



European Economic and Social Committee

Brussels, 4 January 2005

**PLENARY ASSEMBLY
ON 15 AND 16 DECEMBER 2004**

SUMMARY OF OPINIONS ADOPTED

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

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

1. THE SINGLE MARKET – HARMONISATION OF COMMUNITY LEGISLATION

- ***European insurance contract***

- **Rapporteur:** Mr Pegado Liz (Various interests – PT)

- **Reference:** Own-initiative opinion – CESE 1626/2004

- **Key points:**

A degree of harmonisation of the mandatory rules of what is known as the “general part” of insurance law could contribute decisively to removing an entire series of obstacles and difficulties facing insurance companies, insurance intermediaries, insured persons and policyholders, whether professionals or individual customers, in carrying out cross-border insurance transactions.

The preparations must take account of the proposals made in the Commission’s 1979-80 directive, in the light of the comments and analyses made by the interested parties.

The Community instrument to be used should be a regulation, taking Treaty Article 95 as the legal basis.

On the basis of the comments made in the present opinion, the EESC urges the Commission to reopen this dossier and begin examining comparative law and national practices in the area of insurance contracts, in order to confirm that it is necessary, advisable and possible to continue with efforts to harmonise insurance contract law at Community level.

The EESC recommends to the Commission that such work be made known and submitted for public discussion by means in particular of a green paper, the essential base for preparing what is considered to be the most appropriate Community instrument.

- **Contact:** *Mr João Pereira Dos Santos*
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- ***Framework for state aid – public services***

- **Rapporteur:** Mr Hernandez Bataller (Various interests – ES)

- **Co-rapporteur:** Mr Burani (Employers - IT)

- **Reference:** CESE 1632/2004

- **Key points:**

In the absence of a prior proposal for a framework directive, as recommended by the Committee, this proposal could not guarantee the level of legal certainty necessary for this sector of the internal market.

The EESC calls on the proposal to better address the classification of certain methods of financing of Services of general economic interest and to lay down criteria for assessing best practices at Community level.

It may be necessary to adopt a new approach to State aid policy at Community level, in particular given that the relationship between the Commission and regional and/or local authorities, with whom the Commission is required to deal directly for all matters relating to the aid they dispense, may well become increasingly complex.

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- ***Highway code/Vehicle register***

- **Rapporteur:** Mr Pegado Liz (Various interests – PT)

- **Reference:** Own-initiative opinion – CESE 1630/2004

- **Key points:**

The EESC considers that

- a certain degree of harmonisation of legislation on road traffic rules is not only an effective way of speeding up completion of the single market; it may also make a key contribution to boosting road safety and promoting accident prevention, thus securing more consistent freedom of movement for the people of Europe;
- as matters stand at present, the possibility of using a directive for minimum harmonisation should be considered as a first step towards setting up a European Highway Code, using the Vienna Convention as a model, with a definition of basic traffic rules and signals, drivers' qualifications and licences, and the nature of offences and the associated penalties;

- a binding Community instrument could also define the basis for setting up a single system for a European vehicle register, strongly based on experience to date in cooperation between the national bodies responsible.

Lastly, the EESC urges the Commission to start up the studies necessary for analysing the cost/benefit situation regarding the various areas to be harmonised.

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2. COMPETITION – INDUSTRIAL POLICY

- ***Industrial change***

- **Rapporteur:** Mr Van Iersel (Employers – NL)
- **Co-rapporteur:** Mr Legelius (delegate – SE)
- **Reference:** COM(2004) 274 final – CESE 1640/2004
- **Key points:**

After many years industrial policy is once more a priority on the European agenda. Of course, in the past decade there have been specific industrial policy measures and thematic approaches but these have not always been properly coordinated or balanced from the point of view of European business. The changing world context – with the United States, China, India playing a major role – requires rethinking and enhanced efforts. The time has come for a reappraisal of manufacturing industry and for a clarification of the complex interrelationship between industry and services.

In the Committee's view, the need to raise public awareness constitutes an important challenge. Transparent data and analyses have to be made available to the public, thereby promoting consensus and public support. The EESC endorses wholeheartedly the three strategic axes: "better lawmaking"; an integrated approach at EU level; sectoral policies with specific and adapted measures. "Better lawmaking" means a careful and ongoing assessment of current and new measures. Integrated approach means effective coordination of EU- and national policies. A particularly new aspect of the Commission document is the sectoral dimension and tailor-made approaches. Notwithstanding certain common denominators, the picture varies from sector to sector. The Commission has carried out a number of sectoral analyses and more are foreseen. The EESC endorses this practice as a basis for "new style" industrial policy.

The Committee considers industrial policy to be a useful tool to bring the European economy to the forefront of competitiveness, knowledge and sustainability as intended by the Lisbon Strategy. To that end, analyses and policies must be aligned more closely to the dynamics of the various sectors and businesses involved. "New style" industrial policy has indeed to be based on market conformity

and on a process of liberalisation. It also includes, however, sector-specific features, such as ongoing consultations of the business sector, regulation, removal of non-trade barriers, R&D, trade and targeted human resources management. In addition, it implies the setting-up of Technology Platforms that may generate new private-private and public-private alliances in Europe, e.g. between universities, research centres and businesses.

Improved coordination is desirable within the Commission (e.g. under the aegis of DG Enterprise) and in the Council of Ministers in order to promote visibility and encourage synergies. A mid-term action plan approved by the Commission and the Competitiveness Council configuration would be most desirable. The EESC urges that “new style” industrial policy be taken into account in the preparation of the Mid-term Review of the Lisbon Strategy in March 2005.

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- ***Annual accounts and consolidated accounts***

- **Rapporteur:** Mr Frank von Fürstenwerth (Employers – DE)
- **Reference:** COM(2004) 177 final - 2004/0198 COD – CESE 1648/2004

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3. COMPETITION – SECTORAL POLICIES

- ***Tourism and sport***

- **Rapporteur:** Mr Pesci (Employers - IT)
- **Reference:** Own-initiative opinion – CESE 1628/2004
- **Key points:**

Tourism and sport can contribute a great deal to achieving the objectives set in the Lisbon strategy.

With the inclusion of tourism and sport in the final version of the European Constitution, the EESC hopes for considerable activity at Community level and suggests using the open method of coordination to guarantee the interchange of skills and knowledge and dialogue at European level.

The EESC therefore proposes:

- that a joint European monitoring agency and a data bank be set up to collect and classify knowledge and best practice and disseminate them in the Member States in order to promote development in the two sectors;
- that studies and research be promoted to make possible a comparative analysis at European level of the social, economic and environmental impact of the tourism-sport combination;
- that a European tourism agency be set up with the role of safeguarding the specific characteristics of this sector, analysing its problems, setting out potential lines for development and identifying innovative instruments for sustainable growth to be incorporated into the EU's structural measures.

The EESC has named this opinion the *Declaration of Rome on tourism and sport*.

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4. COMPETITION - RESEARCH

- **Science and technology**
- **Rapporteur:** Mr Wolf (Various interests – DE)
- **Reference:** COM(2004) 353 final – CESE 1647/2004
- **Key points:**

The Committee emphasises that research is vital for the Lisbon objectives.

It welcomes in particular the 3% objective, as well as the proposal for a twofold increase in the EU budget for R&D.

The Committee points out that the 3% objective is in line with current spending by competitors, and in future will have to be revised to keep up with growth trends, e.g. in the USA and South-East Asia.

The Committee supports the Commission's plan to devote some of the resources from the Structural Funds to building up research capacity and research infrastructures. In addition, the Committee recommends using the European Investment Fund for this purpose.

The Committee recommends simplifying instruments and making them more flexible, while maintaining continuity. It endorses the Marimon Report.

The Committee recommends closer involvement of relevant SMEs than hitherto in research, development and innovation.

The Committee supports the Commission's plan to adopt research into space and security as new thematic priorities.

The Committee supports the Commission's plans to set up an independent European Research Council.

The Committee emphasises that the interplay between the categories of basic research, applied research (pre-research) and development is of vital importance, and that therefore a balance should be struck in providing support for each one.

Lastly, the Committee supports the Commission's plans to make Europe more attractive for top scientists and to persuade talented young people to take up scientific careers, while providing support for such careers.

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- **Nanotechnology**

- **Rapporteur:** Mr Pezzini (Employers – IT)
- **Reference:** COM(2004) 338 final – CESE 1629/2004

Key points:

The EESC fully agrees with the conclusions of the Competitiveness Council of 24 September 2004 on the important role and potential of nanoscience and nanotechnology.

The EESC recommends a substantial increase in the resources earmarked for basic research.

The 3% objective decided at Barcelona should be implemented, making a priority of concentrating resources in the field of nanoscience.

The Community's financial perspectives for 2007-2013, recently published by the Commission, should be assessed and remoulded in the light of the challenges posed by this new nanotechnology revolution.

The anticipated increase in funds must be reflected in an appropriate financial provision under the forthcoming seventh framework programme. The figures should reflect those earmarked in other countries, such as the USA.

In the Committee's opinion, there is a need to establish technological platforms with a large critical mass and high European value added.

The Committee would reiterate the urgent need to set up high-level European facilities and to strengthen the competence centres (CCs).

The EESC believes that solving the patenting issue in a clear and satisfactory way is a top priority.

As far as international cooperation is concerned, work on safety and the standardisation of measures and processes should be stepped up in conjunction with non-EU countries.

Industry associations can play an important part here both nationally and locally.

In the EESC's view, the establishment of a European information clearing-house would be a very important mechanism.

Alongside and in connection with the European forums, there should be a number of worldwide forums.

The European Investment Bank (EIB), possibly with the practical support of the European Investment Fund (EIF), should set up credit facilities.

Action must be taken to assess the impact of nanotechnology on health and the environment, and any EU (top-down) initiatives should dovetail with action determined and promoted locally (bottom-up).

The EESC hopes that there will be an increasing and direct connection between research results and universally recognised ethical principles, for which international dialogue will be necessary.

The EESC believes that the coordination of research in the vast field of nanoscience should remain the responsibility of the Commission.

Lastly, the EESC asks the Commission to provide it with a biennial report on nanotechnological development.

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5. CONSUMER PROTECTION

- ***Safer use of the Internet***
 - **Rapporteur:** Mr Ratureau (Employees – FR)
 - **Co-rapporteur:** Ms Davison (Various interests – UK)

- **Reference:** COM(2004) 91 final - 2004/0023 COD – CESE 1651/2004
- **Contact:** *Mr Raffaele Del Fiore*
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6. SOCIAL AND SOCIETAL RIGHTS

- **Relations between the generations**
- **Rapporteur:** Mr Bloch-Lainé (Various interests - FR)
- **Reference:** (own-initiative opinion) CESE 1655/2004
- **Key points:**

The societies of Europe, and the European society they are committed to building together, are and will continue to be subject to ongoing risks of social, political, ethnic and cultural divisions. It is important that we do everything possible to ensure that these divisions are not compounded by inter-generational divisions.

The large number and complexity of the sectoral aspects that need to be taken into consideration are no excuse for not developing a forward-looking, holistic and systematic approach; in this area, as in others, the issues are neither separate nor separable. Moreover, it must be stressed that proper management of the problems of relations between the generations would have an extremely positive impact on the economy.

The European Economic and Social Committee considers this area of discussion to be very important. It clearly warrants increasing attention but the Member States and the EU have yet to give it the political consideration it deserves.

This opinion is a response to a challenge: the challenge of facilitating the development in the future of more consultation on a major issue, where coordinated, ongoing action from a wide range of players and the continuity of a constructive plan are necessary and short-term interests must not be allowed to prevail. **A new pact between the generations needs to take shape step by step across the EU.**

At this juncture, the Committee calls for a public debate to be held on this huge subject as soon as is realistically possible.

Throughout its involvement in this huge area of concern, the Committee can and must constantly act in close cooperation with the EU institutions.

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- ***Strategies for extending the age of exit from the labour market***

- **Rapporteur:** Mr Dantin (Employees – FR)
- **Reference:** COM(2004) 146 final – CESE 1649/2004
- **Key points:**

The EESC generally agrees with the main thrust of the Communication's proposals for action. These represent possible solutions and are to be welcomed subject to the observations made in this opinion and the type and quality of the measures chosen as regards early retirement and financial incentives, reform of arrangements for early retirement, flexible working-time arrangements, health and safety at work, as well as upgrading the quality of employment.

In addition to the practical measures which need to be taken, however, the Committee considers that it is essential for perceptions to change and **for everything possible to be done to bring about a change in attitudes and to raise awareness among both companies and employees.** Working beyond the age of 55 must be viewed as rewarding by employees, while companies and public services must be aware of the benefits which their older workers can bring. **It is essential that collective awareness of the issue be raised in order to ensure that the specific measures adopted are fully effective.**

The Committee therefore reiterates the call made in its own-initiative opinion of October 2000 for the Commission to promote, in cooperation with the Member States, an extensive information and enlightenment campaign, targeted at the main actors and society in general, to help generate a positive attitude to the role played by older workers in companies, the public services, and society as a whole.

The EESC is pleased to note that its proposals have been taken on board by the Report of the High Level Group on the future of social policy in an enlarged European Union, which appeared towards the end of the first half of 2004.

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- ***Recasting of gender equality directives***

- **Rapporteur:** Ms Sharma (Employers – UK)
- **Reference:** COM(2004) 279 final – 2004/0084 COD – CESE 1641/2004
- **Key points:**

The EESC congratulates the Commission on its work towards simplifying and making more accessible the bulk of the gender directives through a recast process but points out that whilst the substance has not changed, updating and modernising the directives, together with the resulting case law may imply changes in the long term.

The EESC supports the Commission's view that inclusion of the five remaining directives would complicate and lengthen the recast Directive but wishes to highlight Directive 86/613/EEC as being in need of an immediate review.

The EESC believes that exchanging and promoting good practices and increasing social dialogue in this field are a concrete way of delivering progress towards true equality and fully recognizes the fundamental role of the social partners; at the same time, the Commission must do more in promoting equal treatment, equal opportunities and the value of women to the European economy in order to achieve the Lisbon goals.

The EESC would request the Commission to consider encouraging Member States to produce a guideline booklet highlighting the main features of European gender directives as they have been transposed into national legislation to remove the ignorance surrounding equal treatment and enhance the benefits to the economy.

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7. EUROPEAN COHESION

- ***Single procedure/PEACE***

- **Rapporteur:** Mr Simpson (Various interests – UK)
- **Reference:** COM(2004) 631 final - 2004/0224 (AVC) – CESE 1653/2004
- **Key points:**

The Committee endorsed the Commission proposal.

- **Contact:** *Mr Roberto Pietrasanta*
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- ***Single procedure/NUTS***

- **Rapporteur:** Mr Tóth (Various interests – HU)
- **Reference:** COM(2004) 592 final -2004/0202 COD – CESE 1654/2004

– **Key points:**

The Committee endorsed the Commission proposal.

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8. **COMMON IMMIGRATION POLICY**

- ***Political instruments for immigration***

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

- **Reference:** COM(2004) 412 final – CESE 1642/2004

– **Key points:**

The EESC welcomes the fact that the Commission is presenting this Communication, which gives a new boost to Community immigration policy. Discussions within the Council are progressing extremely slowly due to the rather uncooperative attitude of some governments. The EESC has already stated in various opinions that there is a clear link between legal immigration and illegal immigration. Where adequate, transparent and flexible channels for legal immigration do not exist, illegal immigration increases. A sound asylum policy is also needed, as is harmonised legislation that guarantees adequate protection for those in need of international protection.

In response to the Commission's question, the EESC would state that it is indeed necessary for the admission of economic migrants to be regulated at EU level; to ensure this, there must be a high degree of legislative harmonisation, as set out in the draft Treaty establishing a Constitution for Europe.

Existing legal channels for labour migration are inadequate. Bilateral agreements, quotas, programmes for the admission of highly skilled workers and the other instruments currently available are clearly not sufficient to ensure that economic migration occurs through the legal channels, because illegal immigration continues to increase. The European Union and the Member States need an open form of legislation that allows labour immigration through channels that are legal and transparent, for both highly skilled workers and those working in less skilled jobs.

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- ***Single procedure/request for protection in the Member States***

- **Rapporteur:** Ms Le Nouail (Employees – FR)

- **Reference:** COM(2004) 503 final – SEC(2004) 937 – CESE 1644/2004

- **Key points:**

The Committee welcomes the Commission's ambitious objectives and shares its concern that a single procedure should safeguard the integrity of the 1951 Geneva Convention. To this end, and in line with the provisions of the Qualification Directive, refugees' rights should firstly be considered on the basis of the procedures set out in the 1951 Convention and subsidiary protection should be considered as the second option if the conditions required under that Convention status are not fulfilled.

The Committee calls on the Commission to take account, in its communication and when it launches the preparatory and legislative phases, of the non-refoulement principle (Article 33 of the Geneva Convention) and of the need to provide a judicial right of appeal against negative decisions.

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- ***More orderly entry for people seeking international protection***

- **Rapporteur:** Ms Le Nouail (Employees – FR)

- **Reference:** COM(2004) 410 final – CESE 1643/2004

- **Key points:**

The Committee supports the Commission's intention, based on UNHCR recommendations, but does not believe the Commission Communication contains sufficient guarantees of the level of international protection granted since 1951.

The Committee fears, however, that the Member States' leeway to determine the criteria for access to resettlement schemes may lead to a gradual diminution of the protection guaranteed.

The Committee supports the Commission's proposal and views it as an EU contribution to the effective protection of persons with refugee status, provided the legal guarantees for procedures and respect for asylum-seekers' individual rights are applied.

Although there is a need to alleviate the burden on the initial countries of reception or transit in the regions of origin and to enhance the contribution to restoring normal and dignified living conditions for refugees, cooperation with the initial countries of reception or transit on resettlement schemes should in no case replace the right to apply for asylum on EU territory nor the obligations of the signatory States to the Geneva Convention when an individual request for asylum is made to them.

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9. EXTERNAL ASSISTANCE

- *Access to Community External Assistance*

- **Rapporteur:** Mr Zufiaur Narvaiza (Employees – ES)
- **Reference:** COM(2004) 313 final – 2004/0099 COD 1645/2004

- **Key points:**

This proposal presents one single regulation defining the access to all Community aid to be implemented in all basic acts governing external assistance that fall under the EC budget. Its scope does not cover all Community external assistance instruments such as the macro financial assistance directly managed by the recipient country. The proposal's aims are to achieve higher impact at lower cost and to place the debate in the context of the participation of developing countries in the implementation of aid. This proposal is, therefore, one response to the consensus that has emerged on the international scene that the practice of tying the granting of aid, directly or indirectly, to the purchase of goods and services procured by means of that aid in the donor country, reduces its effectiveness..

The proposal follows the established doctrine of donor organisations and the previous positions taken by the Community institutions and the Member States. Consequently, the EESC sees nothing inappropriate or prejudicial to the Union's development cooperation or external action. On the contrary, it considers that it will help enhance the effectiveness of Community cooperation and its famous "three Cs": coherence, complementarity and coordination.

In its opinion, the EESC recommends a number of aspects where the Regulation could be more rigorous and precise:

- a) There should be greater insistence on the pro-active role which the recipient countries ought to play as key actors in development.
- b) Aspects of the Community aid process such as supply costs, real transport costs or deployment of resources should be analysed in depth. The EESC is concerned that new and rigid rules may be introduced leading to more red tape and preventing aid from being supplied rapidly.
- c) The entire Regulation should be geared to complying with international socio-occupational and environmental standards, and care must be taken to ensure that nothing in it facilitates labour, social or environmental dumping practices.

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10. AGRICULTURE, LIVESTOCK BREEDING, FISHERIES AND RESPECT FOR THE ENVIRONMENT

- ***Coexistence between genetically modified crops, and conventional and organic crops***

- **Rapporteur:** Mr Voss (Various interests – DE)
- **Reference:** Own-initiative opinion – CESE 1656/2004
- **Key points:**

The Committee makes recommendations on the principles for coexistence, the elaboration of scientific principles and dealing with the current state of scientific knowledge, precautions and use of the best available technologies in risk management, and obtaining and keeping the information necessary for identification and labelling. The Committee also makes suggestions as to which aspects of coexistence should be regulated at European level and which should be regulated at national and regional level.

In addition, the Committee makes the following observations:

- binding, practicable, verifiable and robust standards for good professional practice at all stages of production are a key criterion for coexistence;
 - the regulations on labelling and purity of seed are crucial in guaranteeing coexistence;
 - civil liability provisions must fully cover compensation for financial damages; and
 - the total costs of coexistence need to be established, kept to a minimum, and shared in line with the polluter-pays principle.
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- ***European action plan for organic food and farming***

- **Rapporteur:** Mr Voss (Various interests – DE)
- **Reference:** COM(2004) 415 final – CESE 1657/2004
- **Key points:**

The Committee welcomes the action plan and, in particular, targeted marketing campaigns and consumer information. Efforts to harmonise norms and inspections must not overburden businesses and must allow for specific regional characteristics. In the case of both EU and non-EU goods, the EU logo should continue to enable identification of origin. In order to secure Europe-wide organic production, the Committee recommends that GMO contamination limits for seed be set at the detection threshold.

The EESC is monitoring discussion of the financial perspectives with great concern. A cut in resources for rural development would also set back organic farming and the organic food sector in Europe. This important sector for employment prospects and production of public goods must get the attention it merits in the EAFRD programme, and the great importance for society as a whole and the meagre private research resources available to organic farming are also arguments for this sector being given a higher priority in the Framework Programme for Research.

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- ***European action plan – environment and health 2004-2010***

- **Rapporteur:** Mr Braghin (Employers - IT)
- **Reference:** COM(2004) 416 final – CESE 1636/2004
- **Contact:** *Mr Robert Wright*
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- ***Fisheries Control Agency***

- **Rapporteur:** Mr Sarró Iparraguirre (Various interests – ES)
- **Reference:** COM(2004) 289 final - 2004/0108 CNS – CESE 1635/2004
- **Contact:** *Ms Katalin Gönczy*
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- ***Animal trapping***

- **Rapporteur:** Mr Donnelly (Various interests – IE)
- **Reference:** COM(2004) 532 final - 2004/0183 COD – CESE 1637/2004
- **Contact:** Ms Eleonora di Nicolantonio
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- ***Bovine semen storage***

- **Rapporteur:** Mr Nielsen (Various interests – DK)
- **Reference:** COM(2004) 563 final - 2004/0188 CNS – CESE 1638/2004
- **Contact:** Ms Katalin Gönczy
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11. CAP

- ***CMO/Sugar***

- **Rapporteur:** Mr Bastian (Employers - FR)
- **Co-rapporteur:** Mr Strasser (Various interests – AT)
- **Reference:** COM(2004) 499 final – CESE 1646/2004
- **Key points:**

The EESC recognises the need to reform the sugar CMO but believes that the reform proposals go too far and that their implementation will have considerable repercussions for the European sugar sector, particularly in employment. It is unfortunate that the proposals are not adequately substantiated and that their consequences have not been subjected to appropriate analysis, as would have been expected. Given these circumstances, the European Economic and Social Committee

- recommends that the regulation's date of entry into force be postponed to 1 July 2006;
- considers that the regulation should cover a minimum six-year period to provide the sector with an adequate perspective;
- requests that the Union negotiate import quotas for sugar from the least developed countries, as these countries have requested. Swap practices should, under no circumstances, be admitted and social and environmental sustainability and food sovereignty criteria should be established for access to the EU market;
- calls for import quotas for the Balkans to be established as soon as possible;

- considers that any changes to prices and production quotas should be strictly in line with international commitments;
- recommends that the current CMO intervention mechanism be maintained to guarantee the price level;
- asks the Commission to clarify its intentions regarding sugar production that is not under quota.

The EESC believes that the Commission must not shirk its responsibilities but must launch a proper restructuring plan for the European sugar industry that reflects the interests of sugar manufacturers, beet planters and the workforce.

The Committee hopes that the proposals set out in its opinion, which was presented to the European Parliament at a public hearing on 30 November, will be taken on board by the Commission when it redrafts its legislative proposals at the end of May 2005.

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12. MARITIME TRANSPORT

- **Europe's accessibility by sea**
- **Rapporteur:** Mr Simons (Employers - NL)
- **Reference:** Own-initiative opinion – CESE 1652/2004
- **Key points:**

The EESC is of the view that the Commission must investigate the problem of congestion in EU ports in general, and particularly container ports, and explore possible ways of resolving the problem, in order for the EU to stay competitive on the world stage.

The European Union too should seek to exert its influence on that front wherever possible but should not contemplate offering any further EU financial support mechanisms for ports other than those mechanisms already in place.

The Commission should draw up an overall impact study on the cost of security for ports and devise an EU scheme for financing these costs.

Lastly, the European Union is in a position to establish a level-playing field for fair competition, promote a certain degree of liberalisation of the seaport market; shed light on state-aid issues by providing clear guidelines; give close consideration to implementing and enforcing the current rules; and secure transparency in money flows.

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- ***Block exemption/Liner conferences***

- **Rapporteur:** Ms Bredima Savopoulou (Employers - EL)
- **Reference:** COM(2004) 675 final – CESE 1650/2004

- **Key points:**

The EESC maintains that Regulation 4056/86 should be repealed and substituted by a new Commission Regulation. This new regulation for liner conferences should grant a five-year block exemption and should strictly follow the yardsticks established under the jurisprudence of the European Court of First Instance and of the Commission (e.g. TACA case). The conference system should also be maintained in order to defend the competitiveness of Community shipowners worldwide. Whilst for the large carriers “alliances” and other types of cooperation agreements may be appropriate, small and medium size carriers still need conferences in order to maintain their market shares especially in trades with developing countries. The abolition of the exemption may have anticompetitive effects for these small carriers enhancing the dominant position of the larger ones.

This interim five-year transitional period should be used by the Commission to monitor the liner market developments including trends of consolidation. Moreover, the Commission should undertake consultations with other jurisdictions (OECD) with a view to arriving at a suitable alternative system compatible worldwide.

- **Contact:** *Mr. Luís Lobo*
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- ***Promotion of sea transport and the recruitment and training of seafarers***

- **Rapporteur:** Mr Chagas (Employers - PT)
- **Reference:** Own-initiative opinion – CESE 1631/2004

- **Contact:** *Mr Luís Lobo*
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- ***Recognition of seafarers' certificates***

- **Rapporteur:** Mr Chagas (Employers - PT)
- **Reference:** COM(2004) 311 final - 2004/0098 COD – CESE 1633/2004

- **Contact:** *Mr Luis Lobo*
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 - **River traffic information services/inland waterways**
 - **Rapporteur:** Mr Simons (Employers - NL)

 - **Reference:** COM(2004) 392 final - 2004/0183 COD – CESE 1634/2004

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