



European Economic and Social Committee

Brussels, 16 May 2003

PLENARY SESSION

14 AND 15 MAY 2003

SUMMARY OF OPINIONS ADOPTED

Full text versions of EESC opinions are available in the 11 official languages on the Committee's website at the following address:

<http://www.esc.eu.int> ("Documents")

The plenary session of 14 and 15 May 2003 was attended by representatives of organised civil society in the countries acceding to the EU and personalities from economic and social councils in the EU and the acceding countries.

1. **REVIEW OF THE COMMON AGRICULTURAL POLICY**

• ***Review of the CAP - 2003***

Rapporteur: **Mr Strasser** (Various Interests - A)

Co-rapporteur: **Mr Kienle** (Employers – D)

– **Reference:** COM(2003) 23 final – 2003/0006-0007 CNS – CESE 591/2003

– **Key points:**

The EESC accepts the need to adjust the CAP to changed requirements. In its own-initiative opinions it addressed in detail the further development of direct payments to farms. It rejects an abrupt system change through the transfer of the previous area- and animal-related premiums to the "single farm payment" proposed by the Commission. A reduction in the link between market regulation and production entails the risk of more instability for farming, especially in disadvantaged regions. The EESC regrets that the Commission has not followed up its suggestion for a basic aid payment plus product-related subsidies instead of a farm payment.

The EESC considers that the present proposals for the farm payment and cross-compliance will unfortunately not provide a satisfactory solution to the question of how the considerable demands made on agriculture by society (through high European standards) can be met at a time when the agricultural markets are being liberalised (objective of the WTO negotiations). There also remains the concern that young people will continue to drift away from agriculture in many European regions. It is also sceptical as to whether the present proposals will meet with lasting public approval.

In the EESC's view, the newly proposed cross-compliance instrument can help to ensure that regulations on food safety, occupational safety, environmental protection and animal welfare are put into practice uniformly across the EU. The cross-compliance rules must, however, be practicable and not require excessive administrative outlay.

The EESC considers that the reform proposals should place more emphasis on voluntary measures and/or incentives. Thus use of any farm advisory system should therefore be voluntary. Nor should the reform target an obligatory 10-year set-aside, but should retain the principle of rotational set-aside on a voluntary basis, especially as this has gained general acceptance by both farmers and society as a whole.

The EESC firmly supports an expansion of the second pillar of the CAP, namely the development of rural areas. Measured against the Communication of July 2002 on the mid-term review, the legislative proposals for reforming the CAP are clearly a backwards step in this respect. Moreover, supplementing the second pillar by modulation alone would weaken the complementarity between the two pillars of the CAP. With regard to improving product quality, food safety and environmental protection the proposals are a step in the right direction. Although adequate resources are not provided for this, the Committee believes that these could be increased in the next reform of the Structural Funds.

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- ***Review of the CAP 2003 – Cereals COM***
Rapporteur: **Mr Mascia** (Employers - I)

- **Reference:** COM(2003) 23 final – 2003/0008 CNS – CESE 584/2003

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- ***Review of the CAP 2003 – Rice COM***
Rapporteur: **Mrs Santiago** (Employers - P)

- **Reference:** COM(2003) 23 final – 2003/0009 CNS – CESE 592/2003

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- ***Review of the CAP 2003 – Dried fodder COM***
Rapporteur: **Mr Wilms** (Employees - D)

- **Reference:** COM(2003) 23 final – 2003/0010 CNS – CESE 585/2003

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- ***Review of the CAP 2003 – Milk COM***

Rapporteur: **Mr Voss** (Various Interests - D)

– **Reference:** COM(2003) 23 final – 2003/0011-0012 CNS – CESE 586/2003

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2. **EMPLOYMENT**

- ***Employment guidelines***

Rapporteur-General: **Mr Koryfidis** (Employees - EL)

– **Reference:** COM(2003) 176 final – 2003/0068 (CNS) - EESC

– **Key points:**

The EESC supports the Commission's reasoning and would underline the consistency that must govern the relationship between the employment guidelines and the broad economic policy guidelines. Furthermore, it believes that the synchronisation of the guidelines and their three-year time frame are important for the future of the European Employment Strategy (EES).

The new employment guidelines are a major challenge for the new Member States of the Union too. This means that the Commission has a particular responsibility to support the efforts of the new Member States to meet the probable expectations of the Union.

The EESC notes that immigration is not treated as a specific and separate priority, but is mentioned in the context of other priorities.

The EESC wonders whether it would not be preferable for all measures aimed at removing barriers to access to the labour market – including discrimination against workers from third countries and regional disparities.

As the EESC attributes particular importance to the institution of lifelong learning, it believes that the aim of increasing the participation rate of adults in education and training does not correspond to the level needed to meet the major demands of the knowledge-based society.

The EESC agrees with the efforts to connect work and family life by providing services for children and other dependants. Finally, it reiterates and recommends to the Member States that the national parliaments should play a strong role in the national action plans and it would insist on the

need for the Member States to tie the guidelines to quantitative targets, not only at national, but also at regional and local levels.

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3. **EUROPEAN CITIZENSHIP**

- ***Access to European Union citizenship***

Rapporteur: **Mr Pariza Castaños** (Employees – ES)

- **Reference:** Own-initiative opinion – CESE 593/2003

- **Key points:**

On 6 February, the Convention Praesidium published its draft of Articles 1 to 16 of the Constitution. Article 5 incorporates the Charter of Fundamental Rights into the Constitution, while Article 7 defines citizenship of the Union as follows: "Every national of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to national citizenship; it shall not replace it."

This proposal denies EU citizenship to residents who are third party nationals, even if they are stable residents.

The EESC has proposed in various opinions that the Constitution should grant EU citizenship to third country nationals who reside on a stable basis in the EU.

European citizenship must be at the heart of the European venture. The Convention is developing a major political project to ensure that all citizens feel part of a supranational democratic political community. It is time for a new criterion for granting citizenship: European citizenship based not only on nationality, but also on stable residence in the European Union.

The EESC welcomes the incorporation of the Charter of Fundamental Rights into the Constitution and adherence to the Convention for the Protection of Human Rights and Fundamental Freedoms, which recognises a "civic" citizenship. This is the first step towards participatory citizenship for all people residing on a stable basis in the EU.

The EESC agrees with the nature of Union citizenship: i.e. that it should be in addition to national citizenship, not replace it. The new criterion for granting Union citizenship proposed by the EESC may open up new possibilities for residents who are not EU nationals.

Granting EU citizenship to third-country nationals who are stable or long-term residents is a positive step that demonstrates the EU's commitment to integrating all residents, regardless of nationality.

The Convention must consider whether the present political and legal bases are adequate or not for promoting integration.

The EESC calls on the Convention, in drafting the first EU Constitution, to apply the principle of equality to everyone, be they Member State or third country nationals, who resides on a legal and stable basis in the Union.

The EESC calls on the Convention to provide a new criterion for granting Union citizenship: citizenship should be linked not only to nationality of a Member State, but also to stable residence in the Union.

The EESC therefore proposes to the Convention that Article 7 (Citizenship of the Union) be granted not only to nationals of the Member States but to all persons who reside on a stable or long-term basis in the European Union. Union citizenship will be additional to but will not replace national citizenship. In this way such persons will be European citizens and therefore equal before the law.

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4. EXTERNAL RELATIONS

- ***Promoting the Involvement of Civil Society Organisations in South-East Europe – Past experiences and future challenge***

Rapporteur: **Mr Wilkinson** (Employers - UK)

- **Reference:** Own-initiative opinion – CESE 594/2003

- **Key points:**

On 1 January 2003, Greece assumed the Presidency of the EU Council. Official statements by the Greek government indicate clearly that the region of South-East Europe (SEE) is a key priority for the Greek Presidency of the EU Council.

To date, EESC involvement in the region has included an information report¹, an opinion² and

¹ "Relations between the European Union and Certain Countries in South-East Europe" (CES 1025/98 fin rev.)
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participation in the activities of the ETF Action Plan for the 'Promotion of the Culture and Practice of Social Dialogue and of Participation of Civil Society and Related Networks in the South Eastern European Region'.

The conclusions of the Action Plan's conference in Thessaloniki in September 2002 highlighted the need for future activities to consolidate civil society organisations in SEE and to reinforce their role. The conclusions also highlighted the necessity for the development of capacity, expertise and of the ability to network at the regional level.

Within this context this own initiative opinion will be submitted to the Greek Presidency for the meeting due to be held in Thessaloniki on 21 June 2003 (Zagreb Process II meeting), which will be attended by representatives of the SEE countries involved.

The EESC recommends:

- organising one or more events to bring SEE officials (separately or on a regional basis) together with social partners;
 - training for social partner organisations in management and organisational skills, strategic development, funding and project management (including EU funding programmes);
 - EESC assistance in identifying where civil society organisations are able to match the norms for EU CSOs and to help to develop them where deficiencies exist. This should be carried out in very close co-operation with relevant EU level organisations;
 - the establishment of appropriate networks of organisations in the region;
 - assistance in strengthening the independent media in SEE;
 - the establishment of an IT based network for the exchange of ideas and experiences;
 - the creation, at an appropriate time, of a body with membership from the SEE countries and the EESC, to discuss matters of common concern and allow networking on a regular basis;
 - developing a three-year programme to assist the SEE social partners.
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² "Development of Human Resources in the Western Balkans" (OJ C 193 of 10.07.2001)

- ***Combating poverty through the promotion of sustainable development: for a joint approach***

Rapporteur: **Mr Ehnmark** (Employees - S)

– **Reference:** Information Report – CESE 104/2003 fin

– **Key points:**

The International Association of Economic and Social Councils and Similar Institutions (AICESIS) is currently preparing the 8th international meeting, to be held in Algiers on 24 and 25 June 2003. One of the aims of this meeting is to enhance dialogue with international organisations such as the ILO, UNDP and World Bank.

The theme for this 8th meeting is '*Combating poverty through the promotion of sustainable development: for a joint approach*'. The composition of the working group responsible for preparing this theme is: ESCs of Algeria, Gabon, Morocco, South Africa, Guinea, Italy, France and the EESC.

As in previous years, the EESC will draw up an information report on the same topic, which will be its contribution to the June meeting.

Within this context, the EESC recommends:

- integrated approaches, profiled to the specific needs of each country and region, and with clear commitments of governments, social partners, organised civil society, and international institutions;
- sustained results have to be built on economic, social and environmental actions in mutual balance. The plan of implementation of the World Summit on Sustainable Development, adopted in Johannesburg in 2002, is an inspiring roadmap for the integration of sustainable development in the efforts to eradicate poverty;
- the European Union must recognise its specific responsibility for a vigorous follow-up of the World Summit, including action for eradicating poverty;
- the EESC would welcome a communication from the Commission on the whole spectrum of follow-up actions emanating from the plan of implementation of the World Summit, with special emphasis on the actions to eradicate poverty;
- the EESC expresses a strong belief in the importance of setting job creation as one of the top priorities, together with elimination of trade obstacles, increased aid, and further debt relief coupled to commitments to social reform;
- the EESC strongly advocates a partnership approach, which is the only method of safeguarding a sustained clear support for the actions decided, and for shaping a sustained community progress in economic, social and environmental terms. The EESC underlines that without good and efficient governance, no coherent action will be realistically possible.

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5. **SINGLE MARKET**

- ***Community trade mark***

Rapporteur: **Mrs Sánchez Miguel** (Employees - ES)

- **Reference:** COM(2002) 767 final – 2002/0308 CNS – CESE 576/2003

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- ***PRISM 2002***

Rapporteur: **Mr Pezzini** (Employers - I)

- **Reference:** Additional own-initiative opinion – CESE 575/2003

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- ***Takeover bids***

Rapporteur: **Mr Cassidy** (Employers - UK)

- **Reference:** COM(2002) 534 final– 2002/0240 COD - CESE

- **Key points:**

The EESC believes that:

- The ultimate aim must be the elimination of all obstacles to cross-border takeovers in the EU, equality of treatment of stakeholders and the phasing-out of all defence mechanisms.
- Article 4 needs to be simplified in order to achieve its objective of avoiding systematic litigation during takeover bids.
- A relatively narrow range of percentage voting rights as the control threshold triggering a mandatory takeover bid is required.

- The new *Article 13* concerning timely and comprehensive information and consultation of employees' representatives is a welcome addition.
 - A qualified majority threshold range for amending a company's Articles of Association in Article 11.4 of the directive ought to be established.
 - Subject to these remarks and some amendments to articles 4, 5, 6, 9, 10, 11, 13, and 17 of the draft directive, the EESC approves the Commission proposal and calls for its speedy adoption.
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6. EUROPEAN FREEDOM, SECURITY AND JUSTICE AREA

- ***DAPHNE II Programme***

Rapporteur: **Mrs Davison** (Various Interests – UK)

– **Reference:** COM(2003) 54 final – 2003/0025 COD) – CESE 588/2003

– **Key points:**

The Committee welcomes renewal of the programme which it has supported in the past. Awareness-raising and dissemination are very important. The Daphne programme is valuable in this respect because of its large multiplying effect throughout Europe. The Committee would stress that violence against children and women is not just a question of health and physical preservation but also infringement of their human rights.

In terms of promoting the development and exchange of good practice, the resources available in recent years through programmes such as Daphne and STOP have generated a wide range of innovative projects, activities, and studies by NGOs, state authorities, and research bodies. The Daphne Initiative has generally been able to fund one project for every seven proposals received. The EESC would question therefore whether the increased funding is sufficient.

The EESC particularly welcomes Daphne's extension to the CEE. New information is needed about what has been achieved in the Member States. Member State reports of measures they have taken nationally to combat trafficking in women have not been matched by reports in relation to child sexual exploitation, genital mutilation or "crimes of honour". The new proposal emphasises the need for data collection which needs to be consistent across Europe. The EESC would call on Member States to provide this.

Research under the programme should consider potential legislative measures as well as awareness-raising. For example, the EESC has recommended the establishment of strong EU rules on trans-border adoption and officials and NGOs dealing with children, as well as legislation to prevent identified paedophiles travelling abroad for sex tourism, "grooming" on the Internet and a general duty on ISPs to protect children on-line.

The EESC feels it is essential that the programme should encourage cross-border initiatives.

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7. **ENVIRONMENTAL PROTECTION**

- ***Marine environment***

Rapporteur: **Mrs Sánchez Miguel** (Employees - ES)

- **Reference:** COM(2002) 539 final – CESE 578/2003

- **Key points:**

The EESC welcomes the Commission document on the marine environment strategy as it opens the debate with all the parties interested in conserving and protecting the marine environment.

However, in response to the regrettable and increasingly frequent pollution of our maritime waters, the EESC calls for a stronger political commitment from Member States to implementing existing legislation and for the perpetrators to be held liable in an effective way.

The strategy should be based on effectiveness, i.e. the EU's real capacity for influencing marine issues in coastal and territorial waters, exclusive economic zones and international waters, by enhancing legislative instruments (whether binding and mandatory, or simple agreements and conventions) and economic instruments (trade agreements, third country funding programmes).

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- ***Sulphur content of marine fuels***

Rapporteur: **Mr Retureau** (Employees - F)

– **Reference:** COM(2002) 595 final – volume II – 2002/0259 COD – CESE 580/2003

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8. **FOOD SAFETY**

- ***Control of foot-and-mouth disease***

Rapporteur: **Mr Bastian** (Employers - F)

– **Reference:** COM(2002) 736 final – 2002/0299 CNS – CESE 577/2003

– **Key points:**

The EESC considers it imperative to set up a new Community framework to control foot-and-mouth disease (FMD) and stresses that steps should be taken to encourage a sustainable stock-breeding sector, taking into account the demands of EU citizens as regards animal welfare, trends in agricultural production and trade and the need to maintain the proper functioning of the single market. A sustainable stock-breeding sector is based on an animal health policy incorporating the latest scientific findings available and new technologies.

In its opinion the EESC makes specific remarks concerning:

- disease prevention;
- measures to be taken as soon as an FMD outbreak occurs;
- contingency plans;
- research and development; and
- compensation.

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- **Registration/Identification ovines and caprines**

Rapporteur: **Mr Donnelly** (Various Interests – IRL)

– **Reference:** COM(2002) 729 final – 2002/0297 CNS – CESE 582/2003

– **Key points:**

The Committee welcomes the Commission's proposal and supports the urgent need to develop an effective method of rapid tracing and identification of the animals in the EU. The Committee notes that the proposal is based on the 2002 final report of the IDEA project (carried out by the JRC) and its recommendations. However, some of these recommendations are not reflected into the proposal. In particular, the Committee highlights the need for an EU-harmonised and centralised system of electronic identification and registration of the animals, including the animals in transit towards third countries. Given the recent outbreaks of animal diseases and the upcoming enlargement, the Committee considers that such a system would provide an effective and rapid response to possible future outbreaks.

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- **TSE (Transmissible Spongiform Encephalopathies)/Extension of transitional measures**

Rapporteur: **Mr Nielsen** (Various Interests - DK)

– **Reference:** COM(2003) 103 final - 2003/0046 COD – CESE 587/2003

– **Key points:**

According to the Committee, EU cooperation is undermined when, for acceptable reasons or not, the Commission and the Member States continually fail to meet the deadlines they themselves jointly set. That applies not least to the veterinary and health sectors, which make up almost half of single market legislation.

As things now stand, however, it is necessary to extend the transitional period, but it is vital not to defer the deadline again next time, which would only result in added uncertainty.

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- ***Food additives other than colours and sweeteners***

Rapporteur : **Mr Donnelly** (Various Interests - IRL)

– **Reference:** COM(2002) 662 final – 2002/0274 COD – CESE 581/2003

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9. **FISHERIES/AGRICULTURE**

- ***Fishing/Consequences of restructuring***

Rapporteur: **Mr Chagas** (Employees - P)

– **Reference:** COM(2002) 600 final – CESE 579/2003

– **Key points:**

The action plan to counter the social, economic and regional consequences of the restructuring of the EU fishing industry has been put forward at a critical time for the European fisheries sector when bold measures are needed to ensure the survival of Community fishing activity on a lasting and sustainable basis, involving the recovery of fish stocks. In the light of the decisions adopted by the Council of Ministers in December 2002, some of the consequences will be partially limited and the available funding lower since, according to those decisions, some of the measures the Commission was intending to do away with while reallocating the respective resources are to remain in place.

The EESC calls on the Commission to earmark adequate resources to cope with difficulties for employment and the well-known shortfalls in technical resources, infrastructure and training. The EESC also feels that a sustained framework of support for the sector and workers in it will only be possible by increasing FIFG resources and creating a specific support line for social questions.

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- ***Fisheries/Partnership agreements with third countries***

Rapporteur: **Mr Sarró Iparraguirre** (Various Interests - ES)

– **Reference:** COM(2002) 637 final – CESE 583/2003

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- ***Aquaculture/Sustainable development***

Rapporteur: **Mrs Santiago** (Employers - P)

- **Reference:** COM(2002) 511 final – CESE 595/2003

- **Key points:**

The EESC endorses the Commission document on aquaculture and welcomes the fact that the Council, together with the Commission, will undertake to examine and implement appropriate initiatives to develop a sustainable aquaculture sector in the EU. The Committee considers it essential that the sector should be able to develop in a balanced manner, without impairing the environment or the quality and safety of the end product, stresses that research is vital for the sector's development, that continuing vocational training is extremely important and that particular attention should be paid here to the role of women.

Cooperation through producer organisations and cooperatives is vital in order to develop the market, bring stability and organise supply while cooperation between the authorities, the scientific community and duly organised producers could also do much to help solve the problems facing the sector. The Committee further makes a number of comments on product safety and quality.

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