managing the infrastructure, since technical expertise on high speed rail transport is far from widespread. To this end, it would be desirable to replace 'independence' with 'impartiality' in Annex VIII-5.

7. Advisory Committee

7.1. Article 21 of the Commission proposal stipulates that the Commission shall be assisted by an Advisory Committee composed of Member States' representatives, but does not define the tasks of that committee.

7.2. The Committee of the Regions takes the view that in view of their regulatory (authorization for placing in service) and financial responsibilities with regard to infrastructure, the Member States must be more closely associated with the drawing up of the TSI through this Advisory Committee.

8. Timescale for implementation

8.1. The draft Directive stipulates that the Member States have until 30 June 1997 to transpose it into their national legislation and to use or accept subsystems conforming to the TSI.

8.2. The Committee of the Regions considers that, in view of the complexity of drawing up the TSI and the scale of their repercussions on national rules, the time-limits laid down are unrealistic, particularly since the publication of the TSI is normally planned for the same date.

8.3. Moreover, after the publication of the TSI, time will be needed for the designing of products to conform with them, and it is necessary to avoid any delay in bringing new high speed lines or equipment into service which may be caused by the unavailability on the market of products conforming to the TSI.

The Committee of the Regions endorses the proposal, subject to the above comments being taken into account by the Commission and the Council.

Done at Brussels, 28 September 1994.

The Chairman
of the Committee of the Regions
Jacques BLANC

Opinion on the Green Paper on strategic options to strengthen the European programme industry in the context of the audiovisual policy of the European Union

(95/C 210/04)

Introduction

The White Paper on Growth, Competitiveness, Employment, which the Council adopted on 5 December 1993, specified in Chapter 5.C that the Commission was to present a Green Paper on audiovisual policy in the first half of 1994. The Commission was to propose in the Green Paper how existing policy instruments may be developed and refined 'in order to maximize their impact and contribute to guaranteeing not only the survival but also the growth of a viable audiovisual software industry in Europe into the year 2000'.

The Green Paper entitled 'Strategy options to strengthen the European programme industry in the context of the audiovisual policy of the European Union' (Doc. COM(94) 96 final) adopted by the Commission on 7 April 1994, fulfils this requirement.

The Commission document focuses on the development, within the audiovisual sector, of the European television and film programme industry. It does so because the programme industry has a strategic role to play in connection with the development of the audiovisual sector. In addition, film productions and television programmes deserve special support because they are excellent vehicles for the dissemination of culture and they testify to the traditions and identity of each country.
Article 128 of the Treaty establishing the European Community states actions by the Community shall be aimed at encouraging cooperation between Member States and, if necessary supporting and supplementing their actions in areas such as artistic and literary creation, including the audiovisual sector. Local and regional authorities have an important role to play here also. It also states that the Council is to take cultural aspects into account in its actions under the other provision of the Treaty and is to adopt incentive measures after consulting the Committee of the Regions. At the inaugural meeting of Commission 3 on 25 May 1994, Mr Denis Haughey was appointed Rapporteur for the Committee of the Regions' Opinion on this Green Paper.

The key issue identified by the Commission at the start of the Green Paper is as follows:

'How can the European Union contribute to the development of a European film and television programme industry which is competitive on the world market, forward-looking and capable of radiating the influence of European culture and creating jobs?'

The Green Paper indicates what, in the view of the Commission, are the fundamental trends in the programme industry, analyzes the challenges facing the European programme industry and describes the instruments which already exist for assisting the industry. The Commission's thoughts on the options for the future are of great significance. They address the future rules of the game, the establishment of financial incentives by the European Union and the case for converging national support systems under certain circumstances.

In presenting this Opinion, the Committee of the Regions trusts that during its consultations the Commission will take account of the special views of the regional and local authorities on this key future issue.

The Committee of the Regions unanimously adopted the following Opinion at its 4th plenary session on 27/28 September 1994.

THE COMMITTEE OF THE REGIONS:

— Having regard to the Council Decision of 21 December 1990 on the implementation of an action programme to promote the development of the European audiovisual industry (MEDIA) (1991-1995);

— Having regard to the Communication from the Commission to the Council and the European Parliament on digital video broadcasting: A framework for Community policy. Draft Council Resolution (Doc. COM(93) 537 final of 15 November 1993);

— Having regard to the proposal for a Directive of the European Parliament and of the Council on the use of standards for the transmission of television signals (Doc. COM(93) 556 final of 15 November 1993);

— Having regard to the White Paper adopted by the Council on 5 December 1993 on growth, competitiveness, employment — The challenges and ways forward into the 21st century (Doc. COM(93) 700 final);

— Having regard to the Communication from the Commission to the Council and the European Parliament on the application of Articles 4 and 5 of Directive 89/552/EEC — Television without frontiers (Doc. COM(94) 57 final of 3 March 1994);

— Having regard to the Council Decision of 22 July 1994 on an action programme for the introduction of advanced television services in Europe:

1. underlines the importance of films and television programmes in safeguarding and promoting the diversity of national and regional cultures, including the lesser used languages, bearing in mind the high level of artistic and creative vitality shown by many small communities, welcomes the Commission's recognition of the cultural importance of the audiovisual industry;
2. underlines the importance of the reflections presented by the Commission in the Green Paper on strengthening the programme industry in the context of the European Union's audiovisual policy;

3. welcomes the comprehensive consultations being organized by the Commission and assumes that the Commission will take account of the views of local and regional authorities and the key role which they often play in this sector when it proposes incentive measures in relation to the audiovisual sector for adoption by the Council;

4. endorses the fundamental trends in the programme industry diagnosed by the Commission, as well as the challenges which the Commission says will face the audiovisual sector in future; moreover, it is also important that cultural diversity is encouraged in the programme industry;

5. considers, however, that there is a close link between this Green Paper on strengthening the programme industry and the forthcoming Commission conclusions arising from the consultation on the Green Paper on pluralism and media concentration in the Internal Market;

6. therefore agrees with the Economic and Social Committee's criticism that the Green Paper on strengthening the programme industry has not taken sufficient account of possible socio-political consequences of unrestrained competition in the audiovisual sector;

7. therefore, while respecting the competence of Member States for media policy, considers it vital to discuss proposals for addressing the threat of concentration of ownership of the European media with particular reference to safeguarding free speech, consumer choice and human rights and regional diversity;

welcomes the EU Commission's announcement, in its Communication of 21 September 1994, of a new comprehensive consultation procedure for examining what, if any, initiatives at EU level could be considered; calls upon the EU Commission to involve the regions fully in this consultation procedure from the outset, especially those regions which have legislative powers over the media;

calls upon the EU Commission to provide the regions with access to its studies on pluralism and media concentration;

8. in order to protect minors, steps must be taken to ensure that programmes containing pornographic or violent material are not broadcast from European states; in this connection it must be clearly spelt out which state is to be responsible for taking action;

9. considers that the aim of creating jobs in the audiovisual sector will only have a chance of succeeding if small and medium-sized enterprises are also given a realistic chance on the market;

10. notes that the White Paper on growth, competitiveness, employment stated that though there is a lack of reliable statistics on employment within the sector, it has been estimated that at least 1.8 million people are earning their living in the EC audiovisual services; but agrees with the Economic and Social Committee that the White Paper's projection that job creation could be of the order of two million jobs in the audiovisual industry by the year 2000 if current conditions prevail, is over optimistic;

11. welcomes the Commission's general approach to the formulation of a European policy in this area, which is to apply the subsidiarity principle and achieve consensus on the level at which the listed objectives can be achieved most effectively;

12. welcomes the Green Paper's acceptance that support mechanisms, directed at national, cultural and industrial objectives are not incompatible with the objective of developing a European Programme Industry and can act as a powerful lever to strengthen the industry;
13. welcomes also the Green Paper's statement that various levels of authority at national, regional or any other level have a direct and decisive influence on the structures of the audiovisual sector;

14. also thinks that the scope which regional and local authorities have to exert influence in this area must be expanded in future in the interests of cultural diversity and the promotion and maintenance of regional identities;

15. is convinced that it will not be possible to devise a specifically European formula for success without bearing in mind that public demand is mainly geared to local, regional and national content;

16. therefore considers it necessary to promote the further production of creative and avant-garde programmes at local and regional level, even if these cannot be marketed worldwide;

17. thinks that the Commission's digital transmission scenario could support this set up;

18. assumes that the European Union's future role will lie in developing the programme industry by opening up markets and promoting the production and marketing of European programmes, with due regard at all times to the subsidiarity principle;

19. endorses the Commission proposal that a forum be created for exchanges and thought at European level and that thought be given to the contribution which the Member States can make at all levels of authority to jointly defined objectives; and calls for the full involvement of regional and local authorities in this; would point out in connection with the Commission proposal to create a forum for exchanges and thought at European level that the powers of existing national or even regional bodies should not be encroached upon; and calls for the full involvement of regional and local authorities in the exchanges at European level;

20. welcomes the action plan to introduce advanced television services in Europe on the basis of the initial experiences to date;

21. notes that the current Media programme runs until 1995 and strongly supports the need for a Media 2 Programme to run after 1995 until the year 2000 at least, notes and supports the four priority objectives identified in the Green Paper, stresses the importance of particular emphasis on the needs of small and medium-sized enterprises and of smaller Member States and calls for special priority to be given to training in this context; however, the Committee of the Regions believes that the Media, Babel and Scale programmes should have a greater geographical coverage to take into account regional diversity;

22. asks for the promotion and support of programmes for the joint training of specialized workers from different linguistic or cultural backgrounds and working environments in the audiovisual field;

23. calls in particular for the exchange of existing audiovisual materials in order to facilitate the reproduction of such materials in additional language versions which otherwise might not be economically viable, recognizing the rights of artists to equitable remuneration, and their moral right to control the uses made of their artistic creations;

24. expresses its concerns that the vital position of public service broadcasters be protected and strengthened in the new competitive environment, recognizing their importance in preserving and reflecting the rich mosaic that comprises European Culture and their significant contribution to choice available to European audiences;

25. urges that in any revision of the Directive 'Television without frontiers' the position of broadcasting services established primarily to achieve specific cultural objectives be respected,
and that consideration be given accordingly to the provision of tangible support by way of direct grant/subventions from European Union Funds; in this connection any unnecessary centralism should be avoided; respect should be shown for the diversity and individual features of the way in which radio and television broadcasting are organized in the Member States and their regions; this particularly applies to the powers and responsibilities of the regions and the independence of broadcasting organisations in the field of programme content;

26. rejects the introduction of parafiscal charges at European level and the convergence of the ways in which national support systems are financed;

27. agrees with the Commission that it is absolutely necessary to involve all Union regions in the development of the audiovisual industry and to positively discriminate in favour of regions with low production capacity or where a lesser used language is spoken;

28. supports the inclusion of central and eastern European countries in the European support system within the framework of a new partnership; and requests in particular that funds from the Phare programme be earmarked for the audiovisual sector in those countries;

29. hopes that the Commission will successfully coordinate the different strands of activity into an overall policy; capable of developing a European film and television industry that is competitive on the world market, forward looking, capable of generating new employment, while embracing a contribution to culture, respect for identities and the emergence of a European citizenship;

instructs its Chairman to forward this Opinion to the Council, the Commission, the European Parliament and the Economic and Social Committee.

Done at Brussels, 28 September 1994.

The Chairman
of the Committee of the Regions
Jacques BLANC

Opinion on 'Towards the personal communications environment: Green Paper on a common approach in the field of mobile and personal communications in the European Union'
(95/C 210/05)

1. Introduction

1.1. At its meeting on 22 July 1993 a Council Resolution was passed to review the situation in the telecommunications sector and to consider its future development. The Council Resolution set the future Agenda for the evolution of telecommunications in the European Union. It identified as a major goal the development of future policy in the field of mobile and personal communications to which the publication of a Green Paper on Mobile Communications will contribute (93/C 213/01).

1.2. Mobile communications is currently the fastest growing area within the telecommunications sector. Europe has now more than 8 million cellular mobile telephony users in the European Union, and with the growing expansion into personal communication services (PCS), up to 80 million users by the year 2010.

1.3. The market is being driven by rapid advances in technology, by commercial opportunities and by falling prices. Subscriber growth rates during the last few years in Member States with high growth cellular telephony markets (car telephones and hand-held portables) have varied from 30 — 40%. Recent analysis shows that this