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I

*(Information)***COUNCIL****COUNCIL RESOLUTION****of 6 February 2003****on Social Inclusion — through social dialogue and partnership**

(2003/C 39/01)

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING THAT:

1. social inclusion was established as a political objective in the Presidency Conclusions of the Nice European Council, following the Conclusions of the Lisbon European Council which set strategic goals for sustainable growth, more and better jobs and greater social cohesion, and affirmed social inclusion as fundamental to the modernisation of the European social model. The Barcelona European Council Conclusions specified the contribution of the social partners to the achievement of these goals, and the Council is confirming its own commitment to making serious inroads into the eradication of poverty and social exclusion in adopting revised common objectives for the second round of the National Action Plans for the fight against poverty and social exclusion for the period of 2003 to 2005;
2. social dialogue is a force for promoting innovation and change through ensuring a balance between flexibility and security, through its response to challenges such as developing lifelong learning, improving mobility, active ageing and through promoting equal opportunity and diversity — as recognised by the High-Level Group on Industrial Relations and endorsed in the Laeken Declaration by the Social Partners and by the Commission's Communications on 'The European Social Dialogue' and 'Corporate Social Responsibility'. The Commission's Communication on Social Dialogue called on the social partners to broaden the agenda of the social dialogue through developing their autonomous dialogue and increasing their involvement in both tripartite concertation and the open method of coordination processes. The Laeken Declaration by the Social Partners affirmed their intention to establish joint work programmes in order to promote modernisation and change within the European Union, as well as to prepare for enlargement;
3. partnership and improved governance are a means of accommodating the increasing demands which civil society places on the State. There is therefore a need to strengthen collaboration between European institutions,

national governments, regional and local authorities, social partners and civil society organisations, to improve the involvement of stakeholders and to establish minimum standards for consultation — as most recently emphasised in the White Paper on Good Governance and the Commission's Communication on the European Employment Strategy. The European Round Table on Poverty and Social Exclusion held in Aarhus in October 2002 showed a strengthened commitment on the part of social partners, NGOs and other involved actors to contributing to the process. Accordingly, the revised common objectives and working methods for the social inclusion process stress the need to promote both dialogue with and the participation of all relevant bodies including social partners, NGOs and social service providers, and the active commitment of citizens in the fight against poverty and social exclusion. Furthermore, the Commission's Communication on Corporate Social Responsibility highlighted the fact that undertakings are increasingly taking social and environmental concerns into account in their behaviour;

EMPHASISING THAT:

4. there is an increasing need for more widespread social inclusion which will allow as many people as possible to be active participants in the labour market and in society at large, regardless of racial and ethnic background, gender, age, disability, religion and sexual orientation; a need which is underlined by current demographic changes which pose serious challenges to the future supply of labour and the smooth functioning of labour markets;
5. the promotion of increased social inclusion will require a strong, coordinated multi-dimensional policy response to rapidly changing economic and social conditions, using preventive measures as well as new policies and approaches. This policy can be strengthened in time by streamlining the open methods of coordination in the Social Protection field and considering how they relate to other strategies. Because social inclusion goes beyond traditional labour market approaches, covering issues such as health, education, housing and social services, it becomes necessary to involve a number of different players, making dialogue and partnership important means for helping formulate, implement and take shared responsibility for activities;

6. there is a need for all relevant actors to be aware of the effects of their actions on social inclusion and on people at risk of marginalisation, across policy fields and in their respective fields of competence and work, as well as in cooperation with other stakeholders;
7. the enlargement of the EU, adding significantly to the number of Member States, and the variety of regions and different levels of economic prosperity, sharpen the need for social inclusion as a means for ensuring greater social cohesion;

INVITES THE COMMISSION:

8. to continue to promote social dialogue and partnership in the context of an enlarged Union as a means of promoting social inclusion at national, regional and local levels; particular emphasis should be placed on prevention, including keeping people in jobs, and remedial measures;
9. to ensure that particular attention is paid to the full integration of social inclusion in the economic and social strategy of the Union;
10. in the context of existing processes and programmes, to continue to collect and analyse national, regional and local examples of social inclusion through social dialogue and partnership, in order to help disseminate examples of good practice, in terms of stakeholders, target groups and models for collaboration;

INVITES THE MEMBER STATES:

11. in line with the revised common objectives for the fight against poverty and social exclusion, to reinforce the involvement of the social partners and all other relevant actors in the social inclusion process including, according to national practice, the preparation, implementation and monitoring of the National Action Plans;
12. in line with the revised common objectives for the fight against poverty and social exclusion, and in the context of the European Employment Strategy, to ensure that social inclusion will contribute to the eradication of poverty and the promotion of social cohesion and will improve access to the labour market for both men and women, in particular by taking full account of the positive

contribution to social inclusion of social dialogue and partnership;

13. to promote and invite the active participation in partnerships of stakeholders, such as local authorities, trade unions, companies, NGOs and those directly involved;

INVITES THE SOCIAL PROTECTION COMMITTEE IN CLOSE COOPERATION WITH THE SOCIAL PARTNERS:

14. building on the informal consultations which have been developed to date, to consolidate tripartite concertation on the ongoing work on social inclusion, and to promote the active involvement of the social partners in the social inclusion process, in the spirit of the Commission's Communication on 'The European Social Dialogue';

INVITES THE SOCIAL PROTECTION COMMITTEE:

15. to promote opportunities, in particular in the context of the annual European Round Table, to strengthen the dialogue with civil society organisations;

INVITES THE SOCIAL PARTNERS:

16. to identify possible partnership mechanisms and approaches for specific activities conducive to increased social inclusion;
17. to consider, within their autonomous dialogue, initiatives for strengthening social inclusion in an enlarged Union;
18. to increase their involvement in the open method of coordination on poverty, social exclusion and employment with a view to promoting an inclusive society and labour market;

INVITES THE CIVIL SOCIETY ORGANISATIONS:

19. to identify and develop partnerships and approaches for specific activities with a view to promoting an inclusive society and, as appropriate, an inclusive labour market; and
20. to increase their involvement in the open method of coordination on poverty and social exclusion, with a view to promoting an inclusive society.

COUNCIL RESOLUTION
of 6 February 2003
on corporate social responsibility

(2003/C 39/02)

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING:

The Commission Green Paper on promoting a European framework for corporate social responsibility, which launched a consultation procedure on the concept of corporate social responsibility (CSR);

The Council Resolution of 3 December 2001 on follow-up to the Commission's Green Paper ⁽¹⁾, which recognised that CSR can contribute to reaching the objectives laid down by the European Councils in Lisbon, Nice and Göteborg for the European Union to become the most competitive and dynamic knowledge-based economy in the world fostering social integration and sustainable development;

The Commission Communication concerning corporate social responsibility: A business contribution to Sustainable Development, which constitutes a follow-up to the Green Paper;

Existing internationally agreed instruments, whose relevance to CSR was recognised in the above Resolution;

The World Summit on Sustainable Development in Johannesburg and the adopted plan of implementation according to which the international community should promote CSR, accountability and the exchange of best practices in the context of sustainable development.

WELCOMING the Communication from the Commission, including the Commission's view that a strategy to promote CSR should be based on:

- recognition of the voluntary nature of CSR,
- a need for credibility and transparency of CSR practices,
- a focus on activities where Community involvement adds value,
- a balanced and broad approach to CSR, including economic, social and environmental issues as well as consumer interests,
- attention to the specific needs and characteristics of small and medium-sized enterprises (SMEs), and

— support of, and compatibility with, existing internationally agreed instruments.

EMPHASISING that CSR is behaviour by businesses over and above legal requirements, which should continue to be properly enforced, and that:

— globalisation has created new opportunities for enterprises, but it has also increased their organisational complexity; therefore policies on CSR should focus not only on single undertakings, but also on their subsidiaries and subcontractors,

— the debate on CSR must be seen in the wider context of corporate governance and accountability,

— in order to be effective, CSR should be a part of a concerted effort by all those concerned towards meeting shared objectives, including social and civil dialogue in accordance with national law and practice,

— undertakings should address not only the external aspects of CSR, but also the internal aspects such as health and safety at work and management of human resources.

SUPPORTING the intentions of the Commission, in particular to focus its strategy on:

— increasing knowledge about the positive impact of CSR on business and societies in Europe and abroad, in particular in developing countries,

— developing exchange of experience and good practice on CSR between undertakings, including SMEs, in particular through business organisations and networks,

— promoting the development of CSR management skills,

— facilitating convergence and transparency of CSR practices and tools, which should, *inter alia*, build on the fundamental ILO Conventions and on the OECD Guidelines for Multi-national Enterprises, as minimum common standards of reference,

— integrating CSR into Community policies.

⁽¹⁾ OJ C 86, 10.4.2002, p. 3.

WELCOMING the launch of a Multi-Stakeholder Forum on CSR at EU level.

WELCOMING the commitment of the Commission to involve the candidate countries in the implementation of the EU strategy to promote CSR.

CALLS UPON the Commission and the organisations represented in the Multi-Stakeholder Forum:

- to continue to ensure the transparency and efficiency of the work of the Multi-Stakeholder Forum through regular reporting on their work,
- to make sure that the views of all relevant actors at European, national, regional and local level will be channelled into the work of the Multi-Stakeholder Forum,
- to make sure that any outcome of the work in the Multi-Stakeholder Forum, operating on the basis of consensus, takes fully into account and respects the abovementioned principles of CSR,
- to ensure that the Multi-Stakeholder Forum addresses the gender dimension in its work, and
- to continue to put an emphasis on how CSR can contribute to the objectives of the European Union as laid down particularly at the European Councils in Lisbon, Nice and Göteborg.

CALLS UPON the Commission:

— to take into account, when developing a European strategy on CSR, the goals and commitments agreed at the World Summit on Sustainable Development in Johannesburg, and

— to increase awareness about the valuable involvement of all those concerned, including social partners and civil society organisations, in practices of CSR at all levels.

CALLS UPON the Member States, while bearing in mind the principles of CSR outlined above:

- to promote CSR at national level in parallel with the development of a strategy at Community level, in particular by making companies aware of its benefits and highlighting the potential results from constructive cooperation between governments, business and other sectors of society,
- to continue to promote the dialogue with social partners and civil dialogue,
- to promote transparency of CSR practices and tools,
- to exchange information and experiences regarding their policies,
- to integrate CSR into national policies, and
- to integrate, where appropriate, CSR principles into their own management.

CALLS UPON future Presidencies:

— to continue to stimulate the debate on CSR and maintain the involvement of the Council in the Multi-Stakeholder Forum.

COUNCIL RESOLUTION**on 6 February 2003****'eAccessibility' — improving the access of people with disabilities to the knowledge based society**

(2003/C 39/03)

THE COUNCIL OF THE EUROPEAN UNION:

1. RECALLING that the Community has among its tasks to promote throughout the Community a high level of employment and social protection and to raise the standard of living and quality of life, and economic and social cohesion,
2. RECALLING the Resolution of the Council and of the Representatives of the Governments of the Member States meeting within the Council of 17 December 1999 on the employment and social dimension of the information society ⁽¹⁾;
3. RECALLING that the Lisbon European Council of 23 and 24 March 2000 called for an Information Society for all,
4. RECALLING that the Commission adopted a Communication on 12 May 2000 'Towards a Barrier Free Europe for people with Disabilities',
5. RECALLING that a key objective of the 'eEurope 2002 Action Plan', endorsed by the Feira European Council of 19 and 20 June 2000, is to achieve the participation for all in the knowledge-based economy,
6. RECALLING that on 27 November 2000, the Council adopted a Directive aimed at combating discrimination on several grounds, including disability, as regards employment and occupation ⁽²⁾,
7. RECALLING that one of the objectives in the fight against poverty and social exclusion, approved by the Nice European Council of 7 to 9 December 2000, is to exploit fully the potential of the knowledge-based society and of new information and communication technologies and ensure that no-one is excluded, taking particular account of the needs of people with disabilities,
8. RECALLING that on 3 December 2001, the Council adopted a Decision to designate 2003 as the European Year of People with Disabilities ⁽³⁾,
9. RECALLING that the European Parliament and the Council in the Decision No 50/2002/EC of 7 December 2001 concerning an EC action programme, furthering the co-operation between Member States in combating social exclusion, stress the importance of the gender equality aspect of the causes and effects of exclusion in the initial considerations. This section also draws attention to Articles 2 and 3 of the Treaty, thus focusing on the fact that removal of inequality and promotion of equality between women and men are among the tasks of the Community, which ought to serve as a goal for all its activities,
10. RECALLING that the Council adopted a Resolution on 'e-Inclusion — exploiting the opportunities of the Information Society for social inclusion' ⁽⁴⁾ which called on the Member States and the European Commission to, amongst other things, endorse actions for: 'tackling technical barriers for people with different disabilities in terms of ICT equipment and web-content, in particular by implementing the respective eEurope actions, monitored by the e-Accessibility Expert Group',
11. RECALLING that the Council adopted a Resolution on the 'accessibility of public web sites and their content' on 20 March 2002 ⁽⁵⁾ that, amongst other things, 'INVITES the High Level Group on the Employment and Social Dimension of the Information Society (ESDIS) to monitor progress in the adoption and implementation of the Web Accessibility Initiative (WAI) guidelines and to develop common methodologies and comparable data so as to facilitate the evaluation of progress',
12. RECOGNISING the existence of a report, submitted as a Commission Staff Working Paper entitled: 'Delivering eAccessibility — improving disabled people's access to the Knowledge Based Society',

⁽¹⁾ OJ C 8, 12.1.2000, p. 1.⁽²⁾ OJ L 303, 2.12.2000, p. 16.⁽³⁾ OJ L 335, 19.12.2001, p. 15.⁽⁴⁾ OJ C 292, 18.10.2001, p. 6.⁽⁵⁾ OJ C 86, 10.4.2002, p. 2.

13. TAKING INTO ACCOUNT the recommendations made by the ESDIS High Level Group on the basis of this analysis,

CALLS ON MEMBER STATES AND INVITES THE COMMISSION:

I. To tap the information society's potential for people with disabilities and, in particular, tackle the removal of technical, legal and other barriers to their effective participation in the knowledge based economy and society. In doing so to utilise, as far as possible, existing funding mechanisms and facilitate liaison with the appropriate actors, such as the Disability NGOs, and the European Standards Organisations. In particular, via the following measures:

1. promote a more coordinated and focused approach by the key players involved in eAccessibility activities and in the application and development of existing and new instruments in the areas of technology and standards, legislation and persuasion, and education and information;
2. provide a focus for such a more coordinated approach by a web portal, dedicated to eAccessibility issues, to be set up and maintained by the European Commission;
3. raise awareness in order that the development of any technology equipment, methodology or activity, within the scope of the Information Society avoids social exclusion;
4. encourage and empower people with disabilities to take more control over the development of the mechanisms for delivering eAccessibility by support for their increased participation in:

- (a) technology programmes and projects;
- (b) standardisation bodies and technical committees;
- (c) committees looking at legislative and/or persuasive measures and education, training and empowerment initiatives.

II. To consider taking more particular measures in areas identified in the Commission Staff Working Paper on 'Delivering eAccessibility', including:

1. technical/standards instruments:

(a) with regard to the utilisation of the WAI guidelines, to promote common methodologies and comparable data in relation to public websites in the Member States and the European Institutions and to coordinate a monitoring process considering the separate Member States' activities and cooperate with them;

(b) to promote a feedback of standardisation activities and their impact on the real-life situation of the elderly and people with disabilities;

(c) to ensure that the Sixth Framework programme for Research and Technical Development 2003-2006 (6FP) will support actions to promote eInclusion, developing both empowering technologies and barrier-free technologies and including the take-up of results. To consider, while drawing up projects, the consequences for people with disabilities and thus avoid social exclusion;

2. persuasive instruments and/or legislative measures:

(a) to consider the provision of an 'eAccessibility mark' for goods and services which comply with relevant standards for eAccessibility;

(b) to continue the current efforts for greater harmonisation of Member States accessibility criteria (e.g. via their public procurement rules) in order to persuade commercial goods and service providers to offer more eAccessible goods and services;

(c) to promote measures to encourage private enterprise to make their ICT based products and services accessible including requiring accessible products and services for ICT public procurement contracts to be accessible. In this case to promote the utilisation of the possibilities that exist within existing European public procurement legislation to include specific references to accessibility criteria of relevant goods and services;

(d) to ensure that, where possible, exceptions to copyright that are consistent with the legal framework laid down in Directive 2001/29/EC⁽¹⁾ enable the dissemination of protected material in accessible formats for the use of people with disabilities;

⁽¹⁾ OJ L 167 van 22.6.2001, p. 10.

- (e) to consider broadening the scope of measures of non-discrimination of people with disabilities;
3. educative and informative instruments:
- (a) to promote the aim that the network of Centres of Excellence and networking in Design for All becomes ever more inclusive and covers all Member States;
- (b) to promote the aim that proposed Design for All curricula are developed and adopted by the relevant educational authorities in each Member State. In this case use, where possible, funds earmarked for such an activity within appropriate 'networks of excellence' projects financed under the European RDT Framework programme;
- (c) to provide awareness raising of people with disabilities and the elderly as well as service providers of the opportunities of modern ICT and the net for people with disabilities and the elderly. Utilise appropriate existing Community structural programmes towards this end;
- (d) to improve the employability of people with disabilities through appropriate vocational programmes targeted towards KBS jobs as well as training in KBS-oriented skills within other vocational programmes. Utilise appropriate existing Community structural programmes towards this end;
- (e) promote the application of principles of and apply existing facilities for lifelong learning to upgrade the skills of people with disabilities;
- (f) to ensure that the multimedia materials and the use of ICT in education do not create new barriers for the integration of students with disabilities into schools and other places of learning;
- (g) to ensure that eAccessibility become a regular part of all education programmes of vocational schools of any level, e.g. Web masters, multimedia authors and software developers. Utilise the eLearning initiative towards this end.

COUNCIL CONCLUSIONS

of 26 November 2002

on a more competitive environment for enterprises

(2003/C 39/04)

THE COUNCIL OF THE EUROPEAN UNION,

1. RECALLING:

- the conclusions of the Lisbon European Council on the strategy for making the European Union the world's most competitive and dynamic knowledge-based economy, capable of sustainable economic growth with more and better jobs and greater social cohesion by 2010, and the further elaboration of this strategy by the Stockholm, Gothenburg and Barcelona European Councils,
- the conclusions of the Stockholm European Council, requesting Member States and the Commission to improve statistical information necessary for benchmarking, and inviting the Commission to reflect on the use of quantitative targets in enterprise policy,
- that the Lisbon European Council decided to apply an open method of coordination which involves estab-

lishing, where appropriate, quantitative and qualitative indicators and benchmarks against the best in the world and tailored to the needs of different Member States and sectors as a means of comparing best practice,

- the European Charter for Small Enterprises which calls for the creation of the best possible environment for small enterprises,
- the Council Decision on a Multiannual Programme for Enterprise and Entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001 to 2005).

2. WELCOMES:

- the Commission's Communication 'Better Environment for Enterprises' and related staff working papers, which point to progress as well as the need for strengthened efforts in many areas of enterprise policy, and which also include information on the candidate countries and indicators on sustainable development,

- the Commission's intention to review industrial policy in the light of the globalisation and the advent of enlargement,
 - the Commission's intention to present a green paper on entrepreneurship.
3. EMPHASISES:
- the need to redouble the efforts to promote growth and competitiveness in order to meet the Lisbon goal, noting that the slowdown in economic growth should not be allowed to detract attention from the implementation of the commitments of the Lisbon strategy,
 - that structural reforms and the improvement of the framework conditions for enterprises are crucial to growth and that raising public awareness on these matters is essential,
 - that necessary improvements in the business environment require further work at the appropriate level in a wide range of areas relevant for competitiveness, noting that the conditions for SMEs remain a task of critical importance,
 - the need to ensure the competitiveness of European enterprises with the appropriate balance between the three pillars — social, economic and environmental — of sustainable development, and STRESSES in particular the need in all policy areas to assess effects on competitiveness, with reference to global markets,
 - that improving the quality of rules and regulations is crucial to the European Union in becoming more competitive and that achieving better regulation is an important responsibility for the Community Institutions and Member States,
 - that learning from best practices can further improve the performance of Member States.
4. RECOGNISES:
- the progress in developing a framework of quantitative targets which may be set by Member States on a voluntary basis in seven areas of enterprise policy crucial to competitiveness: entrepreneurship, regulatory and administrative environment, access to finance, access to human capital, innovation and knowledge diffusion, access to ICT and open and well-functioning markets,
 - that quantitative targets can be a useful contribution to achieve concrete objectives and to increase focus and momentum in enterprise policy, noting that most Member States see a need to continue the work on such targets, in order to build on the targets already declared and further integrate their use in enterprise policy.
5. INVITES THE MEMBER STATES TO:
- further develop quantitative and qualitative targets on a voluntary basis in areas where Member States consider it relevant and with due consideration to structural differences,
 - develop a more systematic dissemination of best-practices in enterprise policy and, when developing policies, to take into account identified best practices, emphasising in particular the results of the best procedure projects.
6. INVITES THE COMMISSION TO:
- adopt a comprehensive and strategic approach to competitiveness, and to focus its work on the structural determinants of enterprise competitiveness in all sectors,
 - facilitate the exchange of best practices in order to enable the Member States to learn more efficiently from each other,
 - refine its analytical framework for competitiveness policy, and, in that respect, take into account in the work on quantitative targets, the results from other reports and procedures,
 - report within a streamlined approach to the Council on a regular basis on the progress in the quantitative targets in order to contribute to a strategic discussion on competitiveness in the Council,
 - continue to include information on candidate countries in benchmarking exercises with a view to ensuring comparability of data across countries.
7. INVITES THE MEMBER STATES AND THE COMMISSION TO:
- further develop the work on identifying, benchmarking and exchanging best practises in the area of enterprise policy across the European Union and candidate countries,
 - continue the work on a voluntary basis on quantitative and qualitative targets with the aim of further integrating their use in enterprise policy,
 - discuss enterprise policies developed in the Member States and in this regard to consider the possibilities to organise periodic monitoring, evaluation and peer review as mutual learning processes on a voluntary basis.
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COUNCIL CONCLUSIONS AND ROADMAP
of 26 November 2002
for a strategy on life sciences and biotechnology
(2003/C 39/05)

THE COUNCIL OF THE EUROPEAN UNION,

1. RECALLS:

- the European Council's conclusions of Stockholm recognising the important contribution that biotechnology can make towards achieving the target set at the Lisbon European Council for Europe to become the most competitive knowledge-based economy with thus more and better jobs while ensuring that those developments occur in a manner which is healthy and safe for consumers and the environment, and consistent with common fundamental values and ethical principles and in full compliance with the existing legislative framework,
 - the European Council's conclusions of Barcelona calling for the development of measures and a timetable which enable Community businesses to exploit the potential of biotechnology while taking due account of the precautionary principle and meeting ethical and social concerns; and recalling that overall spending on R&D and innovation in the Union should be increased with the aim of approaching 3 % of GDP by 2010 and that two-thirds of this new investment should come from the private sector,
 - the Council conclusions of June 2002 requesting an operational roadmap of measures to this end, indicating priorities, the various actors' responsibilities and a timetable for implementation;
2. WELCOMES the Commission Communication on a life sciences and biotechnology strategy and action plan that provides a comprehensive basis for implementation of a roadmap. AGREES with the main lines of the Commission's analysis of strengths and weaknesses of the European Union biotechnology sector and of policies and actions related hereto, as well as the identification of main areas that need action to improve further policy coherence;
3. UNDERLINES the necessity for adequate and appropriate approaches, taking into account biosafety issues related to new technologies and societal needs as well as the aim to ensure consumer freedom of choice and the safety of consumers;

4. RECOGNISES that life sciences and biotechnology offer a considerable potential in areas such as health care, agriculture/food, industrial products and processes and environmental protection, and may contribute to sustainable development. UNDERLINES that this potential should be continuously assessed on the basis of benefits and risks anticipating health, economic, social and environmental consequences and ethical aspects and that the successful development of a competitive biotechnology sector in the European Union requires a comprehensive and coordinated approach covering all major areas of application of biotechnology;
5. ACKNOWLEDGES that any effective approach which would allow harvesting the potential of biotechnology in Europe should engage all Member States and encompass all policy areas and instruments available for the sector's promotion taking into account international aspects, be balanced, including a continuing societal dialogue, a high-standard regulatory framework which is science-based, and respect diversity of views and freedom of choice;
6. ACKNOWLEDGES that the European research and innovation area will be particularly helpful in providing a structuring effect and in overcoming the fragmentation of resources and the lack of critical mass. It will also stimulate — on a voluntary basis — enhanced coordination of research and development policies and actions and greater involvement of the private sector. Research in life sciences and biotechnology may serve as a model for integrating activities addressing ethical and social aspects from the earliest possible stage;
7. ACKNOWLEDGES that a science-based, transparent, effective and proportionate regulatory framework respecting the precautionary principle is a major requirement for establishing societal, in particular, consumer confidence, which should prevent unnecessary administrative burdens in particular on small and medium-sized enterprises and stimulate responsible innovation;
8. UNDERLINES that biotechnology could, to a certain degree, contribute to sustainable progress and economic growth in developing countries while decreasing the use of resources and environmental degradation; however, the biotechnology applications must correspond to the desires of the countries concerned;

9. ACKNOWLEDGES that the Cartagena Protocol on Biosafety represents an important global legal instrument to secure the protection of biodiversity while taking into account human health and ACKNOWLEDGES the importance of the Community's participation in capacity building in third countries;
10. UNDERLINES that a comprehensive strategy needs a continuous effort to ensure policy coherence and monitoring. RECOGNISES the need for a monitoring and a regular exchange of views and experiences between Member States about creating framework conditions for the biotechnology industry and the well-functioning of markets. WELCOMES the Commission's intention to present its regular life sciences and biotechnology report including a report on the implementation of the following roadmap for the strategy on life sciences and biotechnology, together incorporating the elements listed in the following roadmap;
11. INVITES the Commission to coordinate, with the active contribution of Member States, the implementation of the road map including:
- monitoring the competitiveness of the European Union biotechnology sector and related industries, in particular the European Union framework conditions, entrepreneurship and functioning of markets, the legal framework, access to and dissemination of knowledge and technological counselling, research and innovation, access to capital, including venture capital, and public-private cooperation, societal dialogue and ethical concerns,
 - monitoring and driving the implementation of the following roadmap for the strategy on life sciences and biotechnology, taking into account its social, health, environmental, safety and ethical aspects,
 - working for cross-sectoral coordination within fields of relevance to biotechnology.

Based on a yearly report from the Commission the Council once a year should hold an in depth discussion, beginning in 2003, on the implementation of the following roadmap for the strategy on life sciences and biotechnology;

12. CALLS UPON THE COMMISSION, THE MEMBER STATES AND THE PRIVATE SECTOR AS WELL AS OTHER STAKEHOLDERS, within their respective competencies and responsibilities, to engage in defining and implementing measures in a cooperative way within the framework of the following roadmap for the implementation of the strategy on life sciences and biotechnology which sets out priorities within an indicative timetable.

I. STRENGTHENING THE VALUE CREATION CHAIN

A. Human resources

Member States should keep under review and assess, before mid-2003, future requirements in specific skills in the European Union for scientists, technicians, engineers and managers within the various life science specialities.

Member States and the Commission should

- cooperate in identifying tools, such as education modules or curriculum elements, and compare best practices to fill those needs, particularly relating to:
 - initial education: life science education at secondary school level, university and technical education resources, strengthening science interest, reduction of drop-out rate,
 - continuous professional development and lifelong learning related to biotechnology, as well as management and legal skills needed by entrepreneurial companies,
 - mobility, attraction and retention of researchers,
- collaborate with academia and industry to establish and disseminate best practices to match workforce with available positions, and improve mobility.

These measures should be operational by 2004.

Member States and the Commission call upon industry and academia to assist in developing tools and contribute within their own areas of competence, e.g. staff exchanges and in-house training and 'research academy' partnerships. The Commission is invited to monitor this process and report to the Council before the end of 2004.

B. From knowledge to market

Research

The Council invites the Member States and the private sector to increase or continue to increase the research resources allocated to life sciences and biotechnology, and improve the efficiency and effectiveness of national research by working to implement the European research area in those aspects of science, technology and engineering which specifically underpin and support biotechnology developments.

Member states should make the best use of the areas which have been identified under the Sixth Framework Programme (2003-2006) to benefit of the European Union life sciences and biotechnology industries so as to enhance their competitiveness in a coordinated manner, while taking into account views on ethical standards and social, health and safety concerns.

Intellectual property

The Council recognises the vital importance of the proposed Community patent for a dynamic biotechnology sector and will — in line with the Barcelona conclusions of 2002 — resolve the outstanding issues as soon as possible and invites Member States to:

- continue the transposition of Directive 98/44/EC of the European Parliament and of the Council of 6 July 1998 on the legal protection of biotechnology inventions⁽¹⁾ taking into account the Commission report on the development and implications of patent law in the field of biotechnology and genetic engineering. The status of transposition and practical experience in application should be reported every year to the Council — beginning in 2003,
- discuss, in close cooperation with academia, national plans for increasing awareness of the strategic uses of intellectual property in a responsible manner.

Technology transfer

Member States and the Commission should in 2003 establish an inventory of best practices for the promotion of technology transfer and subsequent support of the dissemination through networks and pilot projects.

Finance

Member States, the Commission and financial institutions should consider how to improve the financial framework for biotechnologies, and in particular:

- use the results of the collaboration between the Commission and the European Investment Bank/Fund to improve innovation finance including venture capital availability in their own innovation policies and increase investments in this area, e.g. through EIB/EIF instruments supporting late stage investments or consolidation funds,
- intensify work on a cross-national basis, e.g. by building networks between existing structures,

sharing experience and exploring best practices. Results will be reported before the end of 2004.

C. Networking and clusters

The Council welcomes the Commission support for the creation of a self financed biotechnology portal for Europe, providing free access to information on available networking Internet platforms. In addition, the Commission, as it has indicated, should further develop its own website in order to provide a broad entry platform into the Commission's work on biotechnology giving all relevant actors easy access to information. This portal and the entry platform should be operational before the end of 2003.

In order to create mutual learning and develop best practices, representatives from biotechnology clusters are encouraged to exchange experiences yearly. The Commission is invited to report yearly to the Council on best practices related to biotechnology clusters.

Member States, regions and the Commission should take initiatives to stimulate interregional cooperation between biotechnology companies and institutions — including biotechnology clusters and centres of excellence.

The Commission is invited to monitor the process and the development of clusters and cooperation between clusters and report yearly to the Council beginning in 2003.

D. A proactive role for public authorities

Member States and the Commission should prepare and implement on a voluntary basis a benchmarking programme in 2003, highly focussed on areas of special relevance, to assist the development of biotechnology policy through identification and exchange of best practices. Such a programme may for example include measurement of the extent of commercial development of biotechnology: the resource base (human and financial), public policies (national and sub-national) to promote the development of commercial biotechnology (e.g. technology transfer and SME support), regulatory factors including transparency and other (national and sub-national) factors affecting the business climate for commercial biotechnology, and the use of the precautionary principle.

The programme should make full use of already existing measures and involve all interested stakeholders.

⁽¹⁾ OJ L 213, 30.7.1998, p. 13.

The Member States and the Commission should continuously monitor and assess economic, social, health, environmental, ethical and safety factors.

II. RESPONSIBLE GOVERNANCE

A. Participation of society

Societal scrutiny and dialogue

The Council joins the Commission's commitment to support an open and transparent as well as comprehensive, structured and focussed dialogue and information exchange, including all stakeholders, notably through a broadly-based stakeholders forum starting at the latest in 2003 as well as other targeted measures, as indicated in the Commission Science and Society Action Plan.

Member States, the Commission, academia, industry and civil society should take part in a continuous dialogue on issues of societal concern, by encouraging discussion-forums at the appropriate levels, starting at the latest in 2003.

Member States and the Commission should initiate and support the promotion of awareness of scientific paradigms underlying regulatory oversight, as well as an open and transparent public dialogue on biotechnology between all stakeholders, focussing on technological developments and potential benefits and risk. Balanced and informed debates should take place in each Member State starting at the latest before the end of 2003.

Member States and the Commission will take into account the output emerging from the abovementioned initiatives.

Ethics

The Council notes that the ethical acceptability of some areas of biotechnology is related to the diversity among Member States and is governed by national law in accordance with the principle of subsidiarity. An increased dialogue between ethical bodies in the European Union, including the European Group on Ethics in Science and New Technologies, and with the general public should facilitate the identification of different ethical standpoints and contribute to mutual understanding of their basis and exploration of where common views are possible and desirable. It is important to promote the understanding of ethical, legal and social aspects in the scientific community.

In that respect, the Council welcomes the Commission's intention to:

- before the end of 2004 strengthen and focus Community support for research into socio-economic and ethical issues and dissemination of results, including criteria for assessing the cost and benefit of using biotechnology, in order to facilitate future reporting and provide a good basis for societal decisions on the application of life sciences and biotechnology;
- fund bioethics research and ensure that the ethical, legal and social implications are taken into account at the earliest possible stages of Community-supported research by providing an ethical review of research proposals received;
- to promote the dialogue between national ethical bodies and private and public partners with a view to examine, on a case by case basis, where it might be possible to work towards Common approaches to be used e.g. in decision-making processes and as a basis for public consultation and information, taking into account the experience obtained under the Sixth Framework Programme.

B. Regulatory framework

Pharmaceuticals

The Council welcomes the Commission's efforts to improve the regulatory framework for medicinal products that constitute one of the most important sectors of applied biotechnology, and will conclude discussion on the proposed review of the pharmaceutical legislation, including accelerated authorisation procedures, conditional approval and enforced scientific advice for applicant companies, in order to increase the competitiveness of the pharmaceutical sector with a high level of consumer confidence. The Commission is invited to yearly evaluate progress made in implementation and its impact.

The recommendations made by the High-Level Group on Innovation and Provision of Medicines, and the Commission's reaction to the recommendations should provide a basis to arrive at operational conclusions to be presented by 2003.

Genetically modified organisms (GMO) legislation

Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release of genetically modified organisms⁽¹⁾ into the environment has been applicable since 17 October 2002. Its objectives are to strengthen the regulatory approval system and to provide a high level of health and environmental protection, as well as to ensure individual choice. In this context, the Council is considering the outcome of the ongoing work concerning further GMO related legislation.

⁽¹⁾ OJ L 106, 17.4.2001, p. 1. Directive as amended by Council Decision 2002/811/EC (OJ L 280, 18.10.2002, p. 27).

The Council encourages the Commission, Member States and other interested stakeholders to develop agronomic and other options to enable the coexistence of all different agricultural practices, considering the need to safeguard sustainability and diversity in Europe and fully apply the principle of freedom of choice for operators and consumers. Results in this respect should be included in the Commission annual report on the strategy for life sciences and biotechnology based on information coming notably from the Member States.

The Commission is invited to, as it has indicated, periodically, beginning in 2003, publish a rolling regulatory work programme to further improve coherence, predictability, transparency and quality of the regulatory framework, applying notably the principles of:

- product authorisation on the basis of scientific risk management,
- the precautionary principle,
- risk management measures also taking into account other legitimate factors as appropriate,
- the proportionality of risk management measures,
- the transparency of procedures assessments and, as provided for by the Aarhus Convention, public participation,

- consumer information and choice,
- the testing and validation of control methods,
- regular reviews of legislation,
- the functioning of the approval system.

C. **International/development cooperation**

Member States and the Commission should provide strong European Union support in order to enable developing countries and countries with economies in transition to assess and use the potential of biotechnology and to develop their own capacity for the adequate policy response, according to their needs and to the local conditions. Support should include international scientific cooperation, such as the establishment of effective research partnerships between public and private research organisations in developing countries and the European Union. Assistance should be based on the express preferences of the developing partner. Apart from assistance for application purposes, this should reinforce assistance to implement the relevant international Conventions and Agreements, for example the International Treaty on Plant Genetic Resources for Food and Agriculture, the Convention on Biological Diversity including the Cartagena Protocol on Biosafety. By the end of 2003, the Commission should report on results in this respect.

COMMISSION

Euro exchange rates ⁽¹⁾

17 February 2003

(2003/C 39/06)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,0716	LVL	Latvian lats	0,6218
JPY	Japanese yen	128,83	MTL	Maltese lira	0,4216
DKK	Danish krone	7,4316	PLN	Polish zloty	4,1515
GBP	Pound sterling	0,6704	ROL	Romanian leu	35050
SEK	Swedish krona	9,1045	SIT	Slovenian tolar	231,3582
CHF	Swiss franc	1,4725	SKK	Slovak koruna	41,998
ISK	Iceland króna	83,94	TRL	Turkish lira	1755000
NOK	Norwegian krone	7,515	AUD	Australian dollar	1,8178
BGN	Bulgarian lev	1,9523	CAD	Canadian dollar	1,6315
CYP	Cyprus pound	0,58038	HKD	Hong Kong dollar	8,3578
CZK	Czech koruna	31,473	NZD	New Zealand dollar	1,9505
EEK	Estonian kroon	15,6466	SGD	Singapore dollar	1,881
HUF	Hungarian forint	245,55	KRW	South Korean won	1293,69
LTL	Lithuanian litas	3,4522	ZAR	South African rand	9,0068

⁽¹⁾ Source: reference exchange rate published by the ECB.

Authorisation for State aid pursuant to Articles 87 and 88 of the EC Treaty

Cases where the Commission raises no objections

(2003/C 39/07)

(Text with EEA relevance)

Date of adoption of the decision: 8.7.2002

Member State: Germany

Aid No: N 359/02

Title: Prolongation of the rescue and restructuring scheme for SMEs of the *Land* of Saxony until 31 December 2002

Objective: Rescuing and restructuring of SMEs in difficulty

Legal basis: §§ 23 und 44 der Haushaltsordnung des Freistaates Sachsen, Richtlinie des Sächsischen Staatsministeriums für Wirtschaft und Arbeit über die Gewährung von Zuwendungen zur Rettung und Umstrukturierung von kleinen und mittleren Unternehmen im Freistaat Sachsen

Budget: EUR 3,068 million (already approved, see E 30/2001, ex N 626/96 — Germany) for the entire year 2002

Duration: Limited until 31 December 2002

Other information: Germany submits an annual report on the implementation of the scheme

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Date of adoption of the decision: 16.10.2002

Member State: United Kingdom

Aid No: NN 51/02

Title: Energy efficiency best practice programme (EEBPP)

Objective: To encourage research, development and demonstration projects in the field of energy efficiency performance measures and technologies

Legal basis: The Science and Technology Act (1965)

Budget: EUR 17 million (about EUR 27 million)

Aid intensity or amount: Up to 100 % of eligible costs depending on stage of R & D supported. Additional bonuses where applicable

Duration: Until December 2006

Other information: Annual report

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Date of adoption of the decision: 27.11.2002

Member State: United Kingdom

Aid No: NN 101/02

Title: Aid in favour of British Energy plc

Objective: Rescue aid

Legal basis: Ad hoc

Aid intensity or amount: Maximum GBP 899 000 000 which can be increased up to maximum GBP 1 175 000 000 if two creditors request two specific payments

Duration: Six months

Other information: Commitment of the United Kingdom to communicate to the Commission, within six months after authorisation of the rescue measure, a restructuring plan or a liquidation plan or proof that the loan has been reimbursed in full amount.

Commitment of the United Kingdom to report on a monthly basis to the Commission on payments made to British Energy plc and to inform it of any substantial change in the situation of the company in particular in case of insolvency and its possible impact on the maximum aid amount

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Date of adoption of the decision: 11.12.2002

Member State: Italy

Aid No: NN 142/01

Title: Urgent measures concerning air transport

Objective: Establishment for airlines and airport service providers based in Italy of insurance cover similar to that existing before 11 September 2001 relating to risks of war and terrorism

Legal basis: Decreto legge n. 354 del 28 settembre 2001. Legge 27 novembre 2001, n. 413; legge 27 febbraio 2002 n. 14; legge 24 maggio 2002 n. 100; decreto del presidente del Consiglio dei ministri 2 ottobre 2002 (Gazzetta ufficiale dell'8 ottobre — Serie Generale — n. 326)

Budget: State-issued insurance

Duration: From 28 September 2001 to 31 October 2002

Other information: Amended scheme renewed until 31 October 2002 and notified in the context of this aid

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Prior notification of a concentration

(Case COMP/M.2596 — RMC/UMA/JV)

(2003/C 39/08)

(Text with EEA relevance)

1. On 11 February 2003 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 ⁽¹⁾, as last amended by Regulation (EC) No 1310/97 ⁽²⁾, by which the undertakings RMC (UK) Limited ('RMC') United Kingdom, belonging to the RMC Group, United Kingdom, and United Marine Aggregates Limited ('UMA') United Kingdom, ultimately controlled by Anglo American plc Group, United Kingdom, and by Hanson Group, United Kingdom, acquire within the meaning of Article 3(1)(b) of that Regulation joint control of the undertaking Isle of Wight Aggregates Limited ('IOWA') United Kingdom, a newly created company constituting a joint venture by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- RMC: aggregate extraction, production of ready mixed concrete, concrete products, waste activities,
- UMA: processing and distribution of aggregates,
- IOWA: processing and distribution of aggregates.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference COMP/M.2596 — RMC/UMA/JV, to

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
J-70,
B-1049 Brussels.

⁽¹⁾ OJ L 395, 30.12.1989, p. 1; corrigendum OJ L 257, 21.9.1990, p. 13.

⁽²⁾ OJ L 180, 9.7.1997, p. 1; corrigendum OJ L 40, 13.2.1998, p. 17.