

Opinion of the Economic and Social Committee on the 'Proposal for a European Parliament and Council Decision amending Decision 92/481/EEC of 22 September 1992 on the adoption of an action plan for the exchange between Member State administrations of national officials who are engaged in the implementation of Community legislation required to achieve the internal market (Karolus programme)'

(98/C 73/14)

On 27 November the Council decided to consult the Economic and Social Committee under Article 198 of the Treaty establishing the European Community on the above-mentioned proposal.

The Section for External Relations, Trade and Development Policy, which was responsible for preparing the Committee's work on the subject, adopted its opinion unanimously on 25 November 1997. The rapporteur was Mr Walker.

At its 350th plenary session (meeting of 10 December 1997) the Economic and Social Committee adopted the following opinion by 113 votes to two, with two abstentions.

1. Introduction

1.1. The action plan for the exchange between Member State administrations of national officials engaged in the implementation of Community legislation required to achieve the internal market, called the Karolus programme, has its origins in the 1985 Commission White Paper on completing the internal market, one of the principal objectives of which was to bring more closely into line legislation and mutual recognition of standards in a number of key fields.

1.2. In order to improve cooperation and promote mutual confidence between national administrations, thereby encouraging uniform application of Community internal-market legislation, the action plan was adopted by means of Council Decision 92/481/EEC of 22 September 1992 to run for five years from 1 January 1993.

1.3. The Karolus programme is designed for all persons involved in implementing community legislation, whether they be employees of central or local government or of a private-sector organization entrusted with that responsibility.

The programme comprises:

- the exchange, between Member States, of central or local government employees and of persons working for private-sector organizations designated by the competent authorities; each exchange lasts approximately two months;
- a training seminar before each exchange;
- an assessment seminar at the end of each exchange.

1.3.1. The objectives of the programme are:

- to promote a relatively uniform approach to the implementation of Community legislation;

- to make Member State officials aware of the European dimension of their work, and of the scope and importance of Community legislation;

- to permit cross-fertilization of ideas between Member State officials on the ways in which Community legislation can best be implemented;

- to encourage participation by middle management so that the experience gained through the exchanges is disseminated as widely as possible;

- to ensure that the experience gained is applied in such a way as to attain the uniformity of implementation sought.

1.4. The Community institutions have since confirmed, on several occasions, the importance of administrative cooperation for the effective operation of the Single Market. Moreover, of the thirteen Member State administrations for which an assessment of participation in the programme is available, nine rate Karolus as very good, two as excellent and two as beneficial. Since the implementation of Community legislation still differs widely from one Member State to another, participating administrations wish to see the programme extended beyond 1997.

1.5. The Karolus programme is due to end on 31 December 1997. However, the programme's operation and the results achieved through the exchanges undertaken during the first two years are such that the Commission has presented a proposal for a Parliament and Council decision extending the programme in a modified and expanded form.

1.5.1. This extension would not entail an increase in the financial resources estimated as necessary in the 1992 Council Decision, since that amount has not been used up in the first five years.

2. The Commission's proposals

2.1. The programme should be extended for a further period of two years.

2.2. The programme should be opened to participation by the central and eastern European countries (CEEC), in accordance with the terms laid down in the European Agreements, or in the Additional Protocols annexed to them, regarding participation in Community programmes.

2.2.1. The programme should also be opened to participation by those EFTA countries which are EEA members and by Cyprus, the latter on the basis of additional funds, subject to the same rules as those applying to those countries, in accordance with procedures to be agreed with Cyprus.

2.2.2. The arrangements for this participation should be agreed between the parties concerned at the appropriate time.

2.3. During these two years, which should be regarded as a transitional period, the Commission will conduct consultations on the creation of a revised Karolus programme in a new formula.

2.3.1. These consultations will range around proposals for extending the scope of the programme to include, in addition to the individual training measures such as exchanges of officials between Member State administrations, a range of joint training measures such as:

- general seminars, to be arranged by the Commission regularly in each Member State, on administrative cooperation and the implementation of internal market rules;
- joint sectoral seminars, open to all Member State officials working in the specific sector(s) concerned, to be arranged on the Commission's or the Member States' initiative;
- national seminars, to be arranged by each Member State exclusively for its own officials, with guest speakers from the other Member States and from the Commission;
- joint monitoring visits.

2.3.1.1. These various measures are designed to enable more people to take part in the programme at less cost per participant.

3. General comments

3.1. The ESC, which has the responsibility of acting as an Observatory for the Single Market, has repeatedly

reiterated its unequivocal support for all measures which will improve its functioning or remove the remaining barriers to its completion.

3.2. Moreover, it has frequently established that differences in interpretation and application of legislation create more problems for businesses than any other factor.

3.3. As the 1996 evaluation report on the working of the Karolus programme says, 'The potential benefits of improved administrative cooperation are thus enormous, in terms of savings for European businesses and especially SMEs, who suffer more from administrative and regulatory trade barriers than large companies. The costs of "non-Europe" run into billions of ecus so any reduction in trade barriers will be worth a considerable amount.' The report stresses that the costs of the programme are relatively low compared with its results.

3.4. The ESC accepts that the impact of the Karolus programme to date has been beneficial and endorses the proposal to extend it without any substantive changes by way of a two-year transitional period during which time consultations can take place in the form of an extended programme.

3.4.1. It also endorses the extension of the programme to those countries listed in the Commission's proposal during the transitional period.

3.5. The ESC regrets that the level of take-up of the programme to date has been below the original expectations and notes that this is attributed primarily to linguistic problems, budgetary constraints and staff cut-backs in Member State administrations. The ESC shares the disappointment of other European institutions at this development.

3.5.1. The ESC believes that it is essential for the realization of the Single Market that full advantage should be taken of the potential of programmes such as Karolus and feels that more effort is required to expand participation. This can only be achieved in practical terms if the project is adequately resourced at Member State and Commission level.

3.6. The ESC also endorses the proposal to examine the possibility of extending the scope of the programme, as outlined in the Commission's proposals, and with regard to EU's equal opportunities policy. It particularly approves the objective of enabling more participants to take part in the programme at less cost per participant.

4. Conclusions

4.1. The Economic and Social Committee endorses without reservation the Commission's proposals to

extend the Karolus programme for a two-year transitional period, to widen its application during that period to other specified states and to develop a modified programme with a wider scope, and with possible

participation of the workers, to take the place of the existing programme at the end of the transitional period. The ESC would wish to be consulted on the form and content of the modified programme in due course.

Brussels, 10 December 1997.

*The President
of the Economic and Social Committee*
Tom JENKINS

Opinion of the Economic and Social Committee on the 'Proposal for a Council Regulation (EC) applying the special incentive arrangements concerning labour rights and environmental protection provided for in Articles 7 and 8 of Council Regulations (EC) Nos 3281/94 and 1256/96 applying the scheme of generalized tariff preferences in respect of certain industrial and agricultural products originating in developing countries'

(98/C 73/15)

On 14 November 1997 the Council decided to consult the Economic and Social Committee, under Article 198 of the Treaty establishing the European Community, on the above-mentioned proposal.

The Section for External Relations, Trade and Development Policy, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 25 November 1997. The rapporteur working alone was Mr Ettý.

At its 350th plenary session (meeting of 10 December 1997), the Economic and Social Committee adopted the following opinion by 112 votes to one with 11 abstentions.

1. General comments

In its opinion on the Proposal for a Council Regulation (EC) applying a three-year scheme of generalized tariff preferences (1995-1997) in respect of certain industrial products originating in developing countries and the Proposal for a Council Regulation (EC) extending into 1995 the application of Regulations (EEC) No 3833/90, (EEC) No 3835/90 and (EEC) No 3900/91 applying generalized tariff preferences in respect of certain agricultural products originating in developing countries (CES 1159/94), the Committee had already expressed its support for the special incentive arrangements which the Commission has now translated into concrete proposals. The Committee strongly welcomes the Commission's proposals as providing most adequate and effective provisions for positive measures to promote respect for labour and environmental standards in GSP beneficiary countries.

2. Specific Comments

2.1. As regards the measures proposed to stimulate compliance with certain international labour standards, the Committee welcomes the strong emphasis given by the Commission in Articles 3, 4 and 5 that as a prerequisite for access to improved preferences, potential beneficiary countries will have to demonstrate that both their law and their practice provide a framework within which freedom of association and abolition of child labour can realistically be guaranteed, as well as to the importance of strict monitoring and cooperation procedures, on-the-spot checks and effective technical assistance to develop suitable administrative and technical monitoring infrastructures (Articles 6 and 7).

In this context, we would emphasize the importance of reference to the reports of the competent UN authorities in these areas, namely the Committee on Freedom of Association of the ILO, the Committee of Experts on the Application of Conventions and Recommendations of the ILO and the UN Committee on the Rights of the Child.