

English edition

## Information and Notices

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## II

(Preparatory Acts)

## COMMITTEE OF THE REGIONS

### **Opinion of the Committee of the Regions on the 'Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on The Regional Dimension of the European Research Area'**

(2002/C 278/01)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on The Regional Dimension of the European Research Area (COM(2001) 549 final);

having regard to the decision of the Commission of 3 October 2001 to consult it, under the first paragraph of Article 265 of the Treaty establishing the European Community, on the communication;

having regard to its Bureau's decision of 12 June 2001 to instruct Commission 1 for Regional Policy, Structural Funds, Economic and Social Cohesion, Cross-border and Inter-regional Cooperation to draw up the opinion,

having regard to the draft opinion adopted by the Commission for Territorial Cohesion Policy<sup>(1)</sup> on 5 March 2002 (CdR 442/2001 rev. 2) (rapporteur: Mr Müller, Prime Minister of the Saarland, D/EPP),

unanimously adopted the following opinion at its 44th plenary session of 15 and 16 May 2002 (meeting of 16 May).

The Committee of the Regions

#### **Construction of a knowledge-based society in Europe**

1. welcomes the fact that the Commission envisages the regional support and innovative actions having a significant influence on the shaping of European research capacity. The Commission's intention of increasing efficiency by exploiting synergies between the Member States' research policies and of promoting cooperation with the regions is wholeheartedly

welcomed. It is important to point out, however, that any existing synergies or tie-ins between research policies are derived both from the policies implemented by the Member States and by those regions which have competence in this area. As the Committee of the Regions has stated in a number of opinions, this is an important task when promoting research and innovation in Europe. The activities aimed at increased cooperation and the development of synergies in the field of research and innovation which the regions have been conducting for some time must be continued in the framework of the underlying development process.

2. continues to support the Commission's intention of using the Sixth Framework Programme to work towards the development of a European research area committed to strengthening the Community's competitiveness.

<sup>(1)</sup> The commissions and their remits were restructured on 6 February 2002.

3. points out that scientific excellence must continue to be the decisive criterion in selecting projects for support (e.g. projects supported under the Sixth Framework Programme); the Structural Funds continue to have their uses in relation to less favoured regions (e.g. outlying regions) and should be used to build scientific infrastructure.

4. supports the decision on the targeting of economic development through systemic mobilisation of all resources available, but points out that it is particularly important to establish specific targets, in cooperation with the regions, in order to make the European economy competitive against the background of the growth, competitiveness and employment goals. By setting objectives, synergies will be achieved and economic strength focused, but this must not be done in such a way as to restrict the powers of the regions enshrined in the Treaty. The objectives must be specific and achievable. Goals such as 'making Europe Number 1 in ten years time' are too simplistic and unsophisticated and need to be fleshed out in detail in partnership and dialogue with the regions. The actions and tasks falling to the EU on the one hand and the regions on the other must be spelt out.

5. shares the Commission's view that the European regions have very different profiles in terms of their human resources and technological capacity and are therefore likely to integrate in different ways. A uniform development model would therefore be doomed to failure. It is regrettable that the communication does not lay down or present any criteria for differentiated development models. A two-way exchange on (socio-economic) conditions in the regions would be a good thing, providing an input for policy.

6. highlights once again the Commission's statement on the 'self-organising capacity of regions' as a 'growth factor' with the proviso that 'some general development principles' should be adhered to. It is a great pity that the communication does not spell these out, but at the same time it should be pointed out that in the past many regions have helped shape their research and innovation policy. In drawing up its research proposals the Commission should therefore respond to the regions' commitment by taking still greater account of regional interests and giving them more effective political weight.

7. would like to discuss further the idea of the establishment of a knowledge economy. The Committee would like to make it clear that knowledge alone cannot be a basis for economic innovation. Knowledge is easily accessible to all (e.g. via the

Internet). Value can be added only by the application of knowledge. The important thing is therefore not so much to have a knowledge advantage but rather to have a lead in the use of knowledge. And here man's social behaviour and creativity are just as important as knowledge, and these too must be encouraged.

### **Gearing of research policy to local and regional conditions**

8. supports the objective of territorialisation, as long as this is understood to mean that at both national and European level, research initiatives and synergies are geared to take account of the socio-economic realities and specific features of the regions and their needs. The Committee would oppose it, however, in the light of subsidiarity and the regions' research responsibilities, if it were to be understood to mean research and support for research being centralised or 'planned' at European level. It remains unclear how, in the process of reallocating powers between the Community, the Member States and the regions, a viable legal basis is to be established for involving the regions in the coordination of research policy. The Commission could draw up a plan to focus its regional policy on the competent levels of government. This should be combined with greater political involvement of the regions in the preparation and implementation of research activities at Community level.

9. shares the Commission's view that local responses should be coherent with an inter-regional approach but would like to suggest that the measures should be based on a joint analysis of the territory in question and jointly established objectives with significant input from the regions.

10. considers that the development and shaping of regional approaches to support for research and innovation should be consistent with the principle of regional partnership, initiative and responsibility. Regional research joint ventures and alliances should receive special financial support from the European Union. They too should be able to avail themselves of the new instruments under the sixth RTD framework programme.

### **Promotion and transfer of knowledge rather than just provision of capital**

11. doubts whether 'upgrading knowledge' and 'increasing technology diffusion' will encourage regional development without the provision of capital. The promotion of knowledge transfer is an important component of research support. The

communication leaves it open as to whether the Commission will make additional resources available specifically for this purpose. The regions feel that this needs to be done if the Commission's objectives are to be met. Stress should once again be placed on the decisive cluster-forming role which the regions play with regard to the training of young scientists in universities, the maintenance and development of public and private-sector research institutions and the shaping of regional research policy and conditions for SMEs.

### **Research governance in the regions**

12. stresses that some regions have already been helping to shape their own research and innovation policies. It is important that all regions are able to conduct their policy in this area responsibly in future.

13. would like to make it clear that successful research and innovation models cannot be copied at will. Only by establishing new methods and fields of research, taking account of structural conditions (although naturally also looking closely at existing successful models), will disadvantaged regions have the opportunity to share in the success of 'best-practice regions'. One way of doing this is to occupy niches by switching from traditional to new, interdisciplinary fields of research.

### **Maintaining trans-regional research support**

14. agrees with the Commission that the distinct character of Community trans-regional research activities should be maintained in terms both of their specific European added-value and of their complementarity. Of particular interest are joint ventures between partners from regions with widely divergent positions.

15. advocates integration of the applicant countries of central and eastern Europe into European research support, particularly by supporting the establishment and development of inter-regional research joint ventures with the applicant countries. Such measures will promote cohesion.

### **Linking structural policy and research policy**

16. acknowledges, from the point of view of the Objective 1 and 2 regions, that the European Commission takes special

account of the importance of research and development policy in less favoured regions. At the same time, however, the Committee of the Regions would like to point out that many regions are already pursuing their own research strategies and programmes — with or without active EU support — and that these are also highly relevant to a joint research and innovation policy.

17. points out that European regions are divided for the purposes of European structural policy into eligible and ineligible areas on the basis of objective indicators. In implementing structural support the EU has hitherto respected the subsidiarity principle to a great extent. The European Commission has rightly recognised that the regions are better placed than higher levels of government to monitor the development of firms and research institutions.

18. points to the outstanding importance of structural support in enabling less favoured regions to catch up. Structural support is, however, more regionally orientated than research support. In the light of this the communication should make a clear distinction between the functions of EU structural support and EU research policy; and here it should be borne in mind that not only the Objective 1 areas referred to in the communication are disadvantaged, but also Objective 2 areas undergoing a difficult process of structural change. The communication should therefore be more precise with regard to these regions, with an explicit mention of Objective 2 regions. At all events a precise analysis is needed to establish the actual causes of structural weakness, together with the resulting action tailored to individual cases.

19. advocates collaboration between the two areas of policy. The existing demarcation in terms of policy content and funding should be maintained in order to ensure transparent implementation. The proposal that potential synergies be sought is welcomed; exemplary synergies have already been achieved in some countries through the establishment of science centres.

20. advocates commitment to the outermost regions in order to support their development. These regions should of course also, in accordance with the powers assigned to them under the EC Treaty, decide freely whether, and in what way, they wish to be involved in EU research and innovation policy. The Committee feels that assigning specific research fields is not the right way to achieve the Commission's objectives.

### The role of the 'innovative actions'

21. supports the Commission's efforts to establish or strengthen cooperation networks. These networks should not, however, take the form of transfers of individual researchers. In many areas they could be organised with equal effectiveness with a view to the sharing of electronic and information-technology platforms, and to an increasing extent as public-private partnerships, in this way leading to an exchange of staff or knowledge.

22. welcomes the actions proposed in the communication to improve and promote both the geographical and intersectoral mobility of researchers, in particular through the creation of mobility centres at a level close to the people and more especially at regional level. In this connection the Committee of the Regions also considers it necessary to design and network dedicated, user-friendly databases and platforms in order to promote the use of the most modern information and communication technologies in the interests of the mobility and transfer of knowledge. An example of this is the genomics and proteomics databases used in biotechnology which are fed with up-to-date research findings by scientists from all over the world. In this way scientists can make their discoveries available to their fellow-scientists, with physical location being largely irrelevant. Gearing specialised collaborative projects to knowledge transfer should be a further main objective of support for innovation. This would help enable scientists in different locations to work on the same subjects.

23. supports the Commission in its intention of developing support for research for and in SMEs, as well as a policy for encouraging SMEs to participate in research activities linked to the sixth framework programme. Accordingly, a special effort must be made to ensure the full participation of SMEs in the more large-scale instruments constituted by the integrated projects and networks of excellence. In this connection the CoR renews its call to the Commission to improve cooperation between the relevant DGs and between the departments dealing with SMEs and the national contact points. The participation of SMEs could be further improved by encouraging the transfer and adoption of knowledge and technologies, as well as promoting the use of research findings by establishing and funding high-performance electronic networks and making these available to research and innovation projects.

24. welcomes the Commission's intention of establishing technological strategies in partnership and dialogue with the regions. To this end the Commission could in particular provide funding to less favoured regions.

25. supports the proposed innovative actions aimed at promoting incubators for new firms, spin-offs and start-ups.

26. would like to see discussion between the competent bodies aimed at simplifying the procedure for applying for EC research support, which at present often acts as a barrier to development. It has emerged from numerous discussions with firms and universities that applications are rarely made for EC support because even if the application is approved by the Commission, the workload involved means that it is simply not worthwhile. This is particularly regrettable in the case of young, innovative firms which have to budget very carefully for the use of their staff and whose financial resources are very limited. One possible approach would be a two-stage procedure (pre-screening) — during the first of which a preliminary decision on the eligibility of a project for funding would be taken in a reasonably unbureaucratic way; this would be followed by a more detailed second stage. This would obviate the need for new facilities to deal with applications with their resultant costs.

### Measures enabling the European Research Area regional approach

27. supports the idea of the establishment and development of centres of excellence to act at regional, trans-regional and international level.

28. doubts, however, that centres of excellence will act as a brake on the inter-regional brain drain. This depends on economic and social factors as well as scientific ones and will not be stopped by this measure alone.

### Benchmarking as an objective

29. points out that the benchmarking already carried out by the Commission in certain areas — in relation to economic experts and education — often meets with scepticism and rejection. Meaningful indicators and investigative methods need to be developed, which make it possible to draw comparisons between regions and which produce worthwhile and useable results, with a view to successful EU benchmarking in the regions. The instruments need to be selected in such a way that the causes of the existing structural deficits can be pinpointed, whilst keeping the workload to acceptable

proportions. It should again be stressed that less favoured regions in particular will have opportunities only if they tap new forms of innovation. Benchmarking based on experience and best practice is not very helpful for these regions, as

outstanding examples (such as Martinsried) cannot be copied. The regions must be involved in the development of appropriate methods, tailored to their environment, drawing on their experience and using comparable instruments.

Brussels, 16 May 2002.

*The President*  
*of the Committee of the Regions*  
Albert BORE

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**Opinion of the Committee of the Regions on the 'Proposal for a Council Regulation on the establishment of the Galileo Joint Undertaking'**

(2002/C 278/02)

THE COMMITTEE OF THE REGIONS,

having regard to the Proposal for a Council Regulation on the establishment of the Galileo Joint Undertaking [COM(2001) 336 final — 2001/0136 (CNS)];

having regard to the decision of the Commission of 25 June 2001, under the first paragraph of Article 265 of the Treaty establishing the European Community, to consult the Committee on the subject;

having regard to the decisions of its bureau of 12 June 2001 to instruct Commission 3 for Trans-European Networks, Transport and the Information Society to draw up the relevant opinion, and of 6 February 2002 to instruct the Commission for Territorial Cohesion Policy to draw up the relevant opinion;

having regard to the Presidency Conclusions of the Cologne European Council (3 and 4 June 1999) and the Feira European Council (19 and 20 June 2000) with regard to Galileo;

having regard to the Council Resolution of 5 April 2001;

having regard to the draft opinion adopted by the Commission for Territorial Cohesion Policy<sup>(1)</sup> on 5 March 2002 (CdR 380/2001 rev. 2) (rapporteur: Mr Tabakídis, EL-PES, Mayor of Agii Anargyri);

whereas the first contracts and feasibility studies were funded under the Fourth and Fifth R&D Framework Programmes;

whereas the definition phase of Galileo was completed in April 2001, and the programme moved onto the next stage, testing and confirming the validity of the working assumptions adopted, particularly those regarding the architecture of the system;

whereas the definition phase will be followed by the system development phase involving production of satellites and terrestrial components, satellites launchings, and installation of remaining equipment, so that the system will be operational in 2008;

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<sup>(1)</sup> New organisation of the commissions and their remits, 6 February 2002.



whereas Galileo contains a strong R&D component, which justifies the establishment of a joint undertaking under Article 171 of the Treaty establishing the European Community;

whereas the purpose of the joint undertaking is the successful implementation of the Galileo system's development phase and to ensure an effective combination of private and public capital,

adopted the following opinion unanimously at its 44th plenary session of 15 and 16 May 2002 (meeting of 15 May).

The Committee of the Regions recommends the following:

1. The joint undertaking must operate in keeping with all the rules of transparency and equal treatment laid down by Community legislation.
2. The rules for award of contracts in connection with the joint undertaking must comply with the relevant Community law.
3. Political control on the part the EU Member States must be ensured at every stage of system implementation.
4. If the involvement of the Member States is to be effective, there must be a specific follow-up committee made up of representatives of the Member States and of the joint

undertaking. The follow-up committee must be able to finally reject European Commission proposals.

5. The follow-up committee should be principally responsible for policy decisions, while the administrative board should be responsible for decisions on the day-to-day running of the joint undertaking and for meeting the objectives set.
6. The European Space Agency will be represented on the administrative board and will also have a major part to play in providing technical support for the joint undertaking in achieving its objectives.
7. The statutes of the joint undertaking must clarify the role of each body and define their powers.
8. Matters concerning copyright and ownership of services should be made very clear.

Brussels, 15 May 2002.

*The President  
of the Committee of the Regions*  
Albert BORE

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**Opinion of the Committee of the Regions on the 'Proposal for a Decision of the European Parliament and of the Council amending Decision No 1692/96/EC on Community guidelines for the development of the trans-European network'**

(2002/C 278/03)

THE COMMITTEE OF THE REGIONS,

having regard to the proposal for a Decision of the European Parliament and of the Council amending Decision No 1692/96/EC on Community guidelines for the development of the trans-European transport network [COM(2001) 544 final — 2001/0229 (COD)];

having regard to the decision taken by the European Council on 14 November 2001, under Article 156 of the Treaty establishing the European Community, to consult the Committee of the Regions on the matter;

having regard to the decision taken by its Bureau on 13 June 2000 to direct Commission 3 for Trans-European Networks, Transport and the Information Society to draw up the relevant opinion;

having regard to the opinion of the Committee of the Regions on the 'Report from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on the Trans-European Transport Network: 1998 report on the implementation of the guidelines and priorities for the future.' (pursuant to Article 18 of Decision No 1692/96/EC) (COM(98) 614 final) (CdR 60/1999 fin) <sup>(1)</sup>;

having regard to the opinion of the Committee of the Regions on the Proposal for a Council Regulation (EC) amending Regulation (EC) No 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks (COM(98) 172 final — 98/0101 SYN) (CdR 217/98 fin) <sup>(2)</sup>;

having regard to the draft opinion adopted by the Commission for Territorial Cohesion Policy <sup>(3)</sup> on 5 March 2002 (CdR 284/2001 rev.) (rapporteur: Mr Ramón Luis Valcárcel Siso (E/EPP) President of the Autonomous Community of the Region of Murcia,

adopted the following opinion unanimously at its 44th plenary session of 15 and 16 May 2002 (meeting of 15 May).

## 1. General comments

The Committee of the Regions welcomes the move by the Parliament and Council to introduce new policies to make the TEN-T a reality and to resolve the imbalances caused by its construction, although it must again point out with regret that an opportunity has been missed to bring a single, organised and coordinated focus to bear on European transport policy. Although the TEN-T is an important part of this, it is nonetheless only one part and cannot single-handedly resolve the serious problems in the European transport system.

The CoR reiterates its request that the necessary efforts be made to bring together future European policies to promote freight and passenger transport in a single instrument.

Accordingly it recognises and welcomes recent efforts in this area, in particular the White Paper, which is an important contribution to the debate.

Consideration must be given to the forthcoming revision of the amended Community guidelines, scheduled for 2004, bearing in mind the certain updating of the transport system as proposed in the White Paper, the changes to transport flows, the revision of the national plans, and future EU enlargement.

The CoR reiterates its view that a situation as complex as transport cannot be analysed from one angle alone. The imbalances between modes of transport and different parts of the network cannot be solely responsible for the varying degrees of capacity and accessibility in the TEN-T; while this is certainly a key factor, we must also take account of the many other policies that have had an impact, such as — without going into the matter in detail here — the liberalisation of certain modes of transport, which sways the interests of operators towards a particular mode of transport to the detriment of others.

<sup>(1)</sup> OJ C 293, 13.10.1999, p. 9.

<sup>(2)</sup> OJ C 93, 6.4.1999, p. 29.

<sup>(3)</sup> Re-organisation of the commissions and their terms of reference, 6 February 2002.

The Committee of the Regions therefore recommends that this time the forthcoming revision of the guidelines must be part of an integrated blueprint for the European transport system.

### 1.1. *Comments concerning the priorities*

The stated intentions behind the new TEN-T guidelines are not always reflected in the new list of priorities.

#### 1.1.1. *New priorities proposed*

The main priority is to build up a new, interoperable rail network giving precedence to goods transport, and connected to sea and inland ports and to airports.

The CoR fully supports these proposals as it has repeatedly called for such measures in previous opinions and expressed concern about the lack of investment in rail transport compared to road transport. Interconnections with sea and air transport are also essential if we are to stimulate passenger and, above all, freight rail transport.

Nonetheless, the CoR wishes to point out that two further aspects should be added, without which the proposal's objective could be seriously compromised.

The first is to prevent competition arising between rail and road because of parallel, unconnected networks, as this would spell disaster for the railway network. One solution could be to introduce higher tariffs for road users. However, this very complex measure is beyond the scope of this opinion and its consequences, inflationary and otherwise, would need to be analysed in depth, in particular where peripheral, island and less accessible regions are concerned.

It must not be forgotten that one of the major weaknesses of the railway network is its inflexibility and, as a result, its unavoidable dependence on other modes of transport, in particular roads, for connection to the place of origin and final destination.

The CoR therefore proposes creating a railway network that is connected and integrated with the road network, as is the case for all other modes of transport.

This leads us to the second aspect that needs addressing, i.e. that without intermodal platforms the functionality of the railway system is seriously reduced.

The proposed new Article 5(c) ends with the phrase 'including measures in intermodal terminals'. The CoR would like the Parliament and the Commission to discuss this subject; the idea that terminals are no more than limited areas integrating different modes of transport is an outdated concept that is largely responsible for the bottlenecks that currently exist.

The CoR considers it necessary to build comprehensive logistics platforms, equipped with all the required services and installations, as an essential TEN-T component to serve as a major means of diversifying modes, and backed up by new intelligent transport systems, facilitating management. This is the only way of minimising the main disadvantage of intermodal transport — i.e. trans-shipping — which until now has been a considerable hindrance to its effective implementation, but which intermodal logistics platforms should help to eliminate.

For these infrastructures to function as efficiently as possible, a new and as yet unused term must be introduced to the field of transport systems: 'the interoperability of intermodality'.

In the CoR's view, it is essential that local and regional authorities play an active part in creating and managing these platforms, since their location and efficient operation are of vital importance to their own spatial planning requirements.

#### 1.1.2. *Ongoing priorities*

The CoR welcomes the fact that priority continues to be given to the development of infrastructures linking island, landlocked and peripheral areas, and hopes this priority will receive proper consideration and support.

It should be borne in mind that, in addition to providing an effective guarantee of real freedom of movement for goods and persons across European territory, completion of infrastructure directly linking peripheral and island regions to the TEN-T also merits support with a view to a strategic connection between Europe, neighbouring countries and island regions. From this point of view, the island regions offer the Union an outstanding strategic opportunity for boosting Euro-Med relations policy.

The CoR therefore strongly supports the amendment made to the wording of Article 5(b), as it gives priority to linking these regions directly to the TEN-T, rather than simply providing means of access to it. It is not unreasonable to propose that the necessary efforts be made to connect these isolated regions to the rest of the European territory as effectively as possible.

This proposal also continues to give priority to eliminating bottlenecks by completing major routes, filling in missing sections (in particular in cross-border areas) and developing key links and interconnections.

At this point, the CoR would stress that while reducing TEN-T bottlenecks by optimising capacity is an absolute necessity, the plight of many regions that are lacking accessibility must not be overlooked. These regions are, furthermore, urgently requesting the implementation of Article 154(1) of the Treaty, which stipulates that to enable regional and local communities to derive full benefit from the setting-up of an area without internal frontiers, the Community will contribute to the establishment of trans-European networks. While competitiveness factors threatened by bottlenecks certainly merit Community attention, consideration should also be given to economic and social cohesion, as this could be jeopardised if we do not ensure the accessibility of all regions, in particular those most in need.

The Committee would stress that the TEN guidelines should give equal weight to tackling the traffic congestion problem in the core regions of Europe and improving the access of the Community's peripheral regions to the single market area.

The CoR also reiterates previous calls for a new 'inter-regional accessibility map' to eliminate the access constraints suffered by many regions and which hinder the effective and harmonious development of the internal market, by achieving a minimum degree of accessibility (quantified by means of objective time and cost indicators) throughout the European Union.

The CoR also proposes stepping up local and regional authority involvement in creating infrastructures; it suggests that, as part of the revision of the guidelines, consideration be given to ways of securing the cooperation of districts and regions in designing local and regional access to the TEN-T. The lack of such access compounds the present congestion problems.

Regional and local networks that feed into the central network also have bottlenecks that need resolving. Furthermore, intermodal nodes will also rely on feeder regional networks if they are to function properly.

The CoR welcomes the fact that priority continues to be given to intelligent transport systems, and that steps have been taken in this direction by supporting interoperability in the Community territory.

Likewise, the CoR fully agrees with the need to integrate environmental concerns in the design of the network, as we have an overriding obligation to establish the necessary corrective measures to reduce as far as possible the environmental impact of projects chosen on the basis of their importance for European transport.

### 1.1.3. Additional priorities

The CoR suggests reconsidering the removal from the text of Decision 1692/96 of the indent referring to 'establishment of and improvement in interconnection points and intermodal platforms'.

As mentioned above, these are an essential component of the TEN-T; without them its functionality would be seriously jeopardised, as it relies on an adequate and extensive network of intermodal nodes. This is even more important given that the objective of the proposal is to promote rail freight transport.

The CoR supports the inclusion of transport safety among the priorities. Although safety is already mentioned in the paragraph on the promotion of intelligent transport systems, safety must also be a fundamental priority when establishing and developing infrastructures. Safety problems in the TEN-T have been increasing in recent years owing to the increase in congestion points and the lack of adequate infrastructures in many parts of the network.

### 1.2. Comments on the specific projects

The CoR welcomes the list of specific projects in Annex III, which are fully justified, viable and of unarguable importance to the objective of developing the TEN-T.

The CoR is particularly pleased that the project to improve the navigability of the Danube between Straubing and Vilshofen has been included as a 'specific' inland waterway project, as the Committee has been calling for this mode of transport to be promoted for some time, and it would also call for improvements in navigation on the Danube to the east of Vienna.

The CoR also welcomes the inclusion of the global satellite radio navigation and positioning system (Galileo), as a way of effectively reinforcing the new technologies facilitating transport.

Nevertheless, the CoR calls for the adoption of measures enabling local and regional authorities to be involved in the design and configuration of infrastructure.

The CoR regrets the delays in the implementation of the projects announced in 1996 and expresses its concern and interest in finding ways of speeding up the necessary procedures. These delays are largely due to the lack of co-participation by regions in their development, which has caused controversies and social reservations that cannot be easily resolved by Community and national authorities. The involvement of local and regional authorities may — indeed must — help resolve these conflicts, as these bodies are closer to citizens.

### 1.3. *Comments concerning the remaining amendments*

The CoR welcomes the replacement of Article 8 concerning environmental protection, as it requires the Member States to execute specific environmental impact assessments, pending the implementation of Directive 2001/42/EC, which stipulates the procedures to be followed.

Local and regional authorities have the best knowledge of their local environment and must therefore be actively involved in the process of assessing and establishing corrective measures where appropriate.

The CoR also welcomes the amendments made to Articles 9, 10, 11, 13 and 18, but considers the list drawn up in Article 10(4) concerning the rail network to be poorly structured. The CoR is also surprised by the removal of the reference to goods (point 1), the addition of a reference to introducing trunk routes dedicated to freight (point 4), and the removal of the reference to an intermodal interconnection between the rail network and other transport networks (point 6).

Lastly, the CoR warmly welcomes the amendment to Article 18, where the 'Committee for the exchange of information and report' is renamed the 'Committee for monitoring and the revision of the guidelines', although the wording fails to clarify what the change of title implies in terms of its remit.

Thought should also be given to including a representative of the CoR on the Committee for monitoring, so that the voice of cities and regions can be heard regarding the many future aspects of the TEN-T which affect them.

## 2. **Recommendations**

The CoR requests that the following changes be made to the Proposal for a Decision of the European Parliament and of the Council amending Decision No 1692/96/EC on Community guidelines for the development of the trans-European transport network.

### 2.1. *Recommended changes to the recitals of the Decision No 1692/96/EC*

Add the following recital 2(a):

'In accordance with the Treaty of Maastricht, the trans-European transport network must help reinforce economic and social cohesion, improve the accessibility of peripheral and island regions and contribute to the sustainable management of traffic flows on European transit routes. It must be designed and implemented with due consideration for Structural Funds programming, Objectives 1 and 2 and Interreg, and the European Spatial Development Perspective.'

Add the following recital 5 (a):

'The TEN-T must be a key instrument in an ambitious European maritime policy, helping to develop short sea shipping, as recommended in the Commission's White Paper. It must also allow all the sea basins of Europe to participate fully in world trade by encouraging medium- and long-distance sea shipping.'

2.2. *Recommended changes to Article 3 of the Decision No 1692/96/EC*

The CoR believes the guidelines in Article 3 of Decision 1692/96/EC should be amended further, by incorporating a new point worded as follows:

'4. Intermodal logistics platforms are necessary elements for the effective integration of the various modes of transport, their infrastructures, installations and additional services, as well as their local and regional access.'

2.3. *Recommended changes to Article 5 of the Decision No 1692/96/EC*

— Point a)

Amend as follows:

'a) establishment and development of the key links and interconnections needed to eliminate bottlenecks, fill in missing sections, notably their cross-border parts or parts connecting regions with poor communications, and improve interoperability on major routes, with a view at all times to improving safety;'

— Point b)

Amend as follows:

'b) establishment and development of infrastructure making it possible to link island, landlocked, peripheral and outermost regions with the central regions of the Community and with each other to encourage the balanced and polycentric development of the European Union; while showing appropriate concern for areas of particular ecological sensitivity;'

— Point d)

Amend as follows:

'd) establishment of rail infrastructures to ensure connections to ports in order to foster long and short sea and inland shipping services;'

— Point e)

Amend as follows:

'e) measures to link rail and sea shipping to air transport, including rail and sea access to airports

and the infrastructure and facilities required for air, sea and rail transport services, wherever territorial circumstances so permit;'

— Include a new point in Article 5:

'design and development of intermodal logistics platforms, as regards both their infrastructures (such as installations and auxiliary services), and their adequate access to local and regional networks.'

2.4. *Recommended changes to Article 10 of the Decision No 1692/96/EC*

The wording of Article 10 should be revised as follows:

'Point 4. The network shall:

— play an important role in long distance passenger and freight traffic,

— promote interconnection with other transport mode networks, in particular air transport, sea shipping and inland waterways,

— facilitate access to regional and local rail networks,

— play an important role in combined transport, essentially through intermodal logistics platforms,

— promote freight transport by identifying and developing additional and alternative routes to road transport and by giving priority to freight trains in certain rail corridors.

— also be compatible with regional development objectives and contribute to their achievement.'

An additional insert should be added at the end of Article 10(4) to read as follows:

— provide value added in ecological terms when compared to the trans-European road network.'

Amend Article 10(6) as follows:

'Point 6. The network shall include the infrastructures and the facilities allowing the integration of rail, sea and air transport services.'

2.5. *Recommended changes to Article 13 of the Decision No 1692/96/EC*

Article 13(3) should be amended as follows:

'1. The trans-European airport network shall comprise airports situated within the territory of the Community which are open to commercial air traffic and which comply with the criteria set out in Annex II. These airports shall be classified differently according to the volume and type of traffic they handle and according to their function within the network. They shall permit the development of air links and the interconnection of air transport and other modes of transport. The involvement in airport management of regional authorities will be crucial to achieving these objectives.

2. unchanged.

3. International and Community connecting points shall be gradually linked to the high-speed lines of the rail

network, where appropriate. The network shall include the infrastructures and the facilities allowing the integration of air, sea and rail transport services.'

2.6. *Recommended changes to Article 18 of the Decision No 1692/96/EC*

Article 18(2) should also be amended, as follows:

'2. A Committee on the Trans-European Transport Network, hereinafter called "the Committee", is hereby set up at the Commission; it shall be composed of representatives of the Member States and a representative of the cities and regions proposed by the Committee of the Regions, and chaired by a representative of the Commission. The Committee shall follow-up and assess the revision of the guidelines for the development of the trans-European transport network, exchange information on the plans and programmes notified by Member States and may consider any question relating to the development of the trans-European transport network.'

Brussels, 15 May 2002.

*The President  
of the Committee of the Regions*  
Albert BORE

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**Opinion of the Committee of the Regions on:**

- the ‘**Communication from the Commission to the Council and the European Parliament — Action programme on the creation of the Single European Sky**’,
- the ‘**Proposal for a Regulation of the European Parliament and of the Council laying down the framework for the creation of the Single European Sky**’,
- the ‘**Communication from the Commission to the Council and the European Parliament on the creation of the Single European Sky**’,
- the ‘**Proposal for a Regulation of the European Parliament and of the Council on the provision of air navigation services in the Single European Sky**’,
- the ‘**Proposal for a Regulation of the European Parliament and of the Council on the organisation and use of the airspace in the Single European Sky**’, and
- the ‘**Proposal for a Regulation of the European Parliament and of the Council on the interoperability of the European Air Traffic Management network**’

(2002/C 278/04)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission to the Council and the European Parliament — Action Programme on the creation of the Single European Sky and the Proposal for a Regulation of the European Parliament and of the Council laying down the framework for the creation of the Single European Sky [COM(2001) 123 final — 2001/0060 (COD)];

having regard to the Communication from the Commission to the Council and the European Parliament on the creation of the Single European Sky the Proposal for a Regulation of the European Parliament and of the Council on the provision of air navigation services in the Single European Sky, the Proposal for a Regulation of the European Parliament and of the Council on the organisation and use of the airspace in the Single European Sky, and the Proposal for a Regulation of the European Parliament and of the Council on the interoperability of the European Air Traffic Management network [COM(2001) 564 final — 2001/0235-0236-0237 (COD)];

having regard to the decision of the Council on 15 November 2001 to consult the Committee on this subject, in accordance with Article 80, paragraph 2 of the Treaty establishing the European Community;

having regard to the decision of its Bureau on 12 June 2001 to instruct Commission 3 — Trans-European Networks, Transport and the Information Society to draw up the relevant opinion;

having regard to the Draft Opinion adopted by its Commission for Territorial Cohesion Policy<sup>(1)</sup> on 5 March 2002 (CdR 4/2002 rev.) (rapporteur: Mr Verburg, Member of the Noord-Holland Provincial Executive) (NL-EPP);

whereas the achievement of a Single European Sky is in the interests of the safe and efficient provision of air transport at higher altitudes;

whereas the large number of delayed flights in past years shows that improved efficiency, while maintaining the highest possible level of safety, is highly desirable in order to enable European air transport to continue to fulfil the quality requirements that must be met in order to secure the economic competitiveness of Europe and its regions and, where possible, improve it;

whereas increasing the capacity of air routes at higher altitudes and making the provision of transport more efficient, in addition to various other measures, is necessary in order to bring about the desired improvements,

<sup>(1)</sup> Re-organisation of the commissions and their terms of reference, 6 February 2002.



adopted the following opinion unanimously at its 44th plenary session of 15 and 16 May 2002 (meeting of 15 May).

The Committee of the Regions

1. welcomes the Commission's proposals. A Europe without internal frontiers should in any case make the unhampered transport of persons and goods also possible in the air. The existing serious shortfalls in punctuality when providing air transport cause economic and environmental disadvantages for airports and the surrounding regions. The Committee considers the Commission's proposals to be a necessary component of the measures that are necessary in order to find a solution to these problems. The Committee advocates the following three objectives when preparing further measures:

- the maintenance and, where possible, improvement of safety,
- the increasing of capacity in the air transport system and
- the improvement of efficiency in accordance with the possibilities of continuing to maintain the environmental standards applying to air transport;

2. is in favour of rationalising the use of upper airspace. The organisation of Air Traffic Management should be recast in such a way that the number of air traffic control centres can be drastically reduced and instructions harmonised. As regards co-ordinating the civil and military use of airspace, the Committee advocates an optimisation based on the demands which, from both sectors, must be tailored to the actual possibilities of use. In general, and particularly on these points, a Single European Sky can only be achieved by removing existing institutional and organisational barriers. The Committee calls upon the European Council to do something about this;

3. thinks that independent and effective regulation is the first requirement for a safe and efficient use of airspace. As regards the improvement of efficiency, the Committee supports the Community's proposed entry into Eurocontrol in

order to promote a situation where regulatory decisions rapidly become law in the Member States. As regards independence, the Committee urges that the responsibilities for regulation, implementation and supervision be separated, in accordance with generally prevailing administrative principles;

4. is aware that the success of the Single European Sky depends largely on the concrete measures that will be taken on the basis of the regulations being proposed now. For these to be implemented smoothly, it is important that all operational requirements and desires are set out during the preparation of the implementing measures. The Committee therefore advocates consultation of the various sector organisations. The interests of regional authorities with an airport within their jurisdiction can be looked after here by the Airport Regions Conference; the Airport Regions Conference (ARC) should be recognised as a spokesman together with regional and local authorities. The participation of regional and local government in airport planning must be guaranteed;

5. proposes that the process of creating the Single European Sky reflect the specific needs of peripheral and island regions, whose distance from major economic and urban centres puts a substantial brake on development. In particular, the Committee recommends, wherever possible, action aimed at making connections between transport nodes in the island regions and centres of economic, social and administrative activity more efficient and economic, if necessary by way of derogation from overall programmes;

6. urges that the implementation of the Single European Sky be pursued with vigour. The Committee calls upon all the bodies concerned in all the Member States to work together to make the Single European Sky a reality by December 2004 at the latest. The Community should already become a member of Eurocontrol in 2002 <sup>(1)</sup>.

(1) The Barcelona summit on 15 and 16 March already concluded in the same sense.

Brussels, 15 May 2002.

*The President*  
*of the Committee of the Regions*  
Albert BORE

**Opinion of the Committee of the Regions on the 'Proposal for a Regulation of the European Parliament and of the Council on the granting of Community financial assistance to improve the environmental performance of the freight transport system'**

(2002/C 278/05)

THE COMMITTEE OF THE REGIONS,

having regard to the Commission White Paper addressed to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on European transport policy for 2010 — time to decide (COM(2001) 370 final);

having regard to the Proposal for a Regulation of the European Parliament and of the Council on the granting of Community financial assistance to improve the environmental performance of the freight transport system (COM(2002) 54 final);

having regard to its Bureau's decision of 6 February 2002 to entrust the Commission for Territorial Cohesion Policy with the task of drawing up the opinion in question;

having regard to the Council decision of 21 February 2002, under the first paragraph of Article 265 of the Treaty establishing the European Community, to request the opinion of the Committee of the Regions on this subject;

having regard to its earlier opinion on Intermodality and intermodal freight transport in the European Union: a systems approach to freight transport (COM(97) 243 final) (CdR 398/98 fin) (1);

having regard to its earlier opinion on the Trans-European transport network — 1998 report on the implementation of the guidelines and priorities for the future (COM(98) 614 final) (CdR 60/99 fin) (2);

having regard to its earlier opinion on Cohesion and transport (COM(98) 806 final) (CdR 390/99 fin) (3);

having regard to its earlier opinion on the Interoperability of the trans-European conventional rail system (COM(1999) 617 final) (CdR 94/2000 fin) (4);

having regard to its earlier opinion on European transport policy for 2010 — time to decide (COM(2001) 370 final) (CdR 54/2001 fin) (5);

having regard to the plenary session's decision of 13 March 2002 to appoint Mrs Claude du Granrut as rapporteur-general to draw up an opinion on the subject, in accordance with Rule 40(2) of the Rules of Procedure of the Committee of the Regions;

having regard to the draft opinion (CdR 103/2002 fin) drawn up by the rapporteur-general, Mrs Claude du Granrut, Regional Councillor of Picardy, Assistant Mayor (FR-EPP);

whereas the role of transport, in terms of infrastructure as well as of services provision, is of crucial importance to spatial planning and development throughout Europe;

whereas all levels of government — European, national, regional and local — must cooperate in drawing up transport policies, but must do so in accordance with the principle of subsidiarity; and whereas local and regional authorities are the level of government closest to the citizen;

(1) OJ C 198, 14.7.1999, p. 21.

(2) OJ C 293, 13.10.1999, p. 9.

(3) OJ C 226, 8.8.2000, p. 22.

(4) OJ C 317, 6.11.2000, p. 22.

(5) OJ C 107, 3.5.2002, p. 51.

whereas freight transport is a factor of vital importance both for achieving European integration and for furthering the economic and social development of the regions;

whereas the Community has no spatial planning powers, but the Commission can propose 'non-judicial' policies which can exercise considerable positive influence on the environment and sustainable development;

whereas the European Union is obliged under the Treaty of Amsterdam to take environmental protection requirements into account when defining and implementing Community policies, with a view to encouraging sustainable development;

whereas lessons have been drawn from the PACT programme (1997-2001) aimed at increasing the use of combined transport by providing financial support for innovative commercial initiatives in the combined transport services sector;

whereas the PACT measures have had positive effects on the environment, and particularly in reducing carbon dioxide emissions;

whereas transport interoperability projects must involve technological options, an innovative route plan, arrangements for the supply of services and a combination of all these aspects in order to have an effect on the freight market;

whereas there is a need for more effective and widespread dissemination of measures of the type carried out under the PACT programmes;

whereas rail, short sea and inland waterway transport are likely to relieve congestion on the roads;

whereas in the light of its positive experience with the PACT programme, the Community should be equipped with an instrument for combating congestion in the road freight sector and for transferring part of road freight to short sea transport, the railways and the inland waterways,

adopted the following opinion unanimously at its 44th plenary session (meeting of 15 May).

The Committee of the Regions

## 1. Introduction

- endorses a new common freight transport policy which will be based on intermodality and on rail, short sea and inland waterway transport, which will seriously address the problem of road congestion and which will place safety and quality of services at the heart of its concerns;
- welcomes the new programme for promoting intermodality, known as 'Marco Polo', the general aim of which is to transfer freight from the roads to other transport modes which cause less damage to the environment, such as rail, short sea and inland waterway transport;
- notes with interest the three main targets of action of the Marco Polo programme:
  - the first is linked to the initiatives taken by players in the logistics market. The emphasis will be on aid

for the start-up of new services which will be commercially viable in the longer term and which lead to significant modal shifts from road to other transport systems, without necessarily being technologically innovative. The financial aid will be limited to the start up time for these services and will compensate for the commercial risk involved;

- the second relates to actions in the market which act as a catalyst for structural change. These actions must seek to overcome structural obstacles of Community importance on the freight market which hinder the effective operation of the markets, the competitiveness of short sea, rail or inland waterway transport and/or the efficiency of the transport chains which make use of these modes. These actions could include the implementation of 'motorways of the sea' or high-speed freight trains, inland waterway services and equipment pools for trimodally compatible intermodal loading units;

- the third consists of common learning actions on the freight logistics market in order to strengthen the spirit of cooperation in this fragmented and complex sector of intermodal transport, and to optimise working methods and procedures with a view to improving the commercial and environmental performance of the firms concerned. These actions may also take the form of accompanying measures for the monitoring and evaluation of projects and collection and analysis of statistical data.

Each action must relate to the territory of at least two Member States or of one Member State plus an applicant country or third country.

The three types of action are linked and should have beneficial effects on the operation of the intermodal transport system to be implemented, and enable it to overcome the market obstacles that it is likely to encounter.

The planned budget for the years 2003-2007 is EUR 115 million — an average of EUR 23 million per year.

The Marco Polo programme represents a new concept to improve the environmental performance of the freight transport system.

If no action is taken, road freight transport in the European Union is likely to grow by about 50 % between now and 2010. This would lead to further congestion, pollution and accidents. The socio-economic cost of the additional 12 billion tkm on roads has been estimated at more than EUR 3 billion per year.

To maintain the traffic share between the various transport modes at its 1998 level, it is necessary for rail, short sea and inland waterway transport to absorb the additional 12 billion tkm per year and to begin to reverse the trend. That is the challenge for freight traffic in the European Union.

The aim of Marco Polo is therefore to help transfer to other transport modes the volume of goods corresponding to the forecast growth in international road freight traffic. The programme will support the major strategic options envisaged up to 2010 in the freight sector, and should therefore continue until that year. Mechanisms are envisaged to ensure flexibility, which should make it possible to react to market developments which are not foreseen at present.

The implementation of the Marco Polo programme should lead to savings in social costs. When compared with road transport, the intermodal transport of goods as advocated under Marco Polo will reduce social costs by 60-80 % in terms of accidents and by 40-65 % in terms of carbon dioxide emissions. Overall, savings in terms of social costs of 33-72 % will be possible with intermodal transport when compared with all road transport.

## 2. General comments on the Marco Polo programme

2.1. The Committee of the Regions endorses the aims of the Marco Polo programme, which seeks to 'improve the environmental performance of the freight transport system' in the European Union, and wishes it success both for the sake of the environment and for the sake of the buoyancy of the European economy, and thus of its regional economies.

2.2. Examination of the arrangements for implementing the Marco Polo programme reveals certain shortcomings in relation to the needs of the transport modes that are to be prioritised — rail, inland waterway and short sea shipping — the logistical organisation of their interoperability, the services to be set up and the creation of new types of job. The Committee of the Regions wishes to point out the role of transport in the development of a regional or inter-regional territory, and particularly of intermodal platforms, and consequently the importance of taking account of projects drawn up by regional authorities and/or bodies associated with them.

2.3. The Committee of the Regions hopes that the 'transparent, objective and clearly limited' aid will be in proportion to the savings made by society through using transport modes which are the least damaging to the environment; this is in line with the approach proposed by the Commission in its draft regulation on aid granted for transport coordination.

2.4. The proposed calculation, which takes account of accidents, noise, pollutants, climatic costs (CO<sub>2</sub>), infrastructure and congestion, but excludes soil and water pollution and the use of land, amounts to a subsidy of one euro for each shift of 500 km from road transport (to be adjusted in accordance with the actual external cost savings resulting from the use of rail, short sea, or inland waterway transport); this seems fairly arbitrary, and much less than the theoretical external cost gain calculated for each mode.

The Committee of the Regions takes the view that the Commission's approach to external costs is a first encouraging step in an area where there is strong resistance to change, and that it is important to support the Commission's approach and encourage it to release additional funds in favour of modal shift policies, either directly by increasing the Marco Polo budget or indirectly by adapting the rules applying to state aid in the Member States.

2.5. The Committee of the Regions is aware that the real market and operational obstacles which still hinder transport modes other than road transport must be overcome to enable these freight markets to develop their full potential, and that in order to provide high-quality intermodal freight transport chains it is necessary to remedy the shortcomings and constraints affecting each mode.

2.6. In order to optimise intermodality between rail and sea and/or between inland waterway and sea transport, the Committee of the Regions stresses the need for an effort to provide streamlined transshipment facilities which dispense with the need for reloading.

2.7. The Committee of the Regions takes the view that the scope of the action envisaged must not be confined to this essential shift, but must also provide the transport and logistics sector with a means and a framework for tackling the structural problems which hinder the operation of the transport market, and for improving the environmental performance of transport.

2.8. In this connection the Committee of the Regions recalls the concern expressed in its opinion on the interoperability of the trans-European conventional railway system <sup>(1)</sup>, namely that if a balance is to be achieved between the different modes of transport in the field of freight transport and the priority use of transport modes which are more compatible with the environment, use less energy and involve lower external costs is to be promoted, it is necessary to harmonise the telecommunications and information technologies used by the various transport modes and any new techniques which may contribute to the cross-frontier interoperability of national transport networks.

In order to ensure the viability of competitive intermodal transport, the Committee of the Regions thinks it essential to define a common architecture for intermodal real-time electronic information systems, so that customers can have continuous information on each stage of their cargo's journey.

Moreover, an analysis of the situation with regard to rail, short-sea and inland waterway transport, the Community

market in intermodal terminals, and information technologies shows that the regulatory framework governing access to freight markets must be thoroughly revised and improved.

2.9. The Committee of the Regions suggests that the Commission should envisage creating a new type of job — freight integrator — to organise the integrated shipment of freight whatever the transport modes concerned; similarly, containers and swap bodies should be standardised so that transshipments from one transport mode to another are problem-free.

2.10. The Committee of the Regions notes that no data or studies are available at present on the ideal modal breakdown from the macro-economic and social point of view.

2.11. In this context and in view of the virtually impregnable position of road transport with its doorstep delivery network for businesses and individuals alike, as well as its role of linking up with alternative transport modes at terminals, the Committee of the Regions would query whether road transport should be completely excluded from the Marco Polo programme, particularly as regards the catalyst actions. Road transport could be integrated into the Marco Polo programme in the following cases:

- when it provides the terminal links for alternative modes;
- when it is associated with a journey made by a seagoing Ro/Ro-type ferry or by a 'rolling road' system.

2.12. The Committee of the Regions would point out that one of the aims of transport policy is to reduce the development gap between different regions and the extent to which disadvantaged regions lag behind. The CoR regrets that this objective is not mentioned in the Marco Polo programme. At no point does the Commission proposal mention the use of secondary rail networks and their contribution to the local economy. While it does cover inland waterways, it makes no mention of their potential benefit for the transport of goods produced for the regions and cities through which they pass.

2.13. The Committee of the Regions points out that transport plays an important part among all the factors capable of furthering the economic prosperity of an area, whether it be regional or inter-regional, and that it is essential to seek to link up a region's development projects with the most suitable intermodal transport system.

<sup>(1)</sup> CdR 94/2000 fin.

In this connection, the CoR is concerned at the tendency to encourage the use of the new intermodal forms of transport on routes passing through regions which are already economically strong, at the expense of isolated or peripheral regions, and it takes the view that the Marco Polo programme should be vigilant in this respect.

2.14. For example, with regard to inland waterways, the Committee of the Regions stresses the importance of intermodal platforms, interconnections or added-value modal points for furthering their integration with other transport modes and hence their economic viability. Consideration should also be given to making these 'switchover points' true centres of economic activity where regional enterprises could be set up and jobs could be created.

2.15. In conclusion, the Committee of the Regions wonders, in view of these complementary aims which underpin the technical research but are necessary to its success, and the experiments to be carried out, whether the estimated budget of the Marco Polo programme will be sufficient.

### 3. Conclusions and main proposals

#### 3.1. Article 1

Even if, in this context, it may appear iconoclastic, the Committee of the Regions would point out that the capillary nature of the road network is an undeniable fact which it is perhaps unwise to ignore when implementing the Marco Polo programme.

#### 3.2. Article 4

The Committee of the Regions takes the view that local or regional authorities which have formed a consortium of private or public bodies should be able to submit directly to the Commission requests for financial aid for projects forming part of public transport service plans.

#### 3.3. Article 5

3.3.1. With regard to rail transport, the Committee of the Regions hopes that not only will a new pricing policy be decided, but also that cross-frontier traffic will be facilitated and rail safety guaranteed.

The Committee of the Regions notes that rail freight transport will not be able to develop fully if its main competitor, road transport, does not pay all its social costs.

Moreover, the Committee of the Regions fears that development of rail freight and of innovative solutions for the modal shift, as proposed in Marco Polo, may favour new operators at the expense of traditional rail operators. The latter can play a major role in promoting an intermodal transport system, and Marco Polo should encourage them to do so in the most appropriate way.

The Committee calls for the creation of a European rail agency and collaboration with the traditional rail operators.

3.3.2. Inland waterway transport, the Committee of the Regions notes, will develop fully once the transport of goods to and from waterways is facilitated by high-performance transshipment systems within seaports' logistical platforms. The Committee also recommends that the conditions for treatment of waterway vessels in seaports should not be discriminatory, particularly in comparison with road transport.

The Committee recommends support for innovative experiments involving regular multimodal services which include a logistical waterway link. However, the Committee fears that the relative lack of hold space as a result of scrapping plans may make it impossible to meet the emerging demand for waterway transport from shippers. It therefore recommends support for initiatives to renew modern hold space suitable for new traffic, and an effort to promote the profession among young people.

Inland waterway transport is now suitable for all kinds of traffic once the conditions for expansion are established. In order to meet this demand for bulk and container traffic, and the transport of chemical products, dangerous materials and heavy packages, it is important for Europe to have a wide-gauge network providing a more fluid market between the various regions of the Union. The Committee therefore recommends further efforts to provide the infrastructure for such a network.

The Committee of the Regions suggests that certain institutional adaptations (regulation, access to equipment) should accompany the infrastructure improvements (headroom and draught, gauges, internal platforms) to help raise the overall average productivity level for this mode of transport.

3.3.3. With regard to short sea transport, the Committee of the Regions approves the reference to 'motorways of the sea' and to cabotage, i.e. to the economic dynamism of European ports, whether they are of international importance or not, in order to encourage rational logistics and the fluidity of Community trade with goods not having to be reloaded.

#### 3.4. Article 6

The Committee of the Regions points out that the Marco Polo programme must take care to ensure that the new intermodal forms of transport to be encouraged are not found solely in the highly developed regions. On the contrary, the programme should give priority to new routes likely to open up isolated or peripheral regions.

The Committee of the Regions stresses the importance of intermodal platforms, interconnections or added-value modal points to encourage true centres of economic activity where regional enterprises could be set up and jobs created.

#### 3.5. Article 7

The Committee of the Regions proposes that the Marco Polo programme should support harmonisation of the telecommunications and information technologies used by the differ-

ent transport modes and any measures which could contribute to cross-frontier interoperability.

The Committee of the Regions proposes that a common architecture be defined for intermodal real-time electronic information systems so as to provide customers with continuous information on the transport of their products; that a new job of freight integrator be created; and that containers and swap bodies be standardised.

#### 3.6. Article 8

The Committee of the Regions would like the Marco Polo programme to include actions which can benefit the economic development of an area, even if they are small scale. By way of example, it would mention the 'missing links' of cross-frontier projects and 'overheating links' which make it possible to differentiate between transit traffic and local traffic.

#### 3.7. Article 12

The CoR wonders whether the budget for the programme is sufficient to achieve its aims.

The Committee of the Regions considers that, since the Marco Polo programme would lead to direct and indirect savings for society, the funds allocated must be commensurate with the expected savings.

Brussels, 15 May 2002.

*The President*  
*of the Committee of the Regions*  
Albert BORE

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**Opinion of the Committee of the Regions on the 'Proposal for a Decision of the European Parliament and of the Council establishing the European Year of Education through Sport 2004'**

(2002/C 278/06)

THE COMMITTEE OF THE REGIONS

having regard to the Proposal for a Decision of the European Parliament and of the Council establishing the European Year of Education through Sport 2004 [COM(2001) 584 final — 2001/0244 (COD)];

having regard to the Decision of the Council of the European Union of 23 November 2001 to consult it under the first paragraph of Article 265 of the Treaty establishing the European Community;

having regard to the Decision taken by its Bureau on 6 February 2002 to instruct Commission — Culture and Education — to draw up an Opinion on this subject;

having regard to the Treaty of Amsterdam, Articles 13 and 149;

having regard to the Treaty of Amsterdam Declaration on Sport;

having regard to the European Model of Sport, Commission consultation document — November 1998;

having regard to the Helsinki report on Sport, December 1999;

having regard to the Nice European Council Declaration on the specific characteristics of sport and its social function in Europe (Annexe IV), December 2000;

having regard to the Opinion of the Committee of the Regions on the European Model of Sport (CdR 37/99 fin) <sup>(1)</sup>;

having regard to the Opinion of the Committee of the Regions on Equal opportunities for girls and boys in leisure activities and especially in EU youth and sport programmes (CdR 182/97 fin) <sup>(2)</sup>;

having regard to the Opinion of the Committee of the Regions on Interaction between education of young people and sport: A proposal for Union-level actions to promote the positive effects of sport in Europe (CdR 222/96 fin) <sup>(3)</sup>;

having regard to the Opinion of the Committee of the Regions on the Memorandum on Lifelong Learning (CdR 19/2001 fin) <sup>(4)</sup>;

having regard to the Opinion of the Committee of the Regions on a Community Support Plan to Combat Doping in Sport (COM(1999) 643 final) (CdR 22/2000 fin) <sup>(5)</sup>;

having regard to the Draft Opinion (CdR 388/2001 rev. 2) adopted by Commission — Culture and Education — on 22 March 2002 [rapporteurs: Mr Udo Mientus, Chairman of the Lower Saxony State Assembly's Committee for Federal and European Affairs (D/PES) and Mrs Susie Kemp, Opposition Leader of West Berkshire County Council (UK/EPP)],

adopted the following opinion at its 44th plenary session of 15 and 16 May 2002 (meeting of 15 May 2002).

<sup>(1)</sup> OJ C 374, 23.12.1999, p. 56.

<sup>(2)</sup> OJ C 64, 27.2.1998, p. 81.

<sup>(3)</sup> OJ C 337, 11.11.1996, p. 60.

<sup>(4)</sup> OJ C 357, 14.12.2001, p. 36.

<sup>(5)</sup> OJ C 317, 6.11.2000, p. 63.



## 1. The Committee of the Regions' general comments on the communication

1.1. The Committee of the Regions supports the European Commission initiative to designate 2004 the European Year of Education through Sport (referred to as the 'Year') as long as due regard is given to the principle of subsidiarity. 2004 will provide a unique opportunity to focus on the educational and social dimension of sport at a time when major media focus will be on sport in Europe due to the Olympic games and the EUR 2004 Football tournament.

1.2. The Committee of the Regions believes that the involvement of local and regional authorities in the 'European Year' is crucial to its success. In the spirit of subsidiarity, the role of local and regional authorities should be respected during the Year in recognition of their proximity to the citizens.

1.3. The CoR believes that in harnessing the potential of local and regional authorities the European Commission will maximise the impact of the Year, mobilise effectively all the relevant actors (in this case educational and sporting establishments) and the engagement of people of all ages in the Year, especially the young.

1.4. Local and regional authorities are in a unique position to ensure that the widest-possible access to Community actions is achieved, with a particular focus on disadvantaged groups. The European Year of Education through Sport builds upon the 2003 Year of Disabilities and allows for education and sports policies for the disabled to be encouraged across the European Union during the Olympic year. The specific points of the Draft Opinion fall under two themes, the Aims of the Year set out by the Commission and any subsequent delivery of the projects and actions in which Local and Regional authorities should be closely involved.

## 2. The aims of the Year

2.1. The Committee of the Regions believes that 2004 is an excellent opportunity to celebrate the unique value of sport to European society. This special Year should complement the focus on top-level sport, its competition and commercialisation by taking a broader view that focuses on all sports that bring European citizens together.

2.2. The Committee of the Regions is particularly keen to see an emphasis given to the role of individuals and volunteers that give their free time to others. This is of particular concern in areas of high social deprivation where voluntary support for clubs can be lacking in comparison with more affluent communities. In recognition of sports contribution to education and life-long learning, as well as the qualities of leadership, citizenship and teamwork, the CoR would like to see the Year focus on the most innovative approaches of engaging people in these communities underlining the Year's core principle of social inclusion. Sport encourages integration between people and also contributes to a sense of fair play and improves the health and well-being of communities that local and regional authorities serve.

2.3. The CoR clearly recognises sport's contribution to basic education skills but urges the European Commission to extend its aims to encompass all age groups as Life-Long Learning becomes more widely accepted. The role of Sport contributes significantly to understanding, integration and well being of people of all ages.

2.4. The CoR agrees with the European Commission that the Year of education through sport in 2004 provides a unique opportunity to flesh out and raise the profile of the opportunities for greater sport/school cooperation. The CoR would wish to see the European Commission draw up priorities within the existing Education and Youth Community programmes to complement the limited resources available within the budget for the Year. The CoR is convinced that for the Year to be successful and go beyond a series of merely symbolic actions, other programme resources, including Socrates, Leonardo Da Vinci, Youth for Europe, need to be mobilised. In a clear recognition for young people, these programmes should specifically target support for the mobility of young people and of school physical education teachers to encourage trans-national competitions and promote best practices about the role and delivery of sport in schools. The promotion of local club/school partnerships should also be reinforced during the Year within communities where these contribute to the encouragement of young people's participation in sport outside school hours. Sport should also be recognised as having an important role as a means of communication.

2.5. The CoR believes that in order to reach young people effectively, all sports should be recognised during the Year and not merely those mainstream sports with a high media and

television interest. Local and regional authorities are keen to encourage all sports that play a significant role in education, the development of young people's skills and social inclusion (i.e. minority sports).

2.6. In the spirit of the Nice declaration on sport, the CoR would like to see the role of sport taken into account across various Community policies. Notwithstanding the legal base for the Year, the CoR sees particular emphasis being given by the European Commission to the role of the Structural Funds, the European Employment and Social Inclusion Strategies and other Community programmes such as Twinning.

2.7. The CoR believes that during the Year local and regional authorities should be closely involved in any European Commission funded studies that seek to identify best practice with the social integration of the disadvantaged groups through sport in education. The Year provides a unique opportunity to showcase successful actions that have contributed to the integration of disadvantaged groups building on work that has already been undertaken in the Member States.

2.8. The CoR is keen to see that the Year makes a clear economic case for the value of investing in sport in the long term. The CoR is convinced that the European Union can make a clear economic case for investing in sports facilities at local and regional level that in the longer term will contribute to a reduction in spending from governments on social services and health care relating to an ageing sedentary society.

2.9. The CoR believes that local and regional authorities have a considerable interest in the protection of young people in their schools and centres of excellence across the European Union from the pressures of competition, commercialisation and drug abuse. Local and regional authorities across the EU already play a key role in drug awareness and need to ensure that particular young people do not fall foul to the pressure of doping in their sports.

Brussels, 15 May 2002.

### 3. Implementation

3.1. The CoR welcomes the Commission proposal and expects the CoR and local and regional authorities will be closely consulted on both management arrangements and the delivery of the Year at national, regional and local level. To this end the CoR would like to be represented in the Community wide task force that is proposed.

3.2. The CoR agrees with the European Commission that partnerships are the key to the success of the Year. Member States should be encouraged by the European Union to ensure that the most appropriate delivery structures are established that maximise the involvement of local and regional authorities so that sports' associations and forums, clubs, and the voluntary sector are engaged. The CoR believes that the Year must give the opportunity for a broad exchange of experiences in the field of sport and education. The CoR would like to see examples of best practice at local and regional level being gathered, documented and published by the European Commission during the Year.

3.3. The CoR believes that the European Commission should give greater emphasis to the importance of mobilising all regional and local players for the purpose of executing the Year. Many local and regional authorities participate in or host sports' forums that will be able to make a specific contribution in ensuring the success of the Year across their regions.

3.4. The CoR would urge the European Commission to include a reference to local and regional authorities, via their national associations or otherwise, in the national forum that is to be established.

3.5. The CoR would urge the European Commission and the Member States to ensure that all actions financed during the Year are inclusive and reach all social groups with particular emphasis on the young, the disadvantaged and the disabled.

*The President*  
*of the Committee of the Regions*  
Albert BORE

**Opinion of the Committee of the Regions on the 'Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions — eEurope 2002: Accessibility of Public Web Sites and their Content'**

(2002/C 278/07)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee, and the Committee of the Regions — eEurope 2002: Accessibility of Public Web Sites and their Content (COM(2001) 529 final);

having regard to the Commission's decision of 25 September 2001 to consult the Committee of the Regions in accordance with the provisions of the first paragraph of Article 265 of the Treaty establishing the European Community;

having regard to the decision of its Bureau on 6 February 2002 to ask the Commission for Culture and Education to draw up an opinion on the matter;

having regard to the opinion of the Committee of the Regions on the Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on the Fifth Report on the implementation of the Telecommunications Regulatory Package; the Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions — Towards a new framework for electronic communications infrastructure and associated services — the 1999 Communications Review (COM(1999) 537 final) (COM(1999) 539 final) (CdR 520/1999 fin) <sup>(1)</sup>;

having regard to the opinion of the Committee of the Regions on the Proposal for a Directive of the European Parliament and of the Council on universal service and users' rights relating to electronic communications networks and services (COM(2000) 392 final — COD (2000/0183) (CdR 274/2000 fin) <sup>(2)</sup>);

having regard to the draft opinion adopted by the Commission for Culture and Education on 22 March 2002 (CdR 397/2001 rev. 2) (rapporteur: Mr Ervelä, Chairman of Sauvo Local Council, Chairman of the Regional Council of Southwest Finland, FIN/ELDR),

at its 44th plenary session of 15 and 16 May 2002 (meeting of 15 May) adopted the following opinion unanimously.

The Committee of the Regions

1.1. considers the matter addressed in the Commission communication to be crucially important for realising the social objectives of the European information society mentioned in the eEurope initiative and in other contexts;

1.2. endorses the main conclusions and recommendations presented in the communication for rapid development of Web accessibility in the public sector;

1.3. notes that many municipal and regional services already exist specifically for people with disabilities and older people, and considers it to be very useful that the Commission has supported the guidelines developed by the World Wide Web Consortium to ensure that the needs of particular user

groups can be relatively easily taken into account in the development of the growing number of public services provided through the Internet;

1.4. considers the recommendation that public web sites should be brought into line with the guidelines to be too general, since some municipal and regional online services are already designed exclusively for disabled or elderly people and some for very small and specific groups of users, whose accessibility does not necessarily have to be taken into account in the same way;

1.5. wishes to point out that users of municipal and regional online services are now quite a heterogeneous group in Europe. In addition to disabled and elderly people, the accessibility of various ethnic, language and religious groups must also be taken into account when developing services. The guidelines presented in the Communication partly serve to develop accessibility for these groups, but the Committee of

<sup>(1)</sup> OJ C 226, 8.8.2000, p. 56.

<sup>(2)</sup> OJ C 144, 16.5.2001, p. 60.

the Regions hopes that in future the Commission can extend the development of guidelines to take the particular needs of the above-mentioned user groups into account;

1.6. draws the Commission's attention to the fact that use of applications based on Internet browsers is now also increasing very rapidly within organisations, which means that the guidelines described in the Communication could also have a considerable impact on the provision of equal opportunities in the workplace;

1.7. suggests that enhancing public Web accessibility particularly in municipal and local government should be made a priority objective of pilot studies at European level also, since this level of public administration produces the largest proportion of services targeted at disabled and older people;

1.8. suggests that developing certain local and regional — both public and private sector — portals could be an instrument of good practice with respect to improving Web accessibility in the private sector;

1.9. emphasises that public sector services must be considered as an integrated whole determined by citizens' needs, and the part of these services provided through the Internet should not be treated separately. It is particularly important that services provided to disabled and older people through traditional channels can be developed alongside online services, that this group is no longer seen in a way that serves to exclude it and that the rights of people with disabilities are taken into account;

1.10. recommends that European local and regional authorities should as soon as possible apply the guidelines for developing online services set out in the communication and make whatever efforts are necessary to remove barriers to accessing them so that the new technologies do not create further difficulties for disabled people;

1.11. notes that there should be sufficient investment in promoting guidelines with businesses that are specifically developing and providing services, since understanding of the often straightforward accessibility options is in many cases deficient.

Brussels, 15 May 2002.

*The President*  
*of the Committee of the Regions*  
Albert BORE

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**Opinion of the Committee of the Regions on the 'Communication from the Commission — Making a European area of lifelong learning a reality'**

(2002/C 278/08)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission — Making a European area of lifelong learning a reality (COM(2001) 678 final);

having regard to the European Commission Decision of 22 November 2001 to consult it under the first paragraph of Article 265 of the Treaty establishing the European Community;

having regard to the Decision taken by its Bureau on 6 February 2002 to instruct Commission — Culture and Education — to draw up an opinion on this subject;

having regard to the Commission's memorandum (SEC(2000) 1832);

having regard to the Committee of the Regions' Opinion on that memorandum (CdR 19/2001 fin) <sup>(1)</sup>;

having regard to the presidency conclusions of the summits in Lisbon 23-24 March 2000, Feira 19-20 June 2000 and Stockholm 23-24 March 2001;

having regard to the Commission's 1995 White Paper (COM(95) 590 final) and the Commission's Communication (COM(97) 563 final);

having regard to the Committee of the Regions' Opinion (CdR 244/94 fin) <sup>(2)</sup> on the proposal for a decision establishing 1996 as the European Year for Lifelong Learning;

having regard to e-learning: the Commission Communication (COM(2000) 318 final) and the Committee of the Regions' Opinion (CdR 212/2001 fin) <sup>(3)</sup>;

having regard to education systems: the Commission report on the concrete future objectives of education systems (COM(2001) 59 final) and the Committee of the Regions' Opinion (CdR 89/2001 fin) <sup>(4)</sup>;

having regard to the sixth framework programme: the Commission report (COM(2001) 94 final) and the Committee of the Regions' Opinion (CdR 283/2001 fin) <sup>(5)</sup>;

having regard to the European agreement concluded between ETUC, UNICE and CEEP on an action plan for vocational training as part of lifelong learning;

having regard to the presidency conclusions of the European Council meeting held in Barcelona on 15-16 March 2002;

having regard to the draft Opinion (CdR 49/2002 rev.) adopted by Commission — Culture and Education — on 22 March 2002 (rapporteur: Mrs Christina Tallberg, 1st vice-chairman of Stockholm county council (S/PES),

adopted the following opinion at its 44th plenary session on 15 and 16 May 2002 (meeting of 15 May).

**The Committee of the Regions' views and recommendations**

1. The Committee of the Regions welcomes the Commission communication 'Making a European area of lifelong learning a reality' as a further milestone in developing this European area.

2. The CoR agrees with the Commission's view that this process is not new and there is no intention to harmonise legislation or other provisions.

3. The CoR notes with satisfaction that the Commission views it as a major partner in cooperation, as reflected for instance in the Commission's update of specific tasks for the CoR.

4. The CoR observes that the broad definition on which the concept of lifelong learning is based has met with widespread approval in the consultation processes. The CoR welcomes this approach to learning from earliest childhood all through life and the fact that the lifelong learning dimension takes account of formal, non-formal and informal learning.

<sup>(1)</sup> OJ C 357, 14.12.2001, p. 36.

<sup>(2)</sup> OJ C 210, 14.8.1995, p. 74.

<sup>(3)</sup> OJ C 19, 22.1.2002, p. 26.

<sup>(4)</sup> OJ C 19, 22.1.2002, p. 23.

<sup>(5)</sup> OJ C 107, 3.5.2002, p. 111.

5. One important area of action is to promote participation in society, active citizenship and awareness of our individual rights and duties as members of society. It is important not to create further gaps but to give everyone an opportunity to participate actively in working life and as a member of the community. The wide variety of problems with which people with disabilities and other vulnerable persons have to contend require individual solutions, easy access and a well-developed infrastructure to satisfy differing needs.

6. The CoR would stress that the strategy for lifelong learning concerns the local and the regional level closely as it often shoulders political and economic responsibility for the education and training sector in the Member States. Frequently local and regional authorities act, alongside the social authorities, as coordinator for development and growth with responsibility for public welfare and infrastructure. They also exercise the role of employer, and are responsible for, as well as having an interest in, upgrading the skills of their workforce. However, the CoR considers that the Communication does not properly recognise the fundamental role played by regional and local authorities in designing and implementing strategies for lifelong learning and local learning partnerships.

7. The Committee of the Regions has taken note of the European agreement on an action plan for vocational training as part of lifelong learning, which was recently concluded between ETUC, UNICE and CEEP. The approach which characterises the agreement is in line with what the CoR is now advocating. The CoR plays a part in this action plan through the cooperation of the CEEP.

8. The CoR welcomes the Commission's recommendation that consultation networks on lifelong learning should be built on at all levels (national, regional and local) to support implementation. It regrets, however, that the Communication does not specifically mention regional and local authorities when it states that Member States, the European Economic Area and candidate countries should prolong, strengthen and expand established interministerial coordination structures to promote internal policy coherence.

9. The CoR endorses the communication's structure, including 'coherent and comprehensive lifelong learning strategies', 'priorities for action' and 'driving forward the agenda'. However, strategies at European, national and regional/local level must be conducted in tandem and an outdated 'top-down' hierarchical approach to implementation must be avoided. Greater account now needs to be taken of the key role that local and regional authorities will play in the future development of a European area of lifelong learning.

10. The CoR is pleased to note that one of the cornerstones of the Commission's strategy is the building up of partnerships at local level, to include local authorities, schools, universities, further education institutions and other education service providers, the business sector, employment offices and local associations. This will result in new forms of networking. Contacts between schools and the workplace can profitably be extended to encompass other forms than traditional study visits and traineeships. Especially as businesses in the new knowledge-based economy are keen to stimulate curiosity, entrepreneurship and an overall view in pupils rather than the narrow application of unconnected elements. Students can also contribute by bringing their knowhow into businesses. However, the CoR believes that partnerships at regional level are also essential and should be specifically mentioned in the Communication.

11. The CoR considers that partnerships can help foster a new, more open learning environment in schools and businesses. Schoolwork will less and less be a closed activity targeted solely on full-time students. Instead it will operate in closer contact with local businesses. The learning environment will also change as a result of greater emphasis on virtual input. In addition, the role of libraries in providing open learning environments for all members of society should be supported.

12. The new, more open learning environment that will be typical of the school of the future requires support for teacher training and in-service training and local learning centres so as to develop the teacher's role. The CoR welcomes the Commission's proposal for targeted support measures for such action — for instance, channelled through the European Investment Bank. To cope successfully with the teaching role in lifelong learning, it is also necessary to encourage teachers to feel constantly responsible for their own development.

13. The CoR would stress that the new vision and approach focusing on learning in a variety of forms — as opposed to instruction — will make demands on colleges, further education institutions and research institutions in the shape of education and research in lifelong learning.

14. Learning requirements can be ascertained in different ways on the basis of the views expressed by individuals, groups, the workplace and civil society organizations. In a knowledge-based Europe this debate on educational needs will have to be conducted on a local and regional basis.

15. The CoR would also stress the importance of pursuing a forward-looking discussion taking heed of the messages emitted locally/regionally by society, by the workplace and different businesses, varying from innovative and more growth-oriented sectors with modern working structures to more traditional firms/sectors whose working methods have not changed.

16. Alongside what are more traditionally considered to be basic skills, the CoR would highlight a number of other aspects, such as understanding, respect and empathy for our fellow citizens, regardless of ethnical background, language or religion, combined with an appreciation of the value of Europe's linguistic, cultural and natural diversity.

17. Some other major skills in meeting the challenges of today are:

- an overview of one's own learning,
- the capacity to operate and work together with others,
- the capacity to understand different viewpoints,
- the capacity to deal with complex issues and a flood of information,
- the capacity to present oneself, speak in public and express viewpoints.

18. The CoR shares the Commission's view that increased investment in education must fit into strategies framed at local level. It also insists that investment in education must take account of strategies at regional level. A debate is needed on the respective responsibility of society and entrepreneurs for education.

19. The CoR considers that special support must be made available for accessing various forms of 'second chance' educational opportunities. Increasingly demand is focused on education or training at college or post-secondary level. Hence those who so wish must have access to education at this level without being held back by geographical, social, private finance or other obstacles.

20. Further, local/regional authorities and other players must be equipped to operate and develop local lifelong learning facilities at times, in places and at a pace which suit different individuals. Information and communication technologies continue to gain ground and to create new,

flexible learning opportunities which are quite different from more traditional distance education. It is also important to enable those who so need or wish to move ahead in the company of others, to the potential benefit of both the learning process and social harmony.

21. The CoR agrees on the need to develop a positive learning culture. As the platform for lifelong and life-wide learning, perhaps the most important task of primary and secondary schools and adult education institutions is constantly to stimulate curiosity and the desire to learn. Particular emphasis must be placed on encouraging persons who have less positive memories of their schooldays or who are otherwise lacking in motivation. In particular, it is important to improve the learning opportunities for young school drop-outs and immigrants so as to provide them with the prerequisites necessary for lifelong learning.

22. In future a major feature of local and regional lifelong learning infrastructure will be the evaluation of knowledge and skills — regardless of whether they have been acquired through formal, non-formal or informal learning. The CoR would stress the importance of steering clear of complicated technical assessment systems or systems where individuals are regarded as objects rather than being given the support they need to get their skills recognised and documented. Such systems can be expected to frighten people off and prove counterproductive. It is therefore necessary to see the individual as an information carrier. The CoR urges that it be involved in continued efforts in this area of action. The Central European Language Portfolio, already in use in many countries, is an example of this.

23. The CoR would like to stress that it must be allowed to play an active role in promoting lifelong learning at local and regional level. The prospects for developing existing town twinning system schemes and fostering new contacts are favourable. By making full use of new information and communication technologies, further opportunities will be created for building bridges between different forms of learning in different parts of Europe. The CoR looks forward to working with the Commission to find new innovatory ways of identifying best practice in lifelong learning at local and regional level.

24. The CoR welcomes the Commission's resolve to provide support in different forms for the networking of regions and cities with successful lifelong learning strategies. It is keen to cooperate in such action with a view to building on experiences and good practice.

25. The Commission announces the framing of European recommendations regarding quality evaluation in education. In the CoR's view, it is important for such tools to be developed to support various players in their drive for constant improvement in meeting fixed targets, expectations and demands — but not as a central system of checks based on rigid routines.

26. The CoR welcomes the development of a limited number of indicators but feels that it is vital to draw on the lessons learned in the context of the OECD's work. The CoR would willingly participate in this process.

27. The CoR feels that one prerequisite for maintaining the momentum of a lifelong learning process is to involve the

local and regional level throughout the EU in lively dialogue and discussion of programmes of action. The Committee suggests that there should be a substantial number of local and regional representatives on any planned or possible future bodies, in order to ensure that consultation and formulation of proposals with respect to lifelong learning are of the highest quality.

28. Future efforts to make lifelong learning a reality must involve the CoR, as the representative of the local and regional level in Europe. The Commission's communication has specified a large number of practical tasks. It is important for these to be regularly updated with the CoR. This could be done — as we have already pointed out in our Opinion on the Commission's memorandum on lifelong learning — through a Commission-CoR joint committee.

Brussels, 15 May 2002.

*The President*

*of the Committee of the Regions*

Albert BORE

**Opinion of the Committee of the Regions on:**

- **the 'Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on alternative fuels for road transportation and on a set of measures to promote the use of biofuels',**
- **the 'Proposal for a Directive of the European Parliament and of the Council on the promotion of the use of biofuels for transport', and**
- **the 'Proposal for a Council Directive amending Directive 92/81/EEC with regard to the possibility of applying a reduced rate of excise duty on certain mineral oils containing biofuels and on biofuels'**

(2002/C 278/09)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on alternative fuels for road transportation and on a set of measures to promote the use of biofuels, the Proposal for a Directive of the European Parliament and of the Council on the promotion of the use of biofuels for transport, and the Proposal for a Council Directive amending Directive 92/81/EEC with regard to the possibility of applying a reduced rate of excise duty on certain mineral oils containing biofuels and on biofuels [COM(2001) 547 final — 2001/0265 (COD)];

having regard to the Council decision of 18 January 2002, under Article 175(1) of the Treaty establishing the European Community, to consult the Committee on this matter;



having regard to the decision of its Bureau of 6 February 2002 to entrust the Commission for Sustainable Development with the preparation of the opinion;

having regard to the draft opinion adopted by Commission for Sustainable Development on 25 March 2002 (CdR 34/2002 rev. — rapporteur: Mr Bocklet, Minister of State for Federal and European Affairs in the Chancellery Office of the Free State of Bavaria, D-EPP),

adopted the following opinion at its 44th plenary session of 15 and 16 May 2002 (meeting of 15 May).

The Committee of the Regions,

1. welcomes the Commission's efforts to promote the use of biofuels through two Community directives;

considers that the communication and proposed directives on greater use of renewable energy sources are, in principle, a step in the right direction, given the commitments under the Kyoto Protocol and, in particular, the transport sector's considerable and growing share of fuel consumption. The communication and proposed directives are also important from the point of view of the Community's energy self-sufficiency and agricultural and employment policies;

with regard to Article 2 of the Directive on the promotion of the use of biofuels for transport, notes that pure plant oils should be specifically defined as biofuels in part A of the Annex, since promising developments are under way to use plant oils as fuel, either in their pure form or blended with diesel. Provision must be made to incorporate the quantities used in this way into the calculation of biofuel share;

2. notes, however, that the proposal for a Directive on the promotion of the use of biofuels for transport (COM(2001) 547 final — COD 2001/0265), in particular Article 3(1), should be amended to allow Member States to retain the right to determine the range of instruments to be included in national emission reduction programmes, the priority areas and the timetables for increasing the share of renewables. There is no justification on cost-effectiveness grounds for the European Community to require each Member State to ensure that biofuels account for 2 % of all gasoline and diesel sold on its markets by the end of 2005;

3. with regard to Article 3 of the Proposal for a Directive on the promotion of the use of biofuels for transport, notes

that the minimum market shares provided for therein can only be achieved if biofuels are exempted from excise duty. This is the only way to give farming and the processing sector the security needed to plan the requisite investments for producing and marketing biofuels;

4. with regard to Article 8c(2) of the Proposal for a Directive amending Directive 92/81/EEC, considers that tax on pure biofuels and blends containing more than 50 % biofuel should be reduced by more than 50 %;

5. with regard to Article 8b and Article 8c(3) of this directive, notes that the reduced rate of excise duty for pure biofuels and blends should be permitted without application procedures beyond 31 December 2003 and 31 December 2010 respectively until such times as the percentage shares set out in part B of the Annex to the Directive on the promotion of the use of biofuels for transport have been reached, and where these levels can only be reached or maintained by means of this incentive;

6. with regard to Article 8b of this directive, notes that biofuels generated by chemical conversion, e.g. rapeseed methyl ester (RME) or ethyl tertiary butyl ether (ETBE), must be included in the scope of the directive;

7. with regard to Article 8d of this directive, points out that the broader tax concessions for local public passenger transport, including taxis, and vehicles operated under the responsibility of a public authority, should be extended to the following additional environmentally sensitive fields: inland waterway vessels, motorboats, vehicles used at dams and gravel pits, the entire agriculture and forestry sectors and their upstream and downstream industries, and applications in mountain areas such as piste groomers and supply facilities for mountain chalets (vehicles, electricity and heating, combined heat and power installations, cableways).

Brussels, 15 May 2002.

*The President  
of the Committee of the Regions*  
Albert BORE

### Opinion of the Committee of the Regions on

- the ‘Proposal for a Regulation of the European Parliament and of the Council on genetically modified food and feed’,
- the ‘Proposal for a Regulation of the European Parliament and of the Council concerning traceability and labelling of genetically modified organisms and traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC’, and
- the ‘Proposal for a Regulation of the European Parliament and of the Council on the transboundary movement of genetically modified organisms’

(2002/C 278/10)

THE COMMITTEE OF THE REGIONS,

having regard to the Proposal for a Regulation of the European Parliament and of the Council concerning traceability and labelling of genetically modified organisms and traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC — COM(2001) 182 final — 2001/0180 (COD);

having regard to the Proposal for a Regulation of the European Parliament and of the Council on genetically modified food and feed — COM(2001) 425 final — 2001/0173 (COD);

having regard to the Proposal for a Regulation of the European Parliament and of the Council on the transboundary movement of genetically modified organisms [COM(2002) 85 final — 2002/0046 (COD)];

having regard to the Proposal for a Directive on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC — COM(2000) 293 final;

having regard to the decisions taken by the Council on 15 September and 2 October 2001 and 1 March 2002 to consult it, under the first paragraph of Article 265 and Articles 152 and 175 of the Treaty establishing the European Community;

having regard to its Bureau’s decision of 6 February 2002 to instruct the Commission for Sustainable Development to draw up the opinion;

having regard to its Opinion of 12 April 2001 on the Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on the White Paper on Food Safety — COM(1999) 719 final (CdR 77/2000 fin) (1);

having regard to its Opinion of 14 June 2001 on the establishment of a European Food Safety Authority (CdR 64/2001 fin) (2);

having regard to the draft opinion adopted by the Commission for Sustainable Development on 25 March 2002 (CdR 33/2002 rev. — rapporteur: Mr Bertrand, Mayor of Saint-Silvain-Bellegarde, F/EPP),

adopted the following opinion at its 44th plenary session, held on 15 and 16 May 2002 (meeting of 16 May).

### POSITION AND RECOMMENDATIONS OF THE COMMITTEE OF THE REGIONS

#### Preamble

1. In the light of the technical, scientific and legal aspects of the current situation — both within and outside the EU — there is a need to flesh out EU rules on genetically modified

food and feed products. The forthcoming establishment of the European Food Safety Authority also increases the need to take action in this respect. The Committee of the Regions supports the European Commission’s proposal aimed at ensuring coherent application of a body of EU rules enhancing food safety throughout the EU.

2. The Committee of the Regions is in favour of establishing a body of rules which would ensure transparency as regards the use of GMOs in the agri-food chain. There is a need for transparency, in respect of both the authorisation procedure and also the traceability of genetically modified products throughout the agri-food chain. With this aim in view, the

(1) OJ C 226, 8.8.2000, p. 7.

(2) OJ C 357, 14.12.2001, p. 22.

Committee of the Regions points out that the concept of 'from farm-gate to plate' seems to be too limiting as the agri-food chain extends from the suppliers of industrial products to farmers, right up to the final consumer. The Committee of the Regions therefore prefers to use the expression 'from plough to plate'.

3. The rules must also enable purchasers — be they intermediate users, such as stock-breeders, or final consumers — to exercise freedom of choice. Information must be comprehensive and clear and afford health and legal protection to the users of both food and feed products.

4. The Committee of the Regions stresses that 'traceability' and 'labelling' are different and complementary concepts. 'Traceability' implies the establishment of a monitoring system which makes it possible to trace the history and origin of a product. 'Labelling' provides transparency in commercial transactions. Labelling also involves a commitment and a legal liability on the part of the body which affixes the label to the product concerned.

5. The Committee of the Regions takes the view that the goal of affording a high level of protection for life, health and the environment can be achieved only through a coherent body of Community rules, defining the responsibility of all the players in the agri-food chain. This should also boost consumer confidence with regard to public health and food safety.

#### **Development of Community rules and the current situation**

6. The body of Community rules in force since the early 1990s has been supplemented and fine-tuned over the last ten years. Directive 90/219/EEC, which has itself been amended, deals with the contained use of genetically modified micro-organisms for research or for industrial purposes.

7. The first rules with regards to authorisation procedures were set out under Directive 90/222/EEC on the deliberate release into the environment of genetically modified organisms. This Directive covers the marketing of GMOs and products consisting of or containing GMOs, but it does not cover products derived from GMOs. This Directive provides for an environmental assessment and a step-by-step authorisation. The Directive requires a case-by-case assessment of the risks to human and animal health and the environment to be carried out before any genetically modified organisms are released into the environment in any of the EU Member States.

8. Directive 2001/18 as subsequently amended will come into force in October 2002; this Directive will carry forward and strengthen the current laws by:

- enhancing the effectiveness and the transparency of the decision-making process whilst, at the same time, ensuring a high level of protection of human health and the environment;
- clarifying a number of operational aspects, relating, inter alia, to the scope of the measures;
- promoting the harmonisation of the risk assessment;
- improving the transparency of the decision-making process through consultation, the establishment of reports on ethical issues and the participation of the public in the authorisation process;
- improving checks on the dissemination of GMOs into the environment by making it mandatory for the Member States to take measures to ensure traceability and the provision of labelling at all stages in the marketing of products and by strengthening the monitoring plans in respect of GMOs.

9. Regulation (EC) 258/97 on novel foods and novel food ingredients lays down rules governing the authorisation and labelling of food products derived from GMOs and other novel foods. The Regulation does not, however, specify how this information is to be presented and it does not define the concept of 'equivalence'. And Regulation 50/2000 fails to stipulate a threshold in respect of adventitious presence. The situation is identical with regard to products derived from GMOs and intended for use in feed products since no specific provision has been introduced in respect of the labelling of products derived from GMOs. The proposals under review provide the requisite information on the concept of 'equivalence' and the threshold in respect of adventitious presence.

10. On 24 May 2000 the European Community and all its Member States signed the Cartagena Protocol on Biosafety. This multilateral agreement was intended to include all the main GMO-producing countries. It was drawn up in order to improve the level of protection in the field of the transboundary movement, handling and use of living modified organisms. In the current proposal<sup>(1)</sup>, the Commission proposes ratification of the Protocol. The Protocol can enter into force only on the ninetieth day after the date of deposit of the fiftieth instrument of ratification by the parties to the Convention. The Committee of the Regions, together with the Member States and the European Parliament, are in favour of the rapid ratification of the Protocol.

<sup>(1)</sup> COM(2002) 85 final.

**Proposal for a Regulation of the European Parliament and of the Council on genetically modified food and feed <sup>(1)</sup>**

11. The Commission's proposal sets out the following provisions:

- an improved, harmonised, uniform and transparent procedure for the safety assessment of genetically modified food;
- a safety assessment and an authorisation procedure for genetically modified feed, based on the same improved and transparent authorisation procedure as for genetically modified food;
- that authorisation should not be granted for a single use either as food or feed in cases where such products are likely to be used both as food and feed;
- harmonised and comprehensive labelling requirements for genetically modified feed in order to provide users with accurate information about composition and properties.

12. The proposal under review covers products 'produced from a GMO' but not products 'produced with a GMO'.

13. The Committee of the Regions welcomes the strengthening and clarification of the assessment procedure for genetically modified food and feed by the Commission which is aimed at establishing the necessary regulatory basis for ensuring a high level of protection of human life and health.

The opinion of the European Food Safety Authority should provide the scientific guarantee under the authorisation procedure. With this aim in view, the Committee of the Regions reiterates the view expressed in its earlier opinion that the European Food Safety Authority should be set up as soon as possible; this is a prerequisite for the implementation of the two draft Regulations under review.

14. The Committee of the Regions particularly welcomes the application of the 'one door — one key' procedure which will make it possible to follow up applications for authorisation more effectively and accelerate authorisation. This should enhance consumer safety and bolster confidence. Experience has shown that products able to be used either as food or as animal-feed need to meet both the criteria applicable to food and those for animal-feed.

15. In order to ensure safety and secure the confidence of consumers and all the players in the agri-food chain, food authorisation should hinge upon observance of the following criteria:

- absence of risk to human or animal health or to animal feed;
- the need to inform users and consumers.

16. The Committee of the Regions takes the view that the establishment of the threshold in respect of the procedure for authorising the placing of products on the market is a contributory factor to ensuring the necessary public-health and legal safety. In this context, the threshold level set should be applicable throughout the agri-food chain and be based on the 'trace concept' used to define the purity of food products. Furthermore, the Committee of the Regions stresses that this threshold must be consistent with the establishment of other thresholds, for example the threshold for the mandatory labelling of genetically modified seeds (Directive 98/95/EC).

17. The authorisation procedure applies to food and feed containing a GMO or produced from a GMO. The Committee of the Regions highlights the need for Community law to be made more coherent in the case of food products requiring specific applications for marketing authorisation, namely food additives, baby-food, infant formulae and food supplements. In the case of these products authorisation is valid for a maximum period of ten years, which can be extended, depending on the results of a monitoring plan.

18. The Committee of the Regions supports the establishment of a Community Register of Genetically Modified Food and Feed which lists product information, studies demonstrating that the product is safe and methods of detection. The Committee of the Regions recommends that the Commission facilitate public access to this Community Register and specify the terms of access in order to ensure that people are fully informed as to these food products.

19. The Committee of the Regions feels that the transitional period during which existing authorisations for placing products on the market are maintained should end as soon as possible.

20. The Committee of the Regions supports the proposal made by the Commission in the draft Regulation that the products in question should be labelled since the current provisions are difficult to implement, difficult to enforce against third parties and do not ensure total transparency, either for the final consumer or the various operators, such as stock-breeders.

<sup>(1)</sup> COM(2001) 425 final — 2001/0173 (COD).

21. The Commission proposes to extend these labelling provisions to food and animal feed irrespective of the detectability of DNA or protein. The Committee of the Regions expresses reservations over this extension for the following reasons:

- the recent health scares have demonstrated that documentary traceability is not sufficient in itself to enable animal feed to be strictly monitored;
- the only way to ensure that commercial transactions are not fraudulent is by means of checks based on the detection of DNA or protein in a product placed on the market.

22. Purchasers (users or final consumers) must be able to select the quality of the food which they buy in a fully informed way and on the basis of the legal, public health and commercial criteria which they set. The Committee of the Regions urges the Council and the European Parliament to draw a distinction, in the product description, between products containing GMOs and products containing no further trace of GMOs.

**Proposal for a Regulation of the European Parliament and of the Council concerning traceability and labelling of genetically modified organisms and traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC<sup>(1)</sup>**

23. The Committee of the Regions supports the draft regulation which specifies the implementing provisions in respect of the traceability and labelling of genetically modified food and feed.

24. The Commission proposes that these implementing provisions be applicable both to food produced in the EU and imported food. Responsibility for checking imported food rests with each of the Member States, which will also determine the penalties for fraudulent practices.

The Committee of the Regions supports the formulation of this principle and the clarification of responsibilities in the Community.

The Committee of the Regions wishes, however, to underline the fact that the implementing provisions set out in the draft regulation do not make for coherence between measures relating to the traceability of products imported into the EU and the additional measures we would like to see, over and above, for example, those set out in the Cartagena Protocol.

25. The Committee of the Regions calls for the Commission to be authorised to seek to harmonise assessment procedures for genetically modified food and feed and to seek to align the traceability measures applicable at international level with those which will apply in the EU.

**Proposal for a Regulation of the European Parliament and of the Council on the transboundary movement of genetically modified organisms<sup>(2)</sup>**

26. The Committee of the Regions supports the procedure set out in the Cartagena Protocol for the following reasons:

- a) the need for the exchange of information between the exporter and the importer by means of complete notification before the first transboundary movement,
- b) the establishment of a system for the exchange of information before products are placed on the market,
- c) the establishment of a link between bilateral agreements and Community law, leaving the Member States scope, for example, to apply Community law rather than the provisions of the Protocol in relation to movements of GMOs within the European Union and the European Economic Area,
- d) recognition of the Community procedure for authorising the placing on the market of GMOs, with the opinion of the European Food Safety Authority.

27. The Committee of the Regions supports the proposed implementing strategy, i.e.:

- e) imposing obligations on exporters which do not exist in European law,
- f) applying current Community law to importers in the European Union.

28. The Committee reiterates its support for ratification of the Cartagena Protocol. The proposal concerns the specific requirements for exports of GMOs to non-Community countries, but the protocol deals exclusively with living modified organisms. This means that it is not always possible to lay down the detailed arrangements for the traceability and labelling of products containing a 'non-living' GMO or derived from a GMO imported from a non-Community country.

<sup>(1)</sup> COM(2001) 182 final — 2001/0180 (COD).

<sup>(2)</sup> COM(2002) 85 final — 2002/0046 (COD).

29. The Committee of the Regions stresses the importance of the exchange of information between Member States in the case of unintentional transboundary movements. To the extent that food safety is concerned here, the Committee of the Regions proposes that the early warning system be integrated into the procedure. The Committee of the Regions calls on the Commission to ensure that suitable procedures are established by each of the Member States.

30. The Committee of the Regions notes that the proposal for a Regulation does not tackle the issue of legal liability in the event of withdrawal arising from an unintentional movement of GMOs, so as to provide the food chain players with legal certainty.

31. The Committee of the Regions endorses the conclusions of the Lisbon European Summit which aim to turn the EU into an area of knowledge and competitiveness based in particular

on biotechnologies. The CoR would like to see greater consideration given to food safety in world trade while maintaining the overall competitiveness of the EU's regions in the trading of agri-food products.

### Conclusion

32. The Committee of the Regions feels that the introduction and implementation, at Community level, of the two draft Regulations will enhance both the quality and the safety of EU products and provide purchasers (users and consumers) with more information in order to enable them to exercise freedom of choice. The Committee of the Regions calls for the extension of this requirement beyond the borders of the Community.

Brussels, 16 May 2002.

*The President*  
*of the Committee of the Regions*  
Albert BORE

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### **Opinion of the Committee of the Regions on the 'Proposal for a Decision of the European Parliament and of the Council amending Decision No 1254/96/EC laying down a series of guidelines for trans-European energy networks'**

(2002/C 278/11)

THE COMMITTEE OF THE REGIONS,

having regard to the report from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on the implementation of the guidelines for Trans-European Energy Networks in the period 1996-2001;

having regard to the Communication from the Commission to the European Parliament and the Council on European Energy Infrastructure;

having regard to the proposal for a Decision of the European Parliament and of the Council amending Decision No 1254/96/EC laying down a series of guidelines for trans-European energy networks (COM(2001) 775 final);

having regard to the decision of its President of 8 April to appoint Mauro Pili, President of the Autonomous Region of Sardinia (I/EPP), as Rapporteur-General responsible for drafting an opinion on this matter, in accordance with Rule 40(2) of the Rules of Procedure;

having regard to Articles 154, 155, 156, 158 and 265 of the Treaty of Amsterdam, in particular Article 154(2) which stipulates that Community action must '... take account in particular of the need to link island, landlocked and peripheral regions with the central regions';

having regard to Decision No 1254/96/EC of the European Parliament and the Council of 5 June 1996 laying down a series of guidelines for trans-European energy networks;

having regard to Decision No 1047/97/EC of the European Parliament and of the Council of 29 May 1997 amending Decision No 1254/96/EC laying down a series of guidelines for trans-European energy networks;

having regard to Decision No 1741/99/EC of the European Parliament and of the Council of 29 July 1999 amending Decision No 1254/96/EC laying down a series of guidelines for trans-European energy networks;

having regard to Commission Decision No 761/2000/EC of 16 November 2000 setting out the specifications for projects of common interest identified in respect of trans-European energy networks by Decision No 1254/96/EC of the European Parliament and of the Council, as amended by Decisions of the European Parliament and of the Council Nos 1047/96/EC and 1741/1999/EC;

having regard to Council Decision No 96/391/EC of 28 March 1996 laying down a series of measures aimed at creating a more favourable context for the development of trans-European networks in the energy sector;

having regard to Commission Recommendation 1999/28/EC of 14 December 1998 on improving the authorisation procedures for trans-European energy networks;

having regard to Council Regulation (EC) No 2236/95 of 18 September 1995 laying down general rules for the granting of Community financial aid in the field of trans-European networks, as amended by European Parliament and Council Regulation (EC) No 1655/1999 of 19 July 1999;

having regard to European Parliament and Council Directives 96/92/EC of 19 December 1996 and 98/30/EC of 22 June 1998 concerning common rules for the internal market in electricity and natural gas;

having regard to the European Commission Green Paper on Towards a European strategy for the security of energy supply (COM(2000) 769 final);

having regard to the Conclusions of the Stockholm European Council of 23 and 24 March 2001;

having regard to the Conclusions of the Barcelona European Council of 15 and 16 March 2002,

adopted the following opinion at its 44th plenary session of 15 and 16 May 2002 (meeting of 16 May).

## 1. General comments

1.1. The Committee of the Regions broadly welcomes the initiative of the Parliament and the Council to draw up a series of new guidelines on trans-European energy networks.

In particular, it endorses the need to revise the guidelines on trans-European energy networks (TEN-Energy) taking into account the developments since 1996 (implementation of the directives on the liberalisation of the electricity and natural gas markets, increase in dependence on external supplies, establishment of more ambitious objectives concerning the market penetration of renewables).

1.2. The Committee also endorses the proposal to identify a distinct category of priority projects among the projects of common interest. These priority projects will have the potential to impact significantly upon the key objectives of energy policy, i.e. the establishment of a competitive internal market and strengthening security of supply.

1.3. The Committee welcomes the proposal to rearrange the policy priorities in order that the key policy criteria regarding TEN-Energy effectively reflect the current needs of the network, by introducing alongside the political priorities on the security of supply, enlargement and cohesion (interoperability of electricity networks, development of infrastructure in the gas sector and linking outlying regions with the development of ultra-peripheral regions) two new political priorities: implementation of measures to support the creation of an internal market, and connecting renewable energy production to the interconnected energy networks.

1.4. In specific terms, the proposal to rearrange the policy priorities highlights the direct contribution which TEN-Energy can make to the development of energy policy and to policies fostering sustainable development, regional development and enlargement.

1.5. The Committee has already expressed its views on the regional development aspects, highlighting that the priorities

defined by the European Commission should apply to island regions as well as ultra-peripheral regions.

1.6. The Committee endorses the need to identify priority axes and welcomes the proposal to give a broader definition to projects of common interest specifying, on the basis of appropriate assessments, a set number of thematic projects of particular strategic value, replacing the current 90 (1). This will enable a greater degree of flexibility and a more balanced implementation of the TEN-Energy policy and programme.

## 2. Comments on the priorities

2.1. Nonetheless, it is very clear that the identification of priority axes, as laid down in the text and detailed in the respective appendix, has led to geographical and strategic choices that are rather more prescriptive than was warranted by the need to propose modifications to the relevant documents.

The Committee considers that the criteria and strategies adopted by the European Commission should be identified, in particular those determining the list of priority projects. In this context, the Committee thinks that the Commission should clearly identify the peripheral and isolated situation of a region as a principal criterion when selecting priority projects.

2.2. Concerning the priority axes for the electricity networks, the Commission undertakes to select five priority projects but then puts forward seven (2), and these seven projects appear to be neither in any specific order nor part of an economic strategy, although they identify geographically-specific interconnections.

When deciding on the priority axes and especially in applying them to the proposed priority projects which will receive maximum levels of funding, the Committee emphasises the need for a clearer identification of the structural and strategic nature of the support. To this end, the Committee considers that it is strategically important for the Union to ensure a balance in capacity to diversify sources of energy supply, respect for internal cohesion — especially regarding outlying regions isolated from the rest of the continent — and economically-sound projects.

2.3. It would seem logical to suggest that the level of contributions given should also depend upon the need for intervention in areas which, as well as facing significant energy shortages, also have a population density and distribution which renders provision of infrastructure particularly problematic.

Where population distribution is especially thin, or in areas presenting particular geographic problems — these conditions constituting a clear obstacle to an economic management of energy policy — the granting of aid could restore the basic conditions of competitiveness needed to bring these areas on a more equal footing with those where infrastructure provision is easier.

The comments put forward in reference to the electricity networks are even more important considering the content of the section on natural gas networks.

2.4. The strategic choices adopted during the general planning session could also, usefully, refer to relatively specific geographic locations, provided they are adopted on the basis of detailed justifications, thorough economic assessments and are instigated by the Member States themselves.

These decisions are extremely important, both politically and economically, and therefore must be the result of a detailed and consensual procedure.

2.5. The report shows the need to further develop natural gas pipelines in view of a constant increase in consumption by Member States. This process is one of the main planks of Community energy policy. This issue, however, must be tackled with the international situation in mind, which is by all accounts complex and often difficult to interpret.

2.6. By laying down the mechanism to identify the priority axes (which, as pointed out earlier, demands further clarification) the document effectively maps out the future lines of Community energy supply in a way which makes clear, alternative choices to those put forward by the Member States.

2.7. In the light of the previous considerations, there is a clear need to redress the balance between the major importance of the decisions adopted and the method of assessment used to reach them.

Firstly, it should be noted that such decisions need a more substantive justification and must be coherent with the indications given in the report (3).

(1) See point 4 II of the Explanatory memorandum

(2) See footnote 1 and Article 6a(2) of the proposal for a decision.

(3) Cf. the incoherence between the indicative map of gas supply projects for Europe and the map in Appendix II on the specifications of projects of common interest: natural gas.



The axes and projects of common interest should have a strategic value in the general interest of the European energy system. Such decisions should therefore be reached only after having compared alternative proposals listed in the report or in the proposal for a decision.

2.8. Therefore the Committee considers it necessary to carefully assess the outcome of the considerations on the feasibility of projects before any subdivision between common and priority projects can reasonably be made.

The decisions taken on this matter must be consensual and must take into account the relative merits of proposals put forward by the Member States referred to.

Further consideration of the proposals and scenarios put forward by the Member States is vital to ensure proper planning which takes into due account the need to redress the balance of energy infrastructure as set out in the strategic policies in support of economic development pursued by individual Member States.

In this respect it is essential to bear in mind the stance taken by the Member States in supporting and promoting initiatives in their interest. In some significant cases, they may already have made specific financial commitments or taken appropriate procedural steps.

### **3. Comments on the role of regional and local authorities**

3.1. According to the explanatory memorandum, 'the measures in force concerning information and consultations with the public in the framework of Community environmental legislation will be respected.'<sup>(1)</sup> This duty of Community action must be underscored more strongly when addressing the key issue of the balance between developing energy networks and environmental sustainability.

In several places the report states that concerns over environmental matters have contributed to the stalling and even definitive abandon of projects<sup>(2)</sup>.

<sup>(1)</sup> See point 1.

<sup>(2)</sup> Cf. the increase in capacity for trade in electricity between Spain and France.

3.2. The most important and substantial improvement of current operating conditions can only be obtained by improving and increasing the involvement of local authorities in general (and of regional authorities in particular) in the decision-making process, both when adopting the strategic choices and when defining project specifications.

3.3. Over and above the need to provide for the involvement of a CoR representative in the work of the TEN — Energy Committee, it should be a matter of priority to involve local authorities in identifying and defining projects for intervention, with particular reference to the criteria determining environmental sustainability.

3.4. The Committee recommends the adoption of specific decisions coupling the promotion and support of projects in the interest of the Union with the participation and involvement of regional and local authorities.

3.5. The Committee also recommends the adoption of specific decisions aimed at encouraging initiatives of regional and local interest that have a high environmental value, such as the introduction of renewables in a variety of forms and projects promoting the co-generation of heat and electricity.

### **4. Comments on the role of energy policy in respect of third countries**

4.1. The document and the Decision on several occasions rightly raise the problem of the strategic role of energy infrastructure in the Union's ongoing eastward enlargement. It is important to emphasise the need to diversify sources of energy. This diversification process must take into account two areas of extreme political and economic importance: the Balkans and the Mediterranean.

4.2. In the short term, the Balkans should provide a revolving platform for the European Union, able to connect EU Member States to the energy reserves in the Caspian Sea via the Adriatic and the Black Sea. This could foster the development of a system of infrastructure, electricity networks and gas pipelines to improve connections between the south-eastern and central-eastern regions of Europe. Such a system would also encourage smoother reintegration of the whole former Yugoslav territory into the European regional context.

4.3. The Committee also notes the key role the energy sector plays for the Mediterranean basin, which constitutes a further geographic, economic and trade area in which the Union simply cannot fail to develop key infrastructure.

In this context, developing energy infrastructure with a view to strengthening trade relations between the southern Mediterranean states and the European Union is important not only for the evident economic value it represents, but also for the significant impact it has on strategic international relations.

The Mediterranean basin in particular, but not exclusively, offers EU Member States trade and development opportunities such as to warrant the definition of a specific initiative on 'EuroMed energy'.

## 5. Recommendations

The Committee calls for the following changes to the proposed European Parliament and Council Decision amending Decision 1254/96/EC laying down a series of guidelines for trans-European energy networks.

### 5.1. Article 4

Paragraphs 2, 3 and 4 of Article 6 to be replaced with the following text:

'2. The Committee referred to in Article 9 shall be responsible for identifying projects of interest and shall assess the viability of these projects in cooperation with the relevant regions, on the basis of the provisions laid down in Article 6(8), while also considering possible specific measures adopted by the Member States designed to promote and cofinance individual projects'.

### 5.2. Article 6a: Reword as follows:

- a) they must have a significant impact on the competitive operation of the internal market; and/or
- b) they must strengthen security of supply in the Community, with particular reference to redressing the balance of the Member States' import and trade capacity;
- c) they must constitute a precondition for support for the development of island regions, regions without access to the networks and ultra-peripheral regions.

'The Committee referred to in Article 9 shall be responsible for identifying the ten priority projects, five per sector, from among the projects of common interest, and shall propose the adoption of the choices made by means of a Commission decision'.

### 5.3. Article 9

Reword as follows: '1. The Commission shall be assisted by a Committee, to be called the TEN-Energy Committee composed of representatives of the Member States and of a representative of the Committee of the Regions, and chaired by the representative of the Commission.'

### 5.4. Article 10

Reword as follows: 'Every two years the Commission shall draw up a report on the implementation of this Decision, which it shall submit to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions'.

Brussels, 16 May 2002.

*The President*  
*of the Committee of the Regions*  
Albert BORE

**Opinion of the Committee of the Regions on the 'Information Note from the Commission: Common Financial Framework 2004-2006 for the Accession Negotiations'**

(2002/C 278/12)

THE COMMITTEE OF THE REGIONS,

having regard to the Information Note issued by the Commission on 30 January 2002: Common Financial Framework 2004-2006 for the Accession Negotiations (SEC(2002) 102 final);

having regard to its Bureau's decision of 12 March 2002, under the fifth paragraph of Article 265 of the Treaty establishing the European Community, to instruct the Commission for External Relations to draw up an own-initiative opinion;

having regard to the draft opinion (CdR 71/2001 rev.) adopted by the Commission for External Relations on 3 April 2002 [rapporteur: Lord Hanningfield, Essex County Council (UK/EPP)];

having regard to the Issues paper published by the Commission on 30 January 2002: Enlargement and Agriculture: Successfully Integrating the new Member States into the CAP (SEC(2002) 95 final);

having regard to the Commission Communication published on 30 January 2002: First Progress Report on Economic and Social Cohesion (COM(2002) 46 final);

having regard to the Presidency Conclusions of the Berlin European Council, 24 and 25 March 1999;

having regard to its opinion on The Regional Implications of the Common Agricultural Policy on Enlargement of the EU (CdR 416/2000 fin) <sup>(1)</sup>;

having regard to its opinion on Supporting the Development of Institutional Structures at Local and Regional Level in the Applicant Countries (CdR 102/2001 fin) <sup>(2)</sup>;

having regard to its opinion on the Second Report on Economic and Social Cohesion (CdR 74/2001 fin) <sup>(3)</sup>;

having regard to its opinion on Reform of the CAP — Developing Rural Competitiveness (CdR 526/1999 fin) <sup>(4)</sup>;

having regard to its opinion on the Regional Impact of European Agriculture and Rural Policy (CdR 253/2000 fin) <sup>(5)</sup>;

having regard to its opinion on Agenda 2000: the Financing of the European Union after 1999 Taking Account of Enlargement Prospects and the Challenges of the 21st Century (COM(97) 2000 final — CdR 303/97 fin) <sup>(6)</sup>;

having regard to the report of the CoR-EU Applicant States Liaison Group 1998-2001 [R/CdR 448/2001 item 13a)];

whereas this wave of the enlargement of the European Union represents a challenge that will shape the face of Europe for generations and that has an impact on all areas of the debate on the future nature and structure of the European Union;

<sup>(1)</sup> OJ C 107, 3.5.2002, p. 3.

<sup>(2)</sup> OJ C 107, 3.5.2002, p. 32.

<sup>(3)</sup> OJ C 107, 3.5.2002, p. 27.

<sup>(4)</sup> OJ C 317, 6.11.2000, p. 7.

<sup>(5)</sup> OJ C 357, 14.12.2001, p. 29.

<sup>(6)</sup> OJ C 64, 27.2.1998, p. 40.

whereas local and regional government as the implementers of much of the *acquis* legislation will have a key role to play in the success of enlargement,

adopted the following opinion unanimously at its 44th plenary session of 15 and 16 May 2002 (meeting of 16 May).

## VIEWS AND RECOMMENDATIONS OF THE COMMITTEE OF THE REGIONS

### 1. General comments on the information note's contents

The Committee of the Regions

1.1. notes that in recent months attitudes towards EU membership in some of the candidate countries have begun to harden. There is a danger that in the run up to accession these attitudes could worsen if the negotiations with the candidate countries generate the perception that they are not entering the EU on fair terms;

1.2. notes that within the financial framework the key issues are the Common Agricultural Policy and cohesion funding. 80 % of the European Union's current budget is spent on funding for farmers and the poorest regions;

1.3. recognises that simply extending current policies in full and with no transition period or phasing to the new post-accession Member States would impose a heavy financial burden on existing Members in the current support period. Against this background, the CoR stresses the need to keep the discussions on reform of the EU separate from the accession negotiations;

1.4. believes that a transitional period for full access to the Common Agricultural Policy and to the Structural Funds is also in the best interests of the candidate countries. The forthcoming accession of new countries once again underlines the long overdue reform of the CAP;

1.5. supports the position adopted by the Commission that the expenditure ceilings agreed in Berlin for the period until 2006 should be adhered to and adjustments made to the Berlin Framework on the basis of an assumption that up to ten new member states will join in 2004;

1.6. requests that in this case adjustments to the overall financial framework be reviewed to ensure that there are no disproportionately negative effects on regions either in the existing Member States or in the new post-accession Member States.

### 2. Agriculture

The Committee of the Regions

2.1. believes there is a need for further reform of the CAP that takes into account the role played by farming in sustaining the rural economy and that takes particular account of the difficulties faced by farmers in regions suffering natural handicaps whilst at the same time promoting sustainable, environmentally-friendly farming practices that should be promoted as the European model;

2.2. supports the unequivocal statement in SEC(2002) 95 final that in the longer term a two tier agricultural policy is not sustainable. Further reform of the CAP must ensure there is a Common Agricultural Policy for all Member States;

2.3. supports the adjustment of the Berlin scenario to ensure progressive access for farmers in the new Member States to direct payments within the overall financial ceiling of the Berlin framework;

2.4. agrees with the Commission that the urgent need for the restructuring of the agricultural industry in the new Member States would not be best served by immediate access to full direct payments and that immediate access to full direct payments might distort the position of agriculture in relation to other sectors of the economy and the position of rural areas in relation to urban ones;

2.5. considers that transition periods must go hand in hand with reforms of relevant EU policies on the basis of a clearly defined timetable, which must be the product of broad agreement between the 15 existing Member States;

2.6. notes the risk set out in SEC(2002) 95 final that in the early years after accession the restructuring process might be associated with rural unemployment and poverty and therefore that measures undermining semi-subsistence farming<sup>(1)</sup> and its welfare function could be counter-productive if no other safety net is available;

<sup>(1)</sup> In Poland national statistics suggest there are 350 000 semi-subsistence farms — 3-15 hectares in size.

2.7. supports the proposal set out in SEC(2002) 95 final that in order to cushion semi-subsistence farms against the effects of the Single Market, flat rate income support should be paid for a transitional period;

2.8. welcomes the proposal to simplify the basis upon which the new Member States might access funding in view of the relatively high administrative costs of processing a large number of payments for small farms <sup>(1)</sup>;

2.9. acknowledges the concerns that have been expressed in some candidate countries that the effect of these proposals will be to maintain funding disequilibria within the European Union that will benefit richer regions at the expense of poorer;

2.10. recommends, in view of the above, that in accordance with the qualitative argument put forward by the Commission for not fully extending the CAP to acceding countries and the statement in SEC(2002) 95 final that the EU positions 'should be designed so as to support in the best possible way the efforts undertaken by the candidate countries to restructure and modernise', a qualitative determinant should be in place for access to full CAP;

2.11. endorses the proposals of the Commission to increase social development expenditures up to 80 % of CAP payments within the Berlin financial framework.

### 3. Structural actions

The Committee of the Regions

3.1. recognises that in all the applicant countries effective regional policy and administration will be of the greatest importance in implementing the *acquis* and in enabling those countries to fully benefit from EU membership;

3.2. supports the adaptation of the profile of funding under the Berlin Framework to take into account the possibility of ten new Member States joining in 2004;

3.3. agrees with the Commission that capacity for absorption of such funding needs to be taken into account and that in order to boost absorption capacity more funding should be focused on cohesion fund expenditure;

3.4. recognises that promoting economic and social cohesion is a key element in the success of the EU. Enlargement to 25 would mean a widening of regional and territorial disparities unparalleled by any previous enlargement <sup>(2)</sup>. A balance must be struck between the needs of the new Member States and the needs of existing Member States who have not yet achieved convergence with EU standards. Likewise, all reforms or reviews of objectives and procedures concerning structural actions must take account not only of all the applicant States, but also of the poorest regions of the 15 existing Member States and those with structural deficiencies, given that considerable interregional differences will continue to exist among them;

3.5. believes that cohesion policy benefits the whole Union. It stimulates the demand for goods and services and increases the competitiveness of the Union providing opportunities for sustainable growth. The success of cohesion policy can be seen in the four cohesion countries (Spain, Ireland, Portugal and Greece) who have all moved closer to the community average for per capita GDP. In Ireland per capita GDP has risen from 64 % of the Community average in 1988 to 119 % in 2000. In the other three countries the movement has been, on average, from 68 % to 79 % of the Community average;

3.6. supports the position set out in COM(2002) 46 final that no region should see its Objective 1 structural funds support suddenly cut. The Commission must make clear, however, that this support must not have the effect of increasing Member States' budgetary commitments <sup>(3)</sup>;

3.7. wishes to see greater decentralisation of cohesion policy so that partnerships are managed at the local and regional level. Building up partnerships at the local level and involving local stakeholders is the key to the success of

<sup>(1)</sup> In most of the countries, at least half of the farms are less than five hectares (SEC(2002) 95 final).

<sup>(2)</sup> In a Union of 25 the ratio between the richest 10 % of regions and the least developed 10 % would rise to 4.5 compared to 2.6 in the present EU. The richest 10 % of regions would have GDP at 170 % of the Community average, for the least developed 10 % of regions GDP would be at 38 % of the Community average.

<sup>(3)</sup> In a Union of 25 the regions whose per capita GDP is less than 75 % of the Union average (threshold for Objective 1) will have a population of 115 million, 25 % of the total. 4 out of 10 inhabitants would be in the regions of existing EU Member States, the other 6 would be in the regions of candidate countries. The regions currently eligible for Objective 1 which after enlargement will be above the 75 % threshold contain 37 million people. Approximately 25 million of these people live in regions that will cease to be eligible because of the statistical fall in GDP average consequent upon enlargement. 12 million of these people live in regions that would have ceased to be eligible, regardless of enlargement, because of the success of convergence.

regional development strategies. The Commission should be more receptive to regional and local initiatives designed to promote cross-border cooperation at transnational and inter-regional level.

#### 4. Internal policies

The Committee of the Regions

4.1. welcomes the Commission's recognition of the priority to be laid on institution building. The work of the CoR's Enlargement Group has demonstrated the key role that local and regional authorities have to play in the successful functioning of the candidate countries within the EU. These countries still require a great deal of support to build up their local and regional governance structures. The successful future application of the *acquis* and the Union's agricultural and structural policies rely upon building up expertise, competence and capacity at the local and regional level;

4.2. The difficulties experienced by the candidate countries in benefiting from accessible resources through the Structural Funds now deserve close attention. Special measures must be taken to improve, as quickly as possible, the candidate countries' opportunities to receive support in an effective way. The Commission should take this into consideration — inter

alia — when deciding how Phare resources are to be used. An important question in the accession negotiations should be how EU resources can make a better contribution to building up stable local and regional structures in the candidate countries;

4.3. supports the additional funding for the safe decommissioning of nuclear power plants in Slovakia and Lithuania.

#### 5. Cyprus

The Committee of the Regions

5.1. supports the Commission's intention to make additional funding available to the northern part of Cyprus were it to form part of the accession process.

#### 6. Transitional arrangements

The Committee of the Regions

6.1. supports the establishment of transitional arrangements to ensure that no acceding Member State has a worse net budgetary position than it had in the year before enlargement.

Brussels, 16 May 2002.

*The President*  
*of the Committee of the Regions*  
Albert BORE

**Opinion of the Committee of the Regions:**— **on immigration policy:**

**'Communication from the Commission to the Council and the European Parliament on a common policy on illegal immigration',**

**'Proposal for a Council Decision adopting an action programme for administrative cooperation in the fields of external borders, visas, asylum and immigration (ARGO)',**

**'Communication from the Commission to the Council and the European Parliament on an open method of coordination for the Community immigration policy', and**

— **on asylum policy:**

**'Proposal for a Council Directive on minimum standards for the qualifications and status of third-country nationals and stateless persons as refugees or as persons who otherwise need international protection',**

**'Commission Working Document — The relationship between safeguarding internal security and complying with international protection obligations and instruments'**

**'Communication from the Commission to the Council and the European Parliament on the common asylum policy, introducing an open coordination method'**

(2002/C 278/13)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission to the Council and the European Parliament on an open method of coordination for the Community immigration policy (COM(2001) 387 final), the Communication from the Commission to the Council and the European Parliament on the common asylum policy, introducing an open coordination method (COM(2001) 710 final), the Communication from the Commission to the Council and the European Parliament on a common policy on illegal immigration (COM(2001) 672 final), and the Commission Working Document — The relationship between safeguarding internal security and complying with international protection obligations and instruments (COM(2001) 743 final);

having regard to the decision of the European Commission of 21 January 2002, under the first paragraph of Article 265 of the Treaty establishing the European Community, to consult the Committee on this matter;

having regard to the Proposal for a Council Directive on minimum standards for the qualifications and status of third-country nationals and stateless persons as refugees or as persons who otherwise need international protection [COM(2001) 510 final — 2001/0207 (CNS)];

having regard to the decision of the Council of 15 November 2001, under the first paragraph of Article 265 of the Treaty establishing the European Community, to consult the Committee on this matter;

having regard to the Proposal for a Council Decision adopting an action programme for administrative cooperation in the fields of external borders, visas, asylum and immigration (ARGO) [COM(2001) 567 final — 2001/0230 (CNS)];

having regard to the decision of the Council of 7 November 2001, under the first paragraph of Article 265 of the Treaty establishing the European Community, to consult the Committee on this matter;

having regard to its Bureau's decision of 6 February 2002 to instruct the Commission for External Relations to draw up an opinion on the matter;

having regard to the draft opinion (CdR 93/2002 rev.) adopted by the Commission for External Relations on 3 April 2002 [rapporteur: Councillor Ruth Bagnall, Cambridge City Council (UK-PES)];

whereas the Committee of the Regions welcomes the opportunity for joint consideration of draft directives and programmes on the legally separate but in practice closely related fields of asylum and immigration;

whereas the Committee of the Regions notes that the documents under consideration in this Opinion form part of a package of policy measures being developed in connection with the establishment of a common European asylum system and a common approach to migration, including consideration of human rights and economic, demographic and political developments in both the EU Member States and countries of origin and transit of migrants of all kinds;

whereas the Committee of the Regions recognises the sensitivity of Member States' concern over issues of sovereignty in areas of nationality and national security;

whereas the Committee of the Regions reinforces the value and requirement for common policies and procedures in respect of asylum policy by virtue of our responsibilities towards those seeking asylum under the 1951 Geneva Convention;

whereas the Committee of the Regions reinforces the value and requirement for common policies and procedures in respect of immigration policy on both legal and illegal immigration;

whereas the Committee of the Regions seeks to promote and enhance the capacity of local and regional authorities in the EU, in the candidate countries for EU enlargement and in the countries of origin and transit of migration flows, as direct service providers, partners with other statutory and voluntary service providers, and community leaders, at the point of service provision to asylum seekers and refugee/immigrant communities, and the closest point of political accountability towards our respective electorates,

adopted the following opinion at its 44th plenary session of 15 and 16 May 2002 (meeting of 16 May).

Regarding immigration policy, the Committee of the Regions wished to express its views on the following documents:

- Communication from the Commission to the Council and the European Parliament on a common policy on illegal immigration;
- Proposal for a Council Decision adopting an action programme for administrative cooperation in the fields of external borders, visas, asylum and immigration (ARGO); and
- Communication from the Commission to the Council and the European Parliament on an open method of coordination for the Community immigration policy.

The Committee of the Regions

1. welcomes the Commission's commitment to developing a better understanding of migration patterns 'in the round', including the effect on asylum seekers and the asylum system of new policies both to develop and promote legal means of migration and take steps to combat irregular migration;

2. welcomes the Commission's commitment to establishing a series of actions and initiatives designed to reinforce the

integrity of border controls and step up the sanctions against those who seek to profit from illegal migration through people trafficking and the employment of illegal migrant workers;

3. draws attention to the complementary role of social and economic development in the countries of origin and transit of migratory flows;

4. welcomes consideration of the establishment of safe routes for asylum including provision for the processing of asylum applications outside the EU, but recognises that even so some refugees may need to resort to irregular means of entry into the EU and that this should not prejudice the assessment of their asylum claim *per se*;

5. considers that local and regional authorities should be invited to contribute to the development of national action plans. This will also facilitate comparing and identifying best practice and analysing the real impact and the results of strategies adopted by Member States, and points out that the open coordination method should not take the place of



legislative work in areas where the Community has strong powers, but its procedures could be usefully applied in a reduced form in coordinating Member States' policies;

6. welcomes the recognition of the role of local and regional authorities alongside other players in integrating migrant workers into civil society and the labour market in the EU;

7. welcomes the identification of the need to allow the candidate countries to take part as of now in an exchange of information between the Member States and emphasises the need to involve the local and regional authorities of the candidate countries in this process;

8. welcomes the proposal for a Community Action Programme for raising awareness and building the capacity of organisations involved at all levels in the implementation of integration strategies;

9. notes that the differences between EU Member States' legislation on the entry and residence of migrants mean that would-be immigrants are blocked from entering certain Member States;

— regrets that the result of this situation is to compel neighbouring Member States, through which such migrants pass, to set up long-term reception centres for them;

— calls upon the European Commission and the Member States to take urgent steps to harmonise their respective laws and to establish proper cross-border cooperation, opening the way to a final resolution of the difficult position in which both migrants and their hosts are placed;

— hopes that the multi-annual ARGO programme on administrative cooperation in the field of asylum and immigration will soon be implemented;

10. recommends the explicit inclusion in the ARGO programme of local and regional authorities and their national representative networks alongside national authorities, research institutions and NGOs as partners in the implementation of measures outlined in these policy proposals;

11. welcomes the commitment to further involvement of the Committee of the Regions alongside other European institutions in the development and implementation of the Community immigration policy.

Regarding asylum policy, the Committee of the Regions wished to express its views on the following documents:

— Proposal for a Council Directive on minimum standards for the qualifications and status of third country nationals and stateless persons as refugees or as persons who otherwise need international protection;

— Commission Working Document — The relationship between safeguarding internal security and complying with international protection obligations and instruments; and the

— Communication from the Commission to the Council and the European Parliament on the common asylum policy, introducing an open coordination method.

The Committee of the Regions

12. acknowledges and welcomes the Commission's commitment to the primacy of the 1951 Geneva Convention;

13. believes that it is absolutely essential to consider the impact of the events of 11 September 2001 in relation to both national and international security;

14. acknowledges the obligations on local and regional authorities to act as community leaders in respect of the integration of refugee and immigrant communities in the Member States of the EU;

15. wishes to underline the importance of involving asylum seekers and refugees themselves in the development of services delivered at local and regional level, as a means of achieving relevant and effective services and a first step in promoting the active integration of refugees into civic and working life in the EU Member States;

16. welcomes the commitment of the EU Member States to establishing common standards for the qualification and content of refugee status;

17. notes that despite the introduction of legislative and regulatory measures designed to reduce inequalities in provision across the EU, there will still be a continued 'clustering' of asylum seekers/refugee communities both in different Member States and in different localities and regions of the Member States due to differential standards, cultural ties and

geographical factors. This will have a direct and differential impact on the capacity of local and regional authorities to provide for the needs and entitlements of asylum seekers and refugee/immigrant communities alongside other members of the community in our respective localities. This differential impact reinforces the requirement for Member States to resource local and regional authorities appropriately according to the diversity of their needs, including provision for specific action to set up and consolidate local authority reception centres, with coordination at regional and national level;

18. welcomes the commitment to draw on existing best practice in Member States and reinforces its call for local and regional authorities to be able to make their contribution to sharing best practice at EU level;

19. regarding the entitlement of those qualifying for refugee status to have access to the services and opportunities which may be provided or co-ordinated by local and regional authorities in partnership with other authorities and agencies, considers that for the most part the expectation is that those qualifying for refugee status will be entitled to the same access to these services as nationals of EU Member States, but recognises that in some respects those qualifying for subsidiary protection status may have different entitlements, e.g. access to the labour market;

20. considers that specialised services may be required outside the norm of provision to many EU member state nationals, e.g. the provision of information in a relevant language, legal advice, health and psychological care, and services which respond to the vulnerability of unaccompanied minors and those with other special needs, and that local and regional authorities (or other service providers) should have support in bearing any additional costs incurred, through resources such as may be available through the European Refugee Fund;

21. considers that translation and interpretation (including communication of concepts of entitlement to social welfare which may not be the norm in countries of origin) is a critical support service for asylum seekers, refugees and the service providers in housing, health, education and training, social welfare etc. who seek to support these people;

22. considers that in the case of health and psychological care, asylum seekers and refugees who have suffered physical

and mental abuse including torture may require services which local and regional authorities and their partner bodies in service provision are unaccustomed to provide. Given that rape may be used as a form of torture and may require specialist services which meet these specific needs, access to women doctors, interviewers and interpreters should be provided for women asylum seekers separately from other family members, in order to facilitate the disclosure of any sexual abuse;

23. considers that the availability of specialist support services is often limited to large conurbations with existing refugee populations. Lack of access to such services is a disincentive to dispersal of refugee communities which tends to exacerbate the concentration of refugee communities in particular localities and regions. The development of specialist support services throughout the regions of the EU Member States would also help facilitate the equal distribution across the EU of people seeking protection;

24. notes the establishment of the European Refugee Fund which can be drawn on to support the development of relevant services for refugees and recommends a programme of promotion of the Fund to the relevant agencies throughout the EU, also drawing in local and regional authorities and their national-level representation networks as partners for the coordination of such services. Other EU programmes such as Equal which aims to promote social inclusion through support to disadvantaged groups and those facing potential discrimination in access to education and employment, and which makes explicit provision for meeting the needs of asylum seekers, should be promoted alongside the ERF as resources which can be drawn on by local and regional authorities to support the integration of refugees into society and the labour market;

25. considers that local and regional authorities should be invited to contribute to the development of national action plans. This will also facilitate comparing and identifying best practice and analysing the real impact and the results of strategies adopted by Member States, and points out that the open coordination method should not take the place of legislative work in areas where the Community has strong powers, but its procedures could be usefully applied in a reduced form in coordinating Member States' policies;

26. welcomes the recognition of the role of local and regional authorities alongside other players in developing a common asylum system, but regrets that the elements of the system described in the relevant proposed guideline (the second guideline) relate only to the administration of the asylum claim and not to the support services local and regional authorities are likely to be involved in delivering during the course of the asylum reception period;

27. welcomes the recognition of the role of local and regional authorities alongside other players in developing integration strategies: however, access to support services and

preparation for the eventual outcome of either a positive decision on refugee status, or refusal, should be part and parcel of the asylum reception process;

28. welcomes idea of allowing the candidate countries to take part even at this early stage in an exchange of information and emphasises the need to involve the local and regional authorities of the candidate countries in this process;

29. welcomes the commitment to further involvement of the Committee of the Regions alongside other European institutions in the development and implementation of the Community asylum policy.

Brussels, 16 May 2002.

*The President*  
*of the Committee of the Regions*  
Albert BORE

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**Resolution of the Committee of the Regions on ‘Sustainable development: World Summit on Sustainable Development — Johannesburg, 2002’**

(2002/C 278/14)

THE COMMITTEE OF THE REGIONS,

having regard to the Conclusions of the Presidency of the Gothenburg European Council of 15 and 16 June 2001;

having regard to the Decision of the European Council of 4 March 2002 on the approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint fulfilment of commitments thereunder (COM(2001) 579 final);

having regard to the Communication from the Commission to the Council and European Parliament entitled Ten years after Rio: Preparing for the World Summit on Sustainable Development in 2002 (COM(2001) 53 final);

having regard to the Opinion of the Committee of the Regions of 14 November 2001 on the Commission Communication entitled Ten years after Rio: Preparing for the World Summit on Sustainable Development in 2002 (CdR 37/2001 fin)<sup>(1)</sup>;

having regard to the Commission’s Communication to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions ‘Towards a global partnership for sustainable development’ (COM(2002) 82 final);

having regard to the Communication from the Commission of 5 December 2001 to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions: the Commission’s work programme for 2002 (COM(2001) 620 final);

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<sup>(1)</sup> OJ C 107, 3.5.2002, p. 9.

having regard to the Communication from the Commission to the European Parliament and the Council on its annual policy strategy for 2003 (SEC(2002) 217/7 final);

having regard to the Communication from the Commission of 15 January 2002 to the Spring European Council in Barcelona on 15 and 16 March 2002, at which a new impetus is given to the strategy, adopted two years earlier at the Lisbon summit (COM(2002) 14 final), to make Europe the world's most dynamic, competitive and sustainable knowledge-based economy;

having regard to the Conclusions of the Presidency of the Barcelona European Council of 15 and 16 March 2002 in which the Council states that sustainable development requires world-wide solutions, integrating the economic, social and environmental dimensions in a balanced way;

having regard to the Opinion of the Committee of the Regions on the approval of the Kyoto Protocol, the implementation by the European Commission of the first phase of the European Climate Change Programme and the proposal for a Council Directive establishing a scheme for greenhouse gas emission allowance trading and amending Council Directive 96/61/EC (CdR 458/2001 fin) (1);

whereas ten years after the United Nations Conference on Environment and Development held in Rio de Janeiro in 1992 (UNCED), it must be concluded that in the twenty-first century further development is needed of the international strategy for a balanced and coherent economic, social and ecological approach to sustainable development, otherwise known as Agenda 21;

whereas Agenda 21 is a guideline for the development of internal action — a fifteen-year programme for certain policy areas with the aim of supporting interaction and cooperation between the United Nations system and other governmental as well as non-governmental sub-regional, regional and global institutions in the area of environment and development. Improvement is needed in global international management, with the initial emphasis on more cooperation between the various international organisations;

whereas the important role which the regional and local authorities play in constructing, operating and maintaining economic, social and environmental infrastructure as well as planning, establishing and monitoring regional and local environmental policies and regulations, and assisting in implementing national policies was recognised in Agenda 21;

whereas the draft text of the UN Commission on Sustainable Development will lead to an action plan which should include: balanced water management, an integrated agricultural and rural policy, the maintenance of biodiversity, measures for climate control and clean energy and transport management, a clear population policy. Local and regional authorities as well as civil society are important actors to involve in the implementation of this action plan;

whereas 80 % of Europe's population live in urban areas, and their needs and the needs of those living in rural areas who live on 80 % of EU territory must be balanced together in a sustainable way;

whereas strong links exist between poverty and environmental degradation. Many environmental problems are caused by lack of social equity and economic development and many environmental problems hinder poverty reduction and economic development;

whereas more attention needs to be paid to the promotion of social inclusion, and the fight against poverty must be intensified;

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(1) OJ C 192, 12.8.2002, p. 59.

whereas important efforts are also needed in research and technological development in the framework of the EU's research policy, not only for the development of new technology but also on the development of decision-aiding tools as well as evaluation and monitoring methods,

at its 44th plenary session of 15 and 16 May 2002 (meeting of 16 May), unanimously adopted the following resolution.

#### The Committee of the Regions

1. welcomes the political declarations by the European Councils in Gothenburg and Barcelona on a sustainable development strategy; urges the EU institutions to put these declarations into practice. Economic growth today must in no event jeopardise growth possibilities of future generations;

2. urges the European Commission to invite the Committee of the Regions and its local and regional representatives in the fifteen EU Member States to take an active part in the preparation of the World Summit on Sustainable Development in Johannesburg which is to be held from 26 August to 4 September 2002. The CoR asks to be represented in the Johannesburg Conference, as it has an important role to play in the implementation of the decisions after Johannesburg;

3. expects the European Commission to always take into account the principle of subsidiarity. Moreover, rather than a linear top-down or bottom-up approach, the different spheres of government should interact in partnership, recognising their interdependencies;

4. requests that the European Commission ensures that all the major proposals put forward at the Johannesburg Conference are in line with the European Union's sustainable development strategy;

5. states that many of the targets set at the Rio Conference ten years ago have not been realised and asks the EU delegation to focus on reaching an agreement on the implementation of those targets and on taking measures against any country that does not respect the Rio targets;

6. requests that the strategy of implementation of objectives and guidelines derived from the international Agenda process should be based on the new approaches to policy-making developed by the European Commission and within the framework of existing EU competencies;

7. shares the internationally expressed wish for a global approach to problem-solving, the setting of environmental

priorities for sustainable development, the combating of climate change, acidification and eutrophication, concern for sustainable transport (better coordination between road and rail and encouragement of rail transport), promoting the use of renewable energies, additional measures to combat public health risks and more responsible management of natural resources;

8. asks the European Commission to make proposals on how to improve the decision-making process in view of sustainable development. These proposals should promote the implementation of principles of good governance which must not be undermined by using instruments which were not foreseen in the EU Treaties;

9. states the need for the enlarged European Union to fully integrate sustainable development into all of its work from the outset, most importantly in the areas of economic, social and environmental policy. As the candidate countries will provide a rich source of biodiversity to the EU, particular attention should be paid to these regions and regions with more vulnerable environments;

10. advocates that a better coordination between environmental protection and policies for poverty eradication should be promoted, bearing in mind that partnership at local and regional levels seems to be the most effective way of fighting exclusion and promoting an integrating approach towards sustainable development;

11. fully recognises the need to put into practice the right of access for all to global public goods and hence the role played by services of general interest and their contribution to people's quality of life and the sustainable, economic, social and environmental development of our society. Hence a necessary review of the situation should be done case-by-case, service by service, to find the most suitable solution between short- and long-term objectives, and between economic and social concerns;

12. agrees with the European Parliament that the Commission Communications make too little mention of the contribution of local and regional authorities to sustainable development.

The following thematic areas should be developed:

13. attention to be given to water policy in transnational spatial development strategies and in regional and local structural action plans drawn up in the near future. Extra attention should be paid to protection against flooding, both to reinforcing the sea and inland water protection structures;

14. activities encouraging the sustainable use of water and of the aquatic environment. The main aim is to ensure more sustainable use of water as an essential natural resource, and it is therefore crucial to promote technologies to collect, treat and distribute water while avoiding negative effects on the ecosystem. Management of water distribution must also ensure equal access for all to this resource. Furthermore policies should be developed to ensure the highest level of protection against pollution of sea and freshwater. Above all, ensuring safe drinking water and the existence of good sanitary services is the greatest priority for human health protection;

15. Member States of the European Union, which have not yet reached the United Nations target of 0,7 % of GNP in Official Development Assistance (ODA), to substantially increase its share;

16. agriculture associated with a specific land area to be treated as an economic activity; without depleting the natural goodness of the soil or polluting the environment through over-fertilisation or use of non-biodegradable pesticides;

17. agriculture, respecting the principles of sustainable development, to also be supported and given suitable financial support as this would benefit the management of nature, preservation of biodiversity and the landscape (more particularly in fragile areas) as well as stimulating ecologically sustainable farming and ensuring social cohesion in rural areas. European agriculture should guarantee a high level of health and food safety. There is a need to respect the public requirements of traceability and labelling;

18. the recognition of the need to improve the quality of world food production, through a better regulatory framework (monitoring and penalties) for (bio)technology. There may be unknown risks connected with certain technologies and the related ethical issues (e.g. GMOs) may not have been sufficiently discussed;

19. the right balance to be struck between the targeted, large-scale promotion of certain (energy and transport) technologies and the use of generic innovation policy, putting sustainability focused technology to work through the market;

20. in all policy areas sufficient evaluation methods should be developed in order to identify actual progress in the various spheres of sustainable development on the basis of objective criteria. The Committee of the Regions feels that the criteria used should be specific, measurable, acceptable, realistic and focusing on a specific period;

21. sustainable development should be included as a central theme of all new sectoral, regional and business plans financed through the EC budget. Those responsible for regional and local authorities should engage in dialogue with the business community and encourage sustainable investment;

22. economic measures and environmental fiscal and tax policy are fundamentally important instruments, not just in relation to environmental issues, but also for regional development in order to promote a more rational use of resources and less harmful emissions, and to finance equal access to the public goods necessary for sustainable development;

23. a balanced approach to be adopted in combining good social conditions with high productivity and high quality of goods and services. The underlying principle should be that more and better employment in a dynamic and competitive economy strengthens social cohesion;

24. active citizen participation should be supported in social and environmental change; efforts in the field of education and public information campaigns are crucial. Education and

training following a life-long learning approach should be seen as key instruments in developing a skilled workforce, a core element of sustainable economic and social development;

25. more attention must be paid to shaping a sustainable living environment, including the sustainable use of forests, urban living areas and the working environment;

26. the concept of local agenda 21, as introduced by the Rio Agenda, must be continued and strengthened. The good practice in thousands of European villages, towns and counties proves that this instrument helps municipalities to achieve a sustainable development which integrates the economy, social relations and the environment, and at the same time encour-

ages dialogue with, and the active participation of, local citizens;

27. the agenda 21 process, which is generally considered to be a process of dialogue within society, should be carefully monitored. It is necessary to develop a social learning and creative process as well as new ways of steering social co-existence and new instruments of cooperation, which point beyond the traditional and mostly bureaucratic and regulative governmental procedures.

The CoR instructs its President to forward this resolution to the European Commission, to the European Parliament, to the Council and to the Spanish and Danish Presidencies of the Union.

Brussels, 16 May 2002.

*The President  
of the Committee of the Regions*  
Albert BORE

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