is one of the EU's main areas of interest. Canadian provinces have very wide powers in this field, which is why they must also be included in this aspect of the negotiations. In view of the differences between the various economic and social actors on this point, the EESC believes that the active involvement of the social partners in this aspect of the negotiations will be vital.</p>	<p>Canadian Provinces are actively participating in the negotiations. Involvement of social partners in the negotiations happens through the appropriate civil society consultations organized by DG Trade and that take place regularly.</p>
<p>The EESC would like to see the European Parliament take part in the process through sufficient monitoring and information throughout the negotiations, and not just at the point agreement and ratification of the final version, as set out in the Lisbon Treaty.</p>	<p>The Commission informs the EP through appropriate channels as laid out in the 2010 Framework Agreement on relations-between the EP and the Commission.</p>
<p>Once the agreement has been concluded, the EU-Canada Joint Cooperation Committee should perform tasks similar to those of the Transatlantic Economic Council between the EU and the USA, in order, amongst other</p>	<p>A regulatory cooperation mechanism is envisaged in the CETA, where Canadian and EU officials will participate.</p>

<p>things, to facilitate progress towards legislative convergence between the EU and Canada.</p>	
<p>The EU must negotiate an ambitious agreement covering all aspects of EU-Canada trade relations, including public procurement. In this respect, there is an urgent and pressing need to tackle the real obstacles facing businesses, by harmonising regulations and removing non-trade barriers.</p>	<p>The CETA has a broad scope encompassing trade in goods and agricultural products, services, and investment. Trade facilitation, Technical Barriers to Trade and Sanitary and phytosanitary measures are also part and parcel of the CETA.</p>
<p>Environmental and sustainable development aspects must be included within the scope of the agreement</p>	<p>The Commission agrees on the need to integrate sustainable development aspects in CETA, particularly provisions aimed at ensuring and promoting labour protection and rights and environmental conservation in the context of strengthened economic relations between Canada and the EU</p>
<p>The EESC believes that neither the EU nor Canada can afford to miss this opportunity to forge closer relations, as it will be of benefit to their societies. To this end, the two sides should maintain an open dialogue with the representatives of organised civil society, not only during the negotiations but also in order to monitor the implementation and results of the future agreement so that they can be enhanced.</p>	<p>The Commission recognises the role of civil society in shaping and monitoring policies.</p>
<p>The EESC proposes that in conjunction with the Comprehensive economic and Trade Agreement, a joint consultative body of EU-Canada organised civil society be set up. This body would perform a consultative function for the future joint body that is to provide the agreement's political leadership and could issue opinions regarding the consultations emanating from the joint body on matters covered by the agreement. This consultative committee could be modelled on other civil society joint consultative committees, the most recent example of which is the Joint Consultative Committee under the 2010 Association Agreement between the EU and Central America.</p>	<p>The Commission takes note of the recommendation of the EESC but suggests that such a forum would have more relevance under the Framework Agreement whose negotiations should start soon.  This is without prejudice to the establishment of specific mechanisms for consultation and involvement of civil society on matters covered by CETA, notably the parts on sustainable development (labour and environment).</p>

## **PARTIE D: Avis faisant l'objet d'un autre type de réponse**

**4. Niveaux de contamination radioactive pour les denrées alimentaires (refonte)**  
**COM(2010) 184 final CESE 1180/2010 – Septembre 2010**  
**Rapporteuse: M<sup>me</sup> RAUNEMAA (Act. Div./FI)**  
**DG ENERG – M. OETTINGER**

La proposition législative transmise pour avis au CESE était à l'origine une proposition de codification pure et simple de plusieurs actes. Au cours de la procédure législative, la proposition de codification a été convertie en proposition de refonte afin de motiver, par l'insertion d'un nouveau considérant, une disposition existante prévoyant des compétences d'exécution réservées au Conseil. La Commission prend bonne note des recommandations formulées dans l'avis du CESE mais constate que ces dernières sortent du cadre de la procédure de refonte et estime, par conséquent, qu'il n'est pas approprié de donner suite à l'avis du CESE dans le cadre de cette proposition législative.

**8. Parcs technologiques, industriels et scientifiques européens dans la gestion de la crise, préparation de l'après- crise et période post stratégie de Lisbonne**  
**Supplément d'avis d'initiative - CESE 980/2010 – Juillet 2010**  
**Rapporteur: M. TÓTH (Act. Div./ HU)**  
**Corapporteur: M. SZÜCS (Act. Div./HU)**  
**DG ENTR – M. TAJANI**

Aucun suivi ne sera donné à cet avis, notamment en raison du plein accord, en général, à l'égard des recommandations issues dans l'avis du CESE au sujet des parcs scientifiques et technologiques et industriels. Par ailleurs, la Commission s'engage à mettre en valeur le rôle des parcs scientifiques et technologiques en tant qu'importants éléments des systèmes européens d'innovation pour le support à toutes formes d'innovation. Pour ce qui est des recommandations spécifiques, leur éventuelle mise en œuvre devra toujours répondre aux critères qui guident l'action européenne

**14. Une réponse de l'UE face à l'équilibre changeant du pouvoir économique mondial**  
**Avis d'initiative – CESE 1167/2010 – Septembre 2010**  
**Rapporteur: M. CALLANAN (Empl./IE)**  
**BEPA – M. BARROSO**

The Commission welcomes the own-initiative opinion from the EESC about An EU response to a changing balance of global economic power.

The own-initiative opinion develops the need for an European strategy that takes into consideration the shifts of economic and political power in the world. The Communication from the Commission to the European Council of June 2006 adopted in 2006, COM (2006) 278 final, "Europe in the world - some practical proposals for greater coherence, effectiveness and visibility", tackled with the same issues. But the economic crisis has changed the world since 2006 and the Commission will update the Communication. For this purpose, the own-initiative opinion of the EESC will be taken into consideration.

**27. Aide octroyée/Monopole allemand de l'alcool**  
**COM (2010) 336 final – CESE 1181/2010- Septembre 2010**  
**Rapporteur: M. KIENLE (Empl./DE)**  
**DG AGRI - M. CIOLOS**

Avis du CESE favorable à la proposition de la Commission. La Commission félicite le CESE pour son avis et estime qu'il y a un plein accord entre les deux Institutions. La Commission remercie le CESE de la collaboration et lui propose de diffuser ces idées aux partenaires socio-économiques.

**34. Towards a World Summit on Sustainable Development in 2012**  
**Own initiative opinion - EESC 1177/2010 – September 2010**  
**Rapporteur - Mr Osborn (Var. Int./UK)**  
**DG ENV – Mr POTOČNIK**

The Commission can not provide for the time being a detailed follow-up to the EESC opinion. The Commission is in the process of preparing its own position for Rio+20 and considers the EESC opinion as a useful and timely contribution to its reflections. EESC will be able to contribute to Commission's preparations, in the form of public consultation in the upcoming months.

**37. Émissions / Véhicules utilitaires**  
**COM(2009) 593 final - CESE 964/2010 – Juillet 2010**  
**Rapporteur: M. RANOCCHIARI (Empl./IT)**  
**DG CLIMA – M<sup>me</sup> HEDEGAARD**

La Commission réserve sa position étant donné l'état des négociations avec les autres institutions.

**43. Mise en œuvre de la politique commune de la pêche**  
**COM(2010) 145 final - CESE 984/2010 – Juillet 2010**  
**Rapporteur : M<sup>me</sup> SÁNCHEZ MIGUEL (Trav./ES)**  
**DG MARE –M<sup>me</sup> DAMANAKI**

La Commission ne donnera pas de suivi à cet avis étant donné qu'il s'aligne sur la proposition de la Commission.