Opinion of the European Economic and Social Committee on the Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee — Implementing the Partnership for growth and jobs: Making Europe a pole of excellence on corporate social responsibility

COM(2006) 136 final
(2006/C 325/14)

On 22 March 2006 the Commission decided to consult the European Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the abovementioned proposal.

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee’s work on the subject, adopted its opinion on 7 November 2006. The rapporteur was Ms Pichenot.

At its 431st plenary session, held on 13 and 14 December 2006 (meeting of 14 December 2006), the European Economic and Social Committee adopted the following opinion by 153 votes in favour with 21 votes against and 14 abstentions.

1. Conclusions and recommendations

1.1 Each European citizen is affected by corporate social responsibility, a component of the European social model. The European Economic and Social Committee is pleased that the Commission communication encapsulates this view: the document also emphasises that ‘CSR mirrors the core values of the EU itself’. In line with this, the Committee takes the view that people in the EU should have access to the most reliable and comprehensive possible information on the declarations made by enterprises and territorial authorities and the practices which they pursue. The provision of high quality reports would make it possible for European citizens, in their capacities as consumers, savers and residents, to make guided choices. Products and services which offer high quality social information and traceability already enjoy a real comparative advantage with investors and consumers, as well as consumers’ associations. This trend will become increasingly important for sustainable development.

1.2 An information portal on CSR could thus be established in connection with the Action plan to improve communicating Europe. This European portal, which would bring together the available information, would make it possible to carry out a survey of the number and type of enterprises concerned, the issues tackled and the stakeholders involved. It would be useful in encouraging the adoption of CSR by the relevant actors in all the Member States. It would, in particular, be highly desirable for this portal to contain information on best practice in enterprises in the new Member States. This portal would also provide a tool for overall assessment in the field of CSR. This voluntary, multilateral directory, an essential instrument to accompany the ‘European Alliance’, should be co-financed by the Commission. The ‘praxis’ library of CSR thus constituted would make it possible to exchange information on the best practice of enterprises and territorial authorities.

1.3 In view of the fact that CSR makes a contribution towards the implementation of the Lisbon Strategy (in respect of innovation, competitiveness, employability and the creation of jobs), the EESC suggests to the Member States that they include the promotion of CSR in their National Reform Plans and of course in the national strategies for sustainable development. It wishes to point out that CSR practices are voluntary and should form a complement to labour legislation and to national social legislation and should, where necessary, comply with international labour legislation. The EESC also urges public authorities in the Member States and the EU to promote the emergence and development of new sectors of activity created or developed by virtue of the CSR policy. The EESC calls upon the Member States and the EU to encourage enterprises to adopt a responsible attitude with regard to public procurement (social and environmental best bid policy).

1.4 Many practices related to sustainable development or CSR are found throughout Europe. This diversity is a factor for dynamism but makes a concerted European approach difficult. The EESC is pleased that the communication advocates reacting the high-level group of the Member States on CSR to debate ways of improving the exchange of best practice. Before any attempt at convergence it is necessary to update the inventory of national practices. This examination, including public policies and existing legislation, should make it possible to highlight, while respecting the diversity mentioned above, the results obtained by public policies to encourage promotion of CSR.

1.5 The European Commission believes that European enterprises should engage in responsible conduct, irrespective of where they carry out their activities, whilst respecting the values of the Union and recognised international standards, particularly in respect of decent working conditions. With this same aim in view, the EESC urges the social partners in multinational enterprises of European origin to enrich the transnational social dialogue by negotiating international framework agreements (ACI) on CSR. Since these ACI would, at the very least, have to be based on respect for the principles of the ILO Declaration and the guiding principles of the OECD for multinational enterprises, the enterprises which sign them would thus help to achieve the Millennium Development Goals.

1.6 The EESC notes that the Commission’s Communication highlights the need to foster cooperation with the ILO in the field of CSR. The EESC would also like to stress the importance of the need to build a dialogue by negotiating international framework agreements (ACI) on CSR. Since these ACI would, at the very least, have to be based on respect for the principles of the ILO Declaration and the guiding principles of the OECD for multinational enterprises, the enterprises which sign them would thus help to achieve the Millennium Development Goals.

(1) Praxis (a word of Greek origin meaning action) denotes all human activities capable of transforming the natural environment or modifying social relationships.
1.6 The EESC endorses sectoral social dialogue initiatives which seek to involve CSR in the field of the management of economic change. The EESC calls upon the sectors concerned to ensure that these initiatives include participants from all the EU Member States.

1.7 The EESC takes the view that CSR is at its most effective when it is an integral part of strategy and when it is implemented throughout the corporate hierarchy. The EESC calls upon those enterprises which wish to support the Alliance to participate fully and comprehensively in its work, also by involving both staff representatives who desire to participate and European Works Councils, where they exist.

1.8 The EESC is in favour of SMEs playing a role in bringing about the widespread adoption of CSR practices desired by the Commission. It does, however, call upon all forms of enterprise, including social economy enterprises, to become involved in CSR, whilst maintaining their diversity.

1.9 In order to improve assessment, the EESC calls upon European enterprises to help develop the various measuring and information instruments, such as EMAS, GRI and ISO 26000. It points out that at all events, certification when feasible depends on the willingness of the enterprise and cannot be made obligatory. To ensure the legitimacy and feasibility of assessment and certification agencies, it seems important for these agencies to make their assessment according to criteria based on the fundamental texts contained in the list drawn up by the Multistakeholder Forum of 2004. The EESC encourages the self-regulation initiatives of the agencies sector.

1.10 The Committee notes that the Annex to the Commission’s Communication is of the nature of a joint initiative on the part of the Commission and part of the business world, and that the other interested parties were not consulted. It therefore believes that it is up to employers’ organisations to disseminate information on — and to promote at national and local level — the activities in the field of CSR of the enterprises supporting the Alliance.

1.11 The EESC urges external stakeholders to become involved in new meetings of the Forum and to participate in the open dialogues within enterprises supporting the Alliance. It recommends that national, multilateral discussion forums be set up to look at best practice, in particular those appearing on the European portal, so as to go as far as possible towards meeting public expectations.

1.12 The EESC would like the assessment of the level of CSR achieved to be the subject of a thorough appraisal. This appraisal should take place as soon as possible in order to ensure the credibility of the new initiative, which is explicitly designed to achieve excellence. This could fit in to the examination of national and Community sustainable development strategies, as the two ideas are part of the same concept, with social responsibility — of businesses and territorial authorities — at the micro level, and sustainable development at the macro level. This issue should be placed on the agenda for the initial meetings of the Multistakeholder Forum (scheduled to take place at the end of 2006); the EESC wishes to be fully involved in the work of this Forum.

1.13 The EESC proposes to the Commission that one of the next few years be designated the ‘European Year of Corporate Social Responsibility’.

2. Explanatory statement

2.1 The European context of CSR since the Lisbon Summit

2.1.1 The European Councils (Lisbon 2000, Gothenburg 2001) outlined three aspects of a European approach to corporate social responsibility (CSR). In European terms, CSR is a voluntary approach which goes beyond the Community acquis, while the latter remains an obligatory foundation in its social aspect (labour law), its societal aspect (consumer law) and its environmental aspect (environmental law). Voluntary European instruments covering the environmental aspect (EMAS, Ecolabel) were already available.

2.1.2 In July 2001 the European Commission published a Green Paper defining CSR and entitled ‘Promoting a European framework for Corporate Social Responsibility’ (2). The EESC adopted an opinion on the Green Paper on 20 March 2002 (3). The Green Paper called upon every Member State to provide a contribution on this question. On the basis of the contributions received, the Commission adopted (in July 2002) an initial communication on corporate social responsibility entitled ‘A Business Contribution to Sustainable Development’. This title emphasised the fact that CSR is the microeconomic aspect of the macroeconomic concept of sustainable development.

2.1.3 A Multistakeholder Forum on CSR in the Union was organised by the Commission. The objective was to define common guiding principles on CSR. This was a new process of dialogue and consultation involving the social partners, research bodies and the parties concerned. It was a unique attempt to organise a civil dialogue on a theme put forward by the Commission. After lengthy committee work and four plenary meetings, the Forum delivered its final report on 29 June 2004. The Forum recognised that various stakeholders and not just enterprises are involved in sustainable development. The report contains nine sets of recommendations intended for enterprises, stakeholders, public authorities and European institutions. These recommendations concern raising awareness of and training for CSR, inclusion of CSR in the work of each actor and ensuring an environment favourable to CSR. UNICE was satisfied with the results; the ETUC accepted the text of the report with some reservations; other parties expressed dissatisfaction. As the

Communication of 22 March 2006 points out, 'the Forum succeeded in achieving a measure of consensus among participants, but it also revealed the significant differences of opinion between business and non-business stakeholders'.

2.1.6 In June 2003, Directive 2003/51/EC amending two directives on the annual accounts and consolidated accounts of enterprises introduced the possibility of publishing indicators of non-financial performance, particularly in terms of environment and employees. To contribute to promoting CSR, the EESC adopted in June 2005 an opinion on the instruments for measuring and providing information on CSR (\(^6\)).

2.1.5 A second communication entitled 'Implementing the partnership for growth and jobs: Making Europe a pole of excellence on corporate social responsibility' was published on 22 March 2006 (\(^5\)). It is the subject of this opinion. It is accompanied by an annex entitled 'The European Alliance for CSR'.

2.1.4 In June 2003, Directive 2003/51/EC amending two directives on the annual accounts and consolidated accounts of enterprises introduced the possibility of publishing indicators of non-financial performance, particularly in terms of environment and employees. To contribute to promoting CSR, the EESC adopted in June 2005 an opinion on the instruments for measuring and providing information on CSR (\(^6\)).

2.2 Summary of the communication

2.2.1 The Communication of March 2006 (\(^4\)) follows on from what was achieved earlier, and restores political visibility to CSR. In this Communication, the new Commission supports the creation of the European Alliance for CSR and relaunches the meetings of the Multistakeholder Forum. With regard to the European Alliance: the Commission 'announces backing for the launch of a European Alliance on CSR, a concept drawn up on the basis of contributions from business active in the promotion of CSR.' With regard to the Multistakeholder Forum: ‘The Commission continues to attach utmost importance to dialogue with and between all stakeholders, and proposes to re-convene meetings of the Multistakeholder Forum at regular intervals with a view to continually reviewing progress on CSR in the EU.’

2.2.2 The Commission emphasises that it does not play an active role in the Alliance. In particular, the Alliance ‘does not imply any new financial obligations for the Commission’. The Commission specifies that the Alliance ‘is not a legal instrument and is not to be signed by enterprises, the Commission or any public authority’ but is ‘a political umbrella for new or existing CSR initiatives by large companies, SMEs and their stakeholders’.

2.2.3 In an annex, which does not have the same scope as the text of the Communication, the Alliance is presented as an initiative by the business world based on partnership: ‘In this context, the European Commission backs members of the business community that are laying the foundations of a European Alliance for CSR. This is an open alliance for enterprises sharing the same ambition: to make Europe a pole of excellence on CSR in support of a competitive and sustainable enterprise and market economy. The essence of this initiative is partnership.’ It is intended to be open to all European enterprises, whatever their size, on a voluntary basis. In autumn 2006, around a hundred enterprises were listed on the UNICE website.

2.2.4 The Commission takes the view that ‘because CSR is fundamentally about voluntary business behaviour, an approach involving additional obligations and administrative requirements for business risks being counter-productive and would be contrary to the principles of better regulation.’ Certainly it does not seem compatible with the voluntary character of CSR to impose new binding rules, but it is clear that an enterprise involved in CSR begins with strict respect for the letter and spirit of the law, duly verified by the relevant authorities.

2.2.5 The Commission is hoping that its support for the Alliance will make it possible to generalise CSR in European enterprises. Confidence, which is the key to this process, cannot be decreed; it can be guaranteed only by the quality of an enterprise’s governance.

\(^1\) EESC opinion of 8 June 2005 on the Information and measurement instruments for CSR in a globalised economy, rapporteur Ms Pichenot (OJ C 286 of 17.11.2005).
\(^4\) Communication 10117/06.
2.2.6 The participation of enterprises in the Alliance is purely declaratory and is not covered by any formal commitment. This simplicity should encourage a rapid increase in the number of enterprises regarding the Alliance as a point of reference.

2.2.7 The Commission recognises that without the active support and constructive criticism of non-business stakeholders, CSR will not flourish. Thus the active support and constructive criticism of stakeholders who do not belong to the business world enrich the process.

2.2.8 The Alliance’s existence is not intended to replace the dialogue with and between all the stakeholders. To encourage this dialogue, the Commission proposes to re-convene meetings of the Multistakeholder Forum at regular intervals with a view to continually reviewing progress on CSR in the EU. These meetings will make it possible to take stock of the situation: ‘The Commission will reassess the evolution of CSR in Europe in a year’s time following the discussion within the Multistakeholder Forum.’ This opinion seeks to provide a guide for preparing the next stage in the process, emphasising the points on which recommendations can be made.

2.3 Focus on certain salient points of the Communication

2.3.1 Enterprises in the Lisbon Strategy

2.3.1.1 The Commission takes the view that enterprises, which create wealth and jobs, offer goods and services which bring an added value to society. It calls on European enterprises to ‘step up’ their commitment to CSR. The EESC agrees with the Commission’s view that enterprises which make a voluntary effort in the direction of CSR contribute to the renewed Lisbon Strategy. In particular, these voluntary CSR practices can help the public authorities to draw up certain integrated guidelines relating to social integration, lifelong learning, innovation and the development of entrepreneurship, for example by combating discrimination and favouring diversity particularly as regards disabled people, anticipating the evolution of qualifications, recruiting in disadvantaged districts and providing support through the chambers of commerce and industry for young heads of enterprises, including women or people who are recent immigrants.

2.3.1.2 The Committee maintained in a recent opinion (1) that ‘the European Social Model should provide an idea of a democratic, green, competitive, solidarity-based and socially inclusive area for all citizens of Europe’. The Commission calls upon European enterprises to engage in CSR measures which do not bring them immediate profit but improve the competitiveness of Europe as a whole and help to achieve the Millennium Development Goals, such as recruitment of personnel among disadvantaged groups, reduction of pollution levels and greater respect for fundamental rights in the developing countries. The EESC endorses this form of encouragement.

2.3.1.3 The EESC approves of the link made between the Lisbon Strategy, sustainable development and CSR. Nevertheless, as it stated in a recent opinion (2), it takes the view that the links between the Lisbon Strategy and the sustainable development strategy should be clarified. To implement these strategies, action by the public authorities remains essential, defining an optimal framework for growth and innovation at macroeconomic level (National Reform Plans, national strategies for sustainable development); responsible enterprises form part of this framework by acting at the microeconomic level. Thus the CSR practised by enterprises, by developing innovative processes and responsible management strategies, contributes to sustainable development at European and worldwide level.

2.3.2 Diffusion: CSR for all enterprises willing to take part

2.3.2.1 The communication of March 2006 calls upon European enterprises, whatever their size, to commit themselves to CSR. The EESC is convinced that the promotion of CSR among SMEs is an important part of this diffusion. Specific tools, tried out over the last two years, represent accumulated experience which deserves an impact study making it possible to follow the development of these practices.

2.3.2.2 In the conclusions of the Multistakeholder Forum, it was made clear that the recommendations were addressed to all types of enterprises (including SMEs and social economy enterprises), while respecting their diversity. The EESC supports the idea that SMEs and microenterprises have a part to play in a CSR strategy equipped with appropriate tools. It also points out that all types of enterprise are equally concerned: not only limited liability companies but also enterprises operated under the owner’s name, public enterprises, mutual societies, craft, industrial and agricultural cooperatives, joint enterprises, social economy associations etc. It invites all these forms of enterprise to commit themselves to the Alliance. CSR measures are desirable from the moment a business is set up.

2.3.3 The role of the internal stakeholders

2.3.3.1 The communication draws attention to the effectiveness of the social dialogue on CSR and the constructive role of the European Works Councils in the definition of best practice. In view of this, the EESC deplores the failure to invite the participation of the representative organisations involved in the social dialogue — at both inter-professional and sectoral levels — on the occasion of the launch of the European Alliance on CSR.

(1) EESC opinion of 4 and 5 July 2006 on Social cohesion: fleshing out a European social model, rapporteur Mr Ehnmark (CESE 493/2006).

2.3.3.2 In the EESC’s view (10) the ‘European social market economy model does not regard enterprises simply as capitalised companies or bodies for processing contracts but also — and more especially — as collective entities which should provide a forum for social dialogue’. Frequently, the initiative for engaging in CSR practices comes from top management. However, best practice cannot be imposed by the management of the enterprise. In the EESC’s view, CSR on a European scale is not driven by philanthropic decisions but is rather the result of a dialogue with all the vital forces of the enterprise at every level of responsibility. It is not just heads of enterprises who are concerned by CSR — executive staff and all employees are likewise concerned, inter alia through dialogue with external stakeholders. CSR is worthy of the name when it is an integral part of business strategy and when it is implemented by all corporate stakeholders. Since CSR is, by definition, a voluntary act that goes beyond the law, it includes and exceeds what is required by law.

2.3.3.3 That is why the international framework agreements on CSR are very interesting. These agreements are negotiated and signed by the management of the enterprise or of the enterprises in the group and by the employees’ representatives. The latter are the international or European sectoral federations or national trade union federations and the European Works Council. By signing the agreements, the two social partners commit themselves to applying the principles of CSR in relations between their enterprises and external stakeholders, in particular subcontractors and local and regional communities.

2.3.3.4 The EESC agrees with the point made in the communication that ‘The role of employees, their representatives and their trade unions in the development and implementation of CSR practices should be further enhanced.’ The EESC calls upon the enterprises which intend to support the Alliance to play a full part in it, also by involving staff representatives who wish to participate. In cases where enterprises have a European Works Council (EWC), these bodies, too, have a role to play in this context.

2.3.3.5 The EESC encourages enterprises and vocational training bodies to include in their training programmes education in respect of sustainable development and CSR.

2.3.4 Sectoral approaches

2.3.4.1 The Commission will continue to support CSR initiatives launched by the stakeholders, particularly by the social partners and the NGOs and especially measures taken at sectoral level. It underlines the important role of the sectoral dialogue committees. The EESC supports these initiatives. The EESC calls upon the sectors concerned to ensure that these initiatives include participants from all the EU Member States.

2.3.5 Making Europe a pole of excellence on CSR

2.3.5.1 The communication refers to ‘making Europe a pole of excellence on corporate social responsibility’ but says nothing about how to assess the level of quality attained. However, if we are to be able to claim that we have achieved a level of excellence, we must have some means of assessing the quality of CSR attained in Europe. Over and above the reports issued by individual enterprises, the EU should be in a position to compare its achievement in the field of CSR with those of other regional ‘poles of excellence’. As an initial step, a portal could be set up to gather together the available information in order to provide an inventory of the number and type of enterprises, the subjects covered and the stakeholders involved.

2.3.5.2 If Europe is to become a pole of excellence on CSR, the European Union should include work on appropriate tools. Products and services which offer high quality social information and traceability already enjoy a real comparative advantage with investors and consumers, as well as consumers’ associations. This trend will become increasingly important for sustainable development.

2.3.5.3 The EESC would like the assessment of the level of CSR achieved to be the subject of a thorough appraisal. This appraisal should take place as soon as possible in order to ensure the credibility of the new initiative, which is explicitly designed to achieve excellence. This question should be on the agenda of the initial meetings (late 2006) of the Multistakeholder Forum. At this forum held in Brussels on 7 December 2006, the Commission presented a compendium — essentially an inventory — of corporate social responsibility initiatives implemented so far. The EESC expresses its readiness to analyse what has been done in some specific areas and to initiate institutional cooperation with the Commission which would include management of the CSR portal.

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(10) EESC opinion of 8 June 2005 on the Information and measurement instruments for CSR in a globalised economy, rapporteur Ms Pichenot (OJ C 286, 17.11.2005).

2.3.6.4 The communication underlines that ‘External stakeholders, including NGOs, consumers and investors, should play a stronger role in encouraging and even rewarding responsible business conduct.’ They should also play their role of sounding a warning. That means that information for external stakeholders must be of good quality. The communication encourages the enterprises which support the Alliance to communicate information on CSR to all those concerned, particularly consumers, investors and the general public, and calls on large enterprises to present their strategies and initiatives in the field of CSR as well as results achieved or best practice, in a form which the public will find easy to access. As regards information on CSR, the EESC would draw attention to its earlier proposal (14) calling for the establishment of a European information portal on CSR practices adopted by large enterprises. Given that analysis by a third party makes it possible to improve information and ensures transparency, the EESC envisaged data provided by businesses themselves being analysed by a trustworthy third party, such as a European institutional observer. This analysis could be carried out later, using data from the European portal.

See the website on the principles of socially responsible investment, in French: http://www.unpri.org/principles/french.html.

EESC opinion of 8 June 2005 on the Information and measurement instruments for CSR in a globalised economy, rapporteur Ms Pichenot (OJ C 286, 17.11.2005) (Points 4.4.1 and 4.4.2).

EESC opinion of 8 June 2005 on the Information and measurement instruments for CSR in a globalised economy, rapporteur Ms Pichenot (OJ C 286, 17.11.2005) (Point 4.4.3).
Moreover, the communication states that no formal requirement is placed on enterprises which wish to express their support for the Alliance and that the European Commission will not keep a list of the enterprises which do so. At the present time, seven months after the launch of the Alliance, it is presented solely on the websites of UNICE, CSR Europe, and a number of national employers' organisations. The EESC deplores the failure to make information on the Alliance accessible and to make such information available to the parties concerned in an amalgamated form.

2.3.7 Competitiveness and sustainable development

2.3.7.1 A responsible enterprise may gain a competitive advantage in terms of image, which is particularly useful to enterprises in the consumer goods sector.

2.3.7.2 Responsible enterprises are a breeding ground for innovation and creativity. Their products and services give the customer more quality and value. This can also lead to a comparative advantage.

2.3.7.3 By anticipating risks, putting in place an integrated CSR process leads to better management or even avoidance of crises, inter alia in terms of the risk of misappropriation of funds, and industrial and technological risks. For example, there are fewer accidents when staff work safely because they have been properly trained and the relevant investment has been made. Thus, the adoption of CSR practices can lead to a measurable reduction in observed or predictable risks. The EESC notes with interest that some insurance companies take account of this in their premiums, and calls on the entire financial sector to do likewise.

2.3.7.4 Application of CSR principles leads the enterprise to improve its decision-making processes and its governance, thus improving its long-term performance. A system of management of human resources which includes lifelong learning schemes and the retention of older workers helps enterprises to make optimal use of their human capital and promotes active ageing. The EESC notes with interest that some insurance companies take account of this in their premiums, and calls on the entire financial sector to do likewise.

2.3.7.5 The EESC points out that long-term competitiveness often results from actions with a short-term cost. It calls on enterprises not to focus on immediate profitability alone.

2.3.7.6 The EESC calls upon the Member States and the EU to encourage enterprises to adopt a responsible attitude with regard to public procurement (social and environmental best bid policy).

2.3.7.7 On a macroeconomic scale, the solution of social or environmental problems involves the creation or the development of new fields of activity, opening up opportunities for economic development and job creation. These include eco-efficiency, individual services and the relationship between town planning and transport. The EESC calls on the public authorities of the Member States and the EU to encourage the emergence and the development of these sectors.

2.3.8 The new Member States

2.3.8.1 Even though efforts have been made in some of the new EU Member States, the enterprises which claim to be up to date on CSR are found mainly in the old Member States.

2.3.8.2 The EESC thinks it essential to make known and make the most of the best practice followed by the enterprises in the new Member States, particularly SMEs.

2.3.8.3 Because of the differences in the economic and cultural context, the enterprises of the new Member States undoubtedly have much to learn from the experience of enterprises in regions with similar characteristics. When socially responsible measures are implemented in countries which do not have a long experience of the social market economy, such initiatives may provide inspiration, more especially to players in countries which have had a similar history.

2.3.8.4 It is therefore particularly important for information on the best practice of enterprises in the new Member States to be brought to the attention of their counterparts in all the existing and future EU Member States.

2.3.8.5 Similarly, awareness-raising among the public and/or various interest groups on issues relating to responsible economic activity should be promoted, as it is largely their dynamism and the participation of various stakeholders which determines the speed and quality with which CSR principles are put into practice.

2.3.9 The international dimension of CSR

2.3.9.1 The EESC approves the approach adopted by the Commission, which intends to continue to promote CSR at global level in order to maximise the contribution made by enterprises to the achievement of the UN Millennium Development Goals. The EESC also expresses its backing for the Commission's intended course of action with regard to international benchmarks for responsible business conduct, namely: to encourage the implementation of the ILO declaration of tripartite principles on multinational enterprises and social policy, of the OECD's guiding principles for multinational enterprises, of the United Nations Global Compact for enterprises and principles of Socially Responsible Investment and of the other reference instruments and initiatives; to give an impulse to the promotion of strict environmental standards; to take account of sustainable development in bilateral trade and cooperation agreements; to encourage through commercial incentives respect for the great international principles on human rights and labour rights, environmental protection and governance; to intensify cooperation with the ILO on decent working
conditions; to promote CSR in the framework of the new strategy for Africa; to follow related international initiatives (work of the United Nations special representative, ISO guidelines, certification of the Kimberley process). Such encouragement is all the more important because it could, for some countries, represent the first step towards effective social legislation.

2.3.9.2 The EESC takes the view that free zones, which exist to create an attractive investment environment, must in no case operate outside the limits set by national employment legislation. Expressing CSR concerns in such zones cannot be a substitute for compliance with the corpus of fundamental ILO conventions.

Brussels, 14 December 2006

The President
of the European Economic and Social Committee
Dimitris Dimitriadis

Opinion Of the European Economic and Social Committee on Children as indirect victims of domestic violence
(2006/C 325/15)

On 21 April 2006, the European Economic and Social Committee, acting under Rule 29(2) of its Rules of Procedure, decided to draw up an opinion on: Children as indirect victims of domestic violence

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 7 November 2006. The rapporteur was Ms Heinisch.

At its 431st plenary session, held on 13-14 December 2006 (meeting of 14 December 2006), the European Economic and Social Committee adopted the following opinion by 105 votes to four with five abstentions.

1. Conclusions and recommendations

1.1 This additional opinion refers to the definitions and analyses contained in the opinion on Domestic violence against women, adopted by the European Economic and Social Committee on 16 March 2006, which dealt only with violence perpetrated by men against their female partners (1). This opinion likewise deals only with this aspect of violence in the family, namely with the effects on children who witness violence against the partner. Direct violence against children in the family, which is very often also carried out by women (i.e. mothers), is not the subject of this opinion. Although growing up in a climate of physical and psychological violence can have serious consequences for children, awareness of children as indirect victims of domestic violence is still limited. This situation can no longer be tolerated, not least in the context of children's rights to a life without violence, and in particular to an upbringing free from violence, and to care and protection.

1.2 The EESC therefore urges the EU Council presidencies also to look at the issue of Children as indirect victims of domestic violence when examining the question of domestic violence against women.

The above comments are addressed to the EU Council presidencies and the Commission.


1.3 On 4 and 5 April 2006, a conference in Monaco launched the Council of Europe's three-year programme (2006-2008) entitled Building a Europe for and with children. As well as campaigning for the protection of children's rights, this programme will deal with the issue of protecting children from violence. In order to give this important project even more impetus, in particular in the media, the EESC proposes joint action involving the Council of Europe, the European Parliament, the Committee of the Regions and UNICEF.

The above comments are addressed to the Council of Europe, the European Parliament, the Committee of the Regions and UNICEF.

1.4 Whilst the main responsibility for combating domestic violence lies with the Member States, the importance of children's rights and the different responses in different countries do, however, lead the EESC to believe that a Europe-wide strategy is necessary.

The basis for this Europe-wide strategy must be an initial Europe-wide study on the prevalence and consequences of growing up in the context of domestic violence, which also looks into what can be and is being done to protect and support children indirectly affected by such violence.

The above comments are addressed to the Commission, Directorate-General for Justice, Freedom and Security.