

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 'Proposal for a Directive of the European Parliament and of the Council on the promotion of cogeneration based on a useful heat demand in the internal energy market'

(2003/C 244/01)

THE COMMITTEE OF THE REGIONS,

having regard to the Proposal for a Directive of the European Parliament and of the Council on the promotion of cogeneration based on a useful heat demand in the internal energy market (COM(2002) 415 final — 2002/0185 (COD));

having regard to the decision of the Council of the European Union of 5 September 2002 to consult it on this matter, under the first paragraph of Article 175 of the Treaty establishing the European Community;

having regard to the decision of its President of 26 July 2002 to instruct the Commission for Sustainable Development to draw up an opinion on this subject;

having regard to its Opinion on the Communication from the Commission to the Council and the European Parliament: 'a Community strategy to promote combined heat and power (CHP) and to dismantle barriers to its development' (CdR 382/97 fin) ⁽¹⁾;

having regard to its Opinion on the Communication from the Commission to the Council and the European Parliament: 'Preparing for Implementation of the Kyoto Protocol' (CdR 295/1999 fin) ⁽²⁾;

having regard to its Opinion on the Proposal for a Directive of the European Parliament and of the Council on the promotion of electricity from renewable energy sources in the internal electricity market (CdR 191/2000 fin) ⁽³⁾;

having regard to its Opinion on the Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on an 'Action Plan to Improve Energy Efficiency in the European Community' (CdR 270/2000 fin) ⁽⁴⁾;

having regard to its Opinion 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 Commission's Green Paper: 'Towards a European strategy for the security of energy' (CdR 38/2001 fin) ⁽⁵⁾;

⁽¹⁾ OJ C 180, 11.6.1998, p. 34.

⁽²⁾ OJ C 57, 29.2.2000, p. 81.

⁽³⁾ OJ C 22, 24.1.2001, p. 27.

⁽⁴⁾ OJ C 144, 16.5.2001, p. 17.

⁽⁵⁾ OJ C 107, 3.5.2002, p. 3.

having regard to the Draft Opinion (CdR 344/2002 rev.) adopted by the Commission for Sustainable Development on 12 December 2002 (rapporteur: Mrs Michèle Eybalin, Regional Councillor, Rhône-Alps (F-PES)),

unanimously adopted the following opinion at its 49th plenary session on 9 and 10 April 2003 (meeting of 9 April).

1. The Committee of the Regions' views

1.1. The Committee of the Regions is glad that, with its Proposal for a Directive of the European Parliament and of the Council on the promotion of cogeneration based on a useful heat demand in the internal energy market, the Commission has decided to establish a framework which will help increase significantly cogeneration's share of total electricity generation in the EU, and which is at the same time an important step towards more rational energy use and towards the reduction of greenhouse gas emissions.

1.2. It stresses the need to make consistent joint efforts to achieve the objective set out in 1997 in the Communication on a Community strategy to promote combined heat and power (CHP) and to dismantle barriers to its development, i.e. to increase the share of cogeneration from 9 % in 1994 to 18 % in 2010.

1.3. The Committee of the Regions stresses that cogeneration, which is an integral part of the Community strategy, is an essential feature of the action to combat climate change which is required in order to comply with the commitments entered into in Kyoto.

1.4. It stresses the scale of the potential for reducing greenhouse gas emissions by means of cogeneration, estimated at a minimum of 65 Mt CO₂ (EC Communication on the European Climate Change Programme) which can in part be achieved at a competitive cost.

1.5. It calls on the Commission, in the framework of its European strategy for security of energy supply, to step up the control of energy demand, to which cogeneration can make a substantial contribution.

1.6. It stresses the potential for new jobs offered by this technology by substituting efficient energy use for fuel imports.

1.7. The Committee of the Regions calls on the Commission and the Member States to involve the regions and local authorities closely, exploiting their specific experience. They are often involved in the management and development of cogeneration through the construction and maintenance of heat networks which are of key importance for territorial cohesion.

1.8. It stresses the need to call for specific commitments and to guide the Member States on the choice of measures making it possible to exploit more effectively the existing potential of cogeneration, without prejudice to the subsidiarity principle.

1.9. It points out that the objective of developing cogeneration will not be achieved if competitive obstacles to this clean technology persist because the external costs of traditional methods of energy generation are not taken into account; the various measures applied or to be introduced by the Member States therefore remain essential in the medium term.

1.10. Finally, the Committee of the Regions considers that the draft directive does not do justice to the challenges set out about. There are no quantitative objectives for cogeneration either at Member State or European Union level. No commitment is entered into and the promotion aspect is left vague at the expense of the presentation of a method of defining cogeneration.

2. The Committee of the Regions' recommendations

2.1. *Definition of cogeneration, efficiency criteria*

2.1.1. The Committee of the Regions recognises that it is necessary to define cogeneration correctly and uniformly in order to ensure that the intended primary energy gains are actually achieved, but the definition should be as simple, easily understandable and flexible as possible.

2.1.2. In order to distinguish cogenerated electricity from that generated using the condensation method, it recommends that the PROTERMO method be used, which already enjoys expert and industry recognition.

2.1.3. It suggests that a single overall efficiency threshold be established for cogeneration which will adapt over time, taking account of improvements in the technologies available on the market.

2.1.4. Once there is a correct and uniform definition of cogeneration, the Committee considers the establishment of national reference values for the efficiency of the separate production of heat and electricity to be of little importance. It would then seem more appropriate to compare cogeneration with separate production at European level.

2.1.5. It has doubts about the definition of the term 'useful heat' used by the Commission, which has a technical and an economic dimension, and it asks that the term 'economically justified' be clarified.

2.1.6. In the light of the proposal to apply the PROTERMO definition of cogeneration, there is no need for any subdivision into industrial, heating and agricultural applications.

2.1.7. It welcomes the focus on small cogeneration units, as their construction requires specific development support.

2.1.8. The Committee of the Regions considers that limiting support for cogeneration to an output threshold below 50 MW, which will make it difficult to mobilise generation potential on a large-scale in the industrial sector, is counter-productive; support should, rather, be graduated in terms of output and by means of differentiated measures (direct aid, tax exemptions or industrial investment guarantee funds).

2.1.9. It welcomes the Commission proposal to promote cogeneration for all types of fuel, but would like to see a particular and consistent effort made to develop cogeneration using renewable energy sources, for example wood energy.

2.2. *Guarantee of origin*

2.2.1. The Committee of the Regions supports the Commission in its intention of imposing on the Member States, as a precondition for the effective marketing of electricity from cogeneration, a system of certificates of origin, which would provide complete transparency for the consumer.

2.2.2. It calls on the Commission to include in the directive clear indications regarding guarantees of origin and the definition of cogeneration, in order to ensure uniform practice in the Member States.

2.3. *National potentials*

2.3.1. The Committee of the Regions stresses the need for the proposed directive to require not only that the Member States set appropriate and binding objectives related to the overall objective of 18 % in 2010, but also for the directive to complement and support effectively the aid measures already existing at national level.

2.3.2. It stresses the need to recommend that the Member States involve the local and regional authorities in the establishment of clear objectives and in the laying down of development strategies, taking account of the specific situations and needs of the various areas.

2.3.3. It stresses that the local and regional authorities do not have the same fiscal options as the Member States, but they can promote the use of cogeneration in the infrastructure for which they are responsible (swimming pools, hospitals, large office buildings, etc.) and in their spatial planning policies.

2.3.4. It suggests that, in establishing cogeneration potential at national and regional level, groups of installations be identified by size with particular attention to the potential of small installations.

2.4. *Support schemes*

2.4.1. The Committee of the Regions recognises that the preconditions for the adoption of a decision on a Community support scheme for cogeneration do not yet exist.

2.4.2. The Commission should, as a matter of urgency, state its plans for future coordination of the directive, the framework of environmental aid and notifications, and give details of the evaluation criteria (transparent and practically orientated), which will make for certainty as to the promotion measures required by Community legislation.

2.4.3. As recently confirmed by a judgment of the Court of Justice of the EC, it considers that the term used in the EC Treaty limits the concept of aid to direct or indirect support from state resources, in this way ensuring that systems for establishing prices involving a legal obligation to purchase are not subject to a ban on state aid.

2.4.4. The Committee of the Regions notes that the tax facilities adopted by each Member State may be applied to electricity cogeneration in order to increase its percentage share of overall production.

2.4.5. It points out that a quota for purchases of cogenerated electricity, aimed at protecting the environment, does not constitute a direct or indirect price support measure.

2.4.6. It highlights the need to ensure that lack of harmonisation does not lead to the abuse of national aid schemes in the energy trade between Member States.

2.4.7. Territorial authorities which own or manage cogeneration plants as part of their responsibilities and which respect the definition must be able to derive maximum benefit from the electricity produced. The support measures to be implemented will have to allow the authorities to play an active role in this context.

2.5. *Electricity grid connection*

2.5.1. The Committee of the Regions confirms that the Member States must ensure that technical specifications and

operating requirements for connection to both transmission and distribution grids are drawn up in accordance with objective criteria, that these are publicised and that they take account of the size of installations.

2.6. *Administrative procedures*

2.6.1. It considers it essential that the Member States step up their efforts to reduce as far as possible the administrative barriers to the development of cogeneration and welcomes the role of the Commission as a critical observer.

2.6.2. It calls for the establishment and simplification of arrangements for the financing of investment in the development of cogeneration in the Member States, such as the system of third-party investors or leasing.

2.7. *Implementation deadlines and miscellaneous*

2.7.1. It points out that the rapid entry into force of the directive would give an impetus to the development of electricity from cogeneration in the EU, which would benefit not only ordinary people but also the economy by giving a decisive boost to the cogeneration production and equipment sector, with beneficial consequences for the employment market.

2.7.2. It supports the efforts of the Commission to mobilise the Intelligent Energy for Europe programme in order to promote research, development and demonstration projects and specific and efficient cogeneration applications.

2.7.3. Finally, the Committee of the Regions stresses the need for follow-up after adoption of the directive so that corrective measures can be taken if results are not forthcoming.

Brussels, 9 April 2003.

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

Opinion of the Committee of the Regions on the 'Proposal for a Council Directive on the conditions of entry and residence of third-country nationals for the purposes of studies, vocational training or voluntary service'

(2003/C 244/02)

THE COMMITTEE OF THE REGIONS,

having regard to the proposal for a Council Directive on the conditions of entry and residence of third-country nationals for the purposes of studies, vocational training or voluntary service (COM(2002) 548 final — 2002/0242 (CNS));

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

having regard to the decision of its Bureau of 12 March 2002 to instruct the Commission for External Relations to draw up an opinion on this subject;

having regard to its opinion on immigration policy (Communication from the Commission on a common policy on illegal immigration (COM(2001) 672 final)) and 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 (COM(2001) 510 final — 2001/0207 (CNS)) adopted on 16 May 2002 (CdR 93/2002 fin) ⁽¹⁾);

having regard to its opinion on the 'Green Paper on a Community return policy on illegal immigrants' (COM(2002) 175 final) adopted on 20 November 2002 (CdR 242/2002 fin);

having regard to its opinion on the 'Amended proposal for a Council Directive on the right to family reunification' (COM(2002) 225 final — 1999/0258 (CNS)) adopted on 20 November 2002 (CdR 243/2002 fin) ⁽²⁾);

having regard to its draft opinion (CdR 2/2003 rev.) adopted on 17 February 2003 by the Commission for External Relations (rapporteur: Mr Gustav Skuthälla, Leader of Närpes Town Council (FIN-ELDR));

whereas establishing common and fair rules on the entry and residence of third-country nationals for the purposes of studies, vocational training or voluntary service will bring benefits to migrants as well as to their country of origin and host country. The aim is to promote the entry and mobility of third-country nationals in the territory of the European Community for the purposes of study;

whereas the objective must be to establish a uniform, fair and open system such that the applicant and the Member State know beforehand how the application will be assessed under normal circumstances;

whereas this proposal for a directive usefully complements the proposals on immigration for the purpose of employment and the right of family reunification, and together they form a set of common rules and a single legal framework;

whereas the Commission must draw the attention of the Council and the Member States to the fact that, if the proposed directive's objective of fair and uniform treatment is to be achieved, the concepts used in the proposal will have to be interpreted broadly and in a way which favours the applicant;

⁽¹⁾ OJ C 278, 14.11.2002, p. 44.

⁽²⁾ OJ C 73, 26.3.2003, p. 16.

whereas since the proposed directives allow Member States to make exceptions, this should be interpreted to mean that, as a rule, exceptions must be made in favour of third-country nationals. The purpose of the exceptions is not to encourage Member States to make conditions more restrictive than they are in the directives;

whereas the basic principle of uniform treatment of third-country students within Member States must be respected, even though the conditions for admission set by Member States differ from each other. Checks on entry conditions carried out in one Member State must be valid in all Member States;

whereas close attention needs to be paid to the attitudes of local and regional administrations and educational establishments towards the joint directives and their interpretation,

adopted the following opinion at its 49th plenary session of 9 and 10 April 2003 (meeting of 9 April).

THE COMMITTEE OF THE REGION'S VIEWS

1. General comments

'Our task is to unite peoples, not states' (Jean Monnet)

1.1. The Committee of the Regions would reiterate that the EU is a peace process, born out of the world conflagration which was extinguished nearly 60 years ago and which threatened to destroy the very soul of Europe. Nor can the historic importance which the ending of the division of the European continent has had in this process be overstated. The foundations for a peaceful Europe in the future have been decisively strengthened;

1.2. However, the pursuit of peace, freedom and security must not be confined to Europe alone. Article 11 of the Treaty on European Union requires the Union:

- to preserve peace and strengthen international security, in accordance with the principles of the United Nations Charter; and
- promote international cooperation;

1.3. The Committee of Regions would also point out that Europeans have, for centuries, travelled outside their own countries and outside Europe. Third-country nationals have never studied in educational establishments in the European Community to the extent that they do now. The Committee of the Regions would stress the importance of supporting students who come to Europe from third countries;

1.4. The Commission's proposed directive can certainly be criticised on the grounds that it leaves too much discretion to Member States. The Committee of the Regions would emphasise the need for Member States to commit themselves to the objectives of the directive so that students from third countries can be guaranteed fair and equal treatment.

2. Specific comments

The Committee of the Regions

2.1. welcomes the Commission's proposal for a directive on the conditions for entry and residence of third-country nationals for the purposes of studies, vocational training or voluntary service. This completes the Commission's contribution to the preparation of legislative proposals relating to immigration policy, as provided for in the conclusions of the Tampere European Council of 15 and 16 October 1999 and in accordance with Article 63(3)(a) and (4) of the Treaty establishing the European Community;

2.2. points out that, when considering legislative proposals on immigration policy, the aim should be to achieve a high level of harmonisation and that this objective supports the approximation of the rights and obligations of third-country nationals lawfully resident in the EU, who also fall within the scope of the proposed directive, to those of EU citizens;

2.3. takes a positive view of the admission of third-country nationals for the purpose of training and education. The proposal promotes the entry of students from third countries and will make Europe more attractive in the competition for international students;

2.4. considers recognition of the European Union in third countries as a centre of excellence for vocational training and other education to be an important objective. The Committee of the Regions recalls that the European Union has several objectives and development programmes in the area of training and education. The Committee proposes that the objective of promoting the whole of Europe among third-country nationals as a centre of excellence for training and education should also be taken into account in the priorities of the EU's education, vocational training and youth programmes after 2006;

2.5. shares the Commission's view that admitting students from third countries to European educational establishments can have a beneficial effect on the quality and dynamism of training programmes in Europe and provide establishments with an incentive to develop high-quality international courses;

2.6. considers it important that the directive does not interfere in conditions for admission to educational establishments or the way in which students are admitted to educational establishments or training schemes;

2.7. stresses that admission requirements, and thus also language requirements, must be set by the educational establishment concerned. The possibility for a Member State to create restrictions at national level through language requirements adds nothing new to the directive; on the contrary, there is a danger that such restrictions could conflict with the educational establishment's own requirements, which must retain their primacy;

2.8. notes that close interaction will be required at national level between educational establishments, local and regional authorities and the authorities issuing residence permits in order to clarify the conditions for entry in a comprehensive manner;

2.9. calls for the introduction of statistical methods for the collection of data on students from third countries and for the transfer of such data between different players at national level and between Member States;

2.10. endorses the broad and flexible definition of vocational training given in the Commission's proposal;

2.11. emphasises that the concept 'course of study', which is defined as several consecutive full-time courses, means different things in different Member States. Apart from basic training, studies pursued in an educational establishment may include, for example, further training programmes which although they do not lead to a qualification, do lead to an attestation of competence, which is of considerable importance from the point of view of future employment. Moreover, studies may be part of a larger whole in which third-country nationals return to their home to complete a qualification. The Committee takes the view that the term 'course' should therefore be interpreted flexibly. In addition, strict interpretation of the word 'full-time' could lead to unfair situations. 'Full-time' should be taken to mean that studies are the main reason for entry;

2.12. points out that the directive makes no mention of the serious housing shortage, especially in metropolitan areas, or high housing costs, which are major obstacles to study by third-country nationals in Member States. These issues are also discussed in the CoR's opinion on the directive on the right to family reunification. The genuine concern to ensure that third-country nationals have access to European know-how requires that special attention be paid to the student housing situation;

2.13. stresses that, as the level of government which is closest to the citizen, local and regional authorities have a key role to play in organising housing, health-care and social services for third-country nationals. The Committee feels that the directive's impact on local and regional authorities' capacity to organise such services should be clarified;

2.14. thinks that it is important to make entry for the purpose of voluntary service easier. The Commission's proposal would for example facilitate entry and residence for people participating in international voluntary service schemes;

2.15. supports promotion of student mobility between Member States, on condition that there is adequate harmonisation of entry conditions. The Committee of the Regions draws attention to the fact that Article 6 allows Member States a large degree of discretion as regards issuing residence permits whereas, under Article 7, a third-country national who has been issued a residence permit in accordance with the provisions of the directive and met certain conditions set by the Member State concerned has the unrestricted right to reside in another Member State in order to follow part of a study programme already begun or an additional course of study;

2.16. considers it important that Article 18 of the proposed directive gives students an unlimited right to work. However, the Committee does not see any reason why the right to work can be denied to third-country nationals during the first year of their studies. This restriction puts them at a disadvantage in relation to other students. Students from third countries must have the same right to work as other students;

2.17. considers it important that time limits for processing applications are specified in Articles 7 and 20. However, the Committee of the Regions believes that the time limits are intended to provide more predictability for the applicant and that they must not be of such length as to create an element of uncertainty, not only for the applicant but also for the institutions involved;

2.18. finds the wording of Article 6(3) unclear. According to the Commission proposal, Member States would determine the course providers and the types of course for which a third-country national meeting the conditions of paragraph 1(b) may obtain a 'student' residence permit in order to learn a language. The proposal does not make it clear what is meant here by language studies or whether learning a language refers to the Member State's own language(s) or any language whatsoever.

3. The Committee of the Regions' recommendations

Recommendation 1

Article 6(1)(c): Specific conditions for students

Text proposed by the Commission	CoR amendment
c) has, if the Member State so requires, sufficient knowledge of the language of the course followed by the student;	c) has, if the Member State so requires, sufficient knowledge of the language of the course followed by the student;

Reason

The possibility for Member States to lay down requirements regarding language knowledge is unnecessary. This provision could, moreover, conflict with the language requirements set by educational establishments for the admission of third-country nationals. The admission requirements of educational establishments must be regarded as sufficient and overriding. They should, of course, take into account the ability of the student to get by in the community where the establishment is located. The possibility for Member States to lay down language requirements adds nothing new to the directive, but could become an obstacle to the pursuit of studies.

Recommendation 2

Article 18, second sub-paragraph: Work by students and unremunerated trainees

Text proposed by the Commission	CoR amendment
Member States may withhold this right for the first year of residence and may withdraw it if the student does not make sufficient progress in his studies.	c) Member States may withhold this right for the first year of residence and may withdraw it if the student does not make sufficient progress in his studies.

Reason

The possibility to withhold in full the right to work for the first year of studies and the possibility to withdraw the right to work if the student does not make sufficient progress in his studies reflects an exaggerated fear that the system will be abused. Withholding the right to work from students from third countries for the first year of studies puts them at a disadvantage vis-à-vis other students. It could prove difficult to assess the progress made by student as a ground for refusing to renew his permit to work a limited number of hours a week. This a grey area where it is unclear where to draw the line.

There are also regional considerations to take into account where work takes place alongside studies. Both private and public sector employers could see students from third countries as an important pool of labour during the time they are studying. This consideration should take precedence over restrictions at national level.

Recommendation 3

Article 10: Specific conditions for volunteers

Text proposed by the Commission	CoR amendment
<p>Member States may issue a 'volunteer' residence permit to a third-country national only if, in addition to the general conditions stipulated in Article 5, he:</p> <p>a) is not below the minimum age nor above the maximum age set by the Member State concerned;</p>	<p>Member States may issue a 'volunteer' residence permit to a third-country national only if, in addition to the general conditions stipulated in Article 5, he:</p> <p>a) is not below the minimum age nor above the maximum age set by the Member State concerned;</p>

Reason

There are no objective reasons justifying a maximum age limit. Moreover, such an age limit would run counter to the political principles championed by the European Union in the field of vocational training and lifelong learning.

Recommendation 4

Article 15(2)

Text proposed by the Commission	CoR amendment
<p>Member States may withdraw residence permits or visas on grounds of public policy, public security or public health. Public policy and public security grounds shall be based exclusively on the personal conduct of the third-country national concerned. Public health shall not be invoked by Member States as a reason for revoking or not renewing a residence permit or expelling the holder solely on the ground of illness or disability suffered after the issue of the residence permit.</p>	<p>Member States may withdraw residence permits or visas on grounds of public policy, public security or public health. Public policy and public security grounds shall be based exclusively on the personal conduct of the third-country national concerned. Public health shall not be invoked by Member States as a reason for revoking or not renewing a residence permit or expelling the holder solely on the ground of illness or disability suffered after the issue of the residence permit.</p>

Reason

Illness or disability can under no circumstances be a criterion for withdrawing a residence permit.

Recommendation 5

Article 20(1)

Text proposed by the Commission	CoR amendment
<p>1. Without prejudice to Article 7, decisions on applications for admission or renewal shall be adopted and the applicant shall be notified not later than 90 days after the date of the application.</p>	<p>1. Without prejudice to Article 7, decisions on applications for admission or renewal shall be adopted and the applicant shall be notified not later than <u>60</u>90 days after the date of the application.</p>

Reason

The 90-day time limit for administrative decisions on applications for entry or for renewals is certainly excessive and creates uncertainty for both the applicant and the institutions involved. By way of example, the 90-day time limit is generally longer than academic holidays. Thus, cases may arise where a student applying for a renewal of his residence permit may, for purely administrative reasons, be forced to leave the territory of the Member State concerned during his studies.

Brussels, 9 April 2003.

The President
of the Committee of the Regions
Albert BORE

Opinion of the Committee of the Regions on:

- **the ‘Communication from the Commission: More research for Europe Towards 3 % of GDP’, and**
- **the ‘Communication from the Commission: The European Research Area: providing new momentum — strengthening — reorienting — opening up new perspectives’**

(2003/C 244/03)

THE COMMITTEE OF THE REGIONS,

having regard to the European Commission Communications on More Research for Europe: towards 3 % of GDP (COM(2002) 499 final) and on the European Research Area: providing new momentum — strengthening — reorienting — opening up new perspectives (COM(2002) 565 final);

having regard to the decision of the European Commission of 12 September and 17 October 2002 to consult it on this subject, under the first paragraph of Article 265 of the Treaty establishing the European Community;

having regard to the decision of its president of 26 June and 5 October 2002 to instruct the Commission for Culture and Education to draw up an opinion on this subject;

having regard to its Opinion on the Proposal for a Decision of the European Parliament and of the Council concerning the multiannual framework programme 2002-2006 of the European Community for research, technological development and demonstration activities aimed at contributing towards the creation of the European Research Area (COM(2001) 94 final) (CdR 283/2001 fin) ⁽¹⁾;

having regard to its Opinion 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 (COM(2001) 549 final) (CdR 442/2001 fin) ⁽²⁾;

having regard to the ongoing implementation of the sixth of the framework programmes for research, which have become an integral part of regional and supraregional research support;

having regard to the progress already made towards the European Research Area;

⁽¹⁾ OJ C 107, 3.5.2002, p. 111.

⁽²⁾ OJ C 278, 14.11.2002, p. 1.

having regard to the need to further boost the European Research Area, the response required to the call of the March 2002 Barcelona European Council, and the action needed to prevent any hampering of Europe's innovative potential, enabling Europe to grow into the most competitive knowledge-based economy in the world by 2010;

having regard to its draft opinion (CdR 328/2002 rev. 2) adopted on 18 February 2003 by the Commission for Culture and Education (rapporteur: Ms Helma Kuhn-Theis, Chair, Committee for European Affairs, Saarland Landtag (D-EPP)),

unanimously adopted the following opinion at its 49th plenary session, held on 9 and 10 April 2003 (meeting of 10 April).

VIEWS AND RECOMMENDATIONS OF THE COMMITTEE OF THE REGIONS

The Committee of the Regions

1. endorses the Commission's view that the establishment of the European Research Area has led to the development of a reference framework for thinking on and discussion of research policy issues in Europe;

2. also feels that, basically, the resources provided for research are too low and that there are too few incentives to undertake research and put its findings to profitable use, particularly in the private sector. Special efforts should be made to foster the involvement of universities and research establishments as well as SMEs in the Sixth Framework Research Programme. SMEs make up the large proportion of industrial fabric and employ almost two-thirds of European workers but they are also in the greatest need of support in gaining access to innovation. The Committee also agrees in principle on the need for increased coordination of activities not only among EU Member States and associated countries, but also between public and private-sector R&D. The open method of coordination should be examined as a possibility for the R&D sector. The aim in this connection should be the widest possible involvement of European and national political bodies representing authorities which have competencies in this field. For research cooperation, the Committee recommends a voluntary, bottom-up approach;

3. points out that coordination must not result in any one-sided focus on particular research areas. The European Research Area should provide for different and flexible support instruments for fundamental and industry-based research, and should, at an early stage, seek to establish 'added value chains' between them (vertical integration). Fundamental research in particular requires open support structures that reflect the bottom-up approach. Fundamental research especially relies on public funding as it usually cannot be financed by commercial enterprises. Fundamental research is necessary, however, to maintain the basis for innovation. In order to

resolve the multifaceted and complex difficulties encountered in R&D, European-level research should increasingly adopt a multidisciplinary approach (horizontal integration). The integrated projects under the sixth framework programme for research clearly reflect the principle of vertical and horizontal integration;

4. backs the idea of creating an 'internal market' in research and also, in principle, supports moves to restructure European research with a view to improving the coordination of national research activities. To reiterate a point made in earlier opinions, Member States reject research that is centralised and 'planned' at European level;

5. shares the Commission's view that the progress made depends directly on the degree of mobilisation of the Member States on the various topics and in particular their level of involvement in activities relating to them. It is essential therefore to secure even greater — and also topic-led — regional involvement in any further measures. A good research environment should also be secured for local and regional authorities;

6. agrees that the European Research Area initiative cannot be completed under the sixth framework programme alone, and that it also has to create its own momentum drawing on separate initiatives. This requires the involvement of the Member State regions and local authorities, when measures in combination with the Structural Funds are required.

Benchmarking of research policies

7. welcomes the Commission's initial findings from the benchmarking exercise that: (i) the EU research effort has to be strengthened if the Lisbon objectives are to be met; (ii) it is vital to secure the active involvement of the stakeholder regions; and (iii) it is sometimes difficult to draw useful conclusions from the indicators.

Mobility of researchers

8. would reiterate that the proposed measures — some of which are already in place — to make researchers more mobile (should) meet with approval in the regions. The Commission announces the provision of 'adequate information and assistance at all levels'. This must also be understood to include financial support (e.g. from return fellowships). The Committee would expressly advocate that greater consideration be given to incentive-based mobility schemes (return bonuses). In line with European cohesion policy, the boost in knowledge and technological expertise provided by returning researchers will be a key factor in improving innovative capacity and competitiveness. It is important to press ahead with the drive to encourage mobility and to stem the braindrain to the USA and other areas of the world. Continued backing should be given to measures to further boost the proportion of women involved in research and science.

Networking national research programmes, strengthening the public research base and boosting private investment in research [towards 3 % of GDP]

9. considers that, although for some countries, the 3 % of GDP objective is very ambitious, the resources needed to achieve it should be committed. The Commission calls for an increase in R&D investment from 1,9 % of GDP to 3 % by 2010. Some Member States currently invest more than this already (Finland 3,67 %, Sweden 3,78 %), but the EU-15 average is under 2 % (e.g. Greece 0,67 %; Spain 0,97 %). The candidate country average is just 0,7 %. It is questionable whether countries whose national incomes are less dependent on R&D investments can meet such an objective, and whether technological convergence is essential to achieving the Lisbon objectives and whether the planned means (instruments, incentives and frameworks) for meeting them are adequate and proportional. Moreover, to facilitate industry-based research, some candidate countries would first have to remedy structural deficiencies. Clarification is needed even when the 3 % requirement is not pitched too high for these countries and it should therefore be reached in various stages;

10. firmly backs the call for more R&D investment, but would also direct that call to the EU itself. The Committee of the Regions already made that call in its Opinion (CdR 283/2001 fin) on the proposal concerning the EU's sixth framework programme for research, technological development and demonstration activities aimed at contributing towards the creation of the European Research Area. On the issue of programme funding, the Committee opinion recalled that the Community decided as far back as 1985 that 6 % of the overall budget should be earmarked for the framework programme but that, so far, this has not been achieved;

11. considers that the Commission's call to increase the private-sector share of R&D expenditure from 56 % of total investment at the moment to 66,7 % is realistic. It should be noted, however, that companies are only in a position to invest in R&D where there are short-term prospects of durable results. The Commission's call poses a problem in relation to fundamental research and development, where long lead times are required for the development of competitive goods or services (e.g. in biotechnology and especially in medical research). In such cases, special commitment should be backed up by an increase in effective EU support. Small and medium-sized companies, even when working together with the public sector, are only prepared to provide extra resources for research if concrete benefits are foreseeable with a reasonable timescale and if the support guidelines permit simplified exploitation of research results. To provide incentives for private investors, it is important to reconsider the classifications used in R&D, especially as regards the definition of 'precompetitive development';

12. notes that, under the European support framework (which forms the basis of state aid, preferential loans etc.), support is permitted, only until demonstration models or pilot installations are in place. The annex to this support framework gives the underlying definition of research and development. Under this definition, R&D finishes at the 'precompetitive development' and prototype stage. The additional clause '... provided that such projects cannot be converted or used for industrial applications or commercial exploitation' is tantamount to a significant restriction of R&D investment. SMEs in particular, with their limited staffing and financial resources, are in no position to close the gap between a pilot project and a marketable product on their own. Against that backdrop, the increased moves set out in the Sixth Framework Research Programme to promote demonstration activities, support SMEs and utilise technologies are to be welcomed;

13. would like to give further consideration to the statement that the achievement of the Lisbon strategic objective is under threat because of the EU's growing lag in R&D expenditure compared with the USA and Japan. According to the Commission, this lag is due to lower research spending by the EU private sector. The business sector accounts for 72 % of R&D expenditure in Japan, compared with 56 % in Europe and 67 % in the USA. The Commission itself concedes that Japan has a different kind of enterprise culture, making it impossible to compare the figures. It should be noted that, in spite of widespread R&D activities and the shift to the business sector over the past few years, the Japanese economy has not substantially improved. High R&D expenditure, although essential for promoting economic development is not, in any event, a guarantee of such development. The US figures set out in the communication must be seen in perspective. The Commission should differentiate between the various facets of R&D expenditure, and, in particular, should calculate the

quantity of resources devoted to defence research. An estimate should be made of the potential impact of channelling these resources directly to non-military research without diverting them through the defence industry. Europe should not aim to go down the same road. Rather, Europe should seek to take its own, innovative path, and focus on 'non-military research';

14. agrees that the growing concentration of transnational R&D expenditure in the USA, is a worrying trend and clear evidence of a decline in Europe's attractiveness as a business location. One reason for this is poorer access to external sources of finance, local infrastructures and diffusion of knowledge. Companies base their decisions on location primarily on adequate access to workers and customers in their core business sector. On this front, Europe has the opportunity to promote attractive locations by actively developing clusters. Companies also relocate because of Europe's cost disadvantages in terms of the environmental and safety requirements. These more stringent standards must be retained. The EU should continue to push for environmental protection standards which are higher than those in the rest of the world. Under no circumstances must European standards be lowered in the quest for profitability;

15. welcomes the intention of continuing to use structural funding to remove regional imbalances in infrastructure and training. However, such moves must be distinguished from measures to promote research, as their purpose is different. Support for research must be — and continues to be — contingent on scientific excellence. Additional structural support may be available, particularly in Objective regions, making possible synergies between structural and research support. The Committee has repeatedly made this point in earlier opinions (1).

16. does not agree with the Commission that 'the current Community Framework for State Aid for Research and Development, which allows for supportive R&D intensities, should be prolonged until 2005'. The current framework is not an appropriate way to boost innovation in the knowledge economy, particularly in relation to SMEs (cf. point 13);

17. endorses the point that governments need to ensure that public R&D spending does not crowd out more productive private-sector investment. Increased scope for SME participation in public procurement is also a very welcome move. In practice, this might mean that large companies awarded major contracts would be specifically required to involve SMEs in the

projects as subcontractors. Another option would be to establish sector-based research networks involving a number of SMEs along similar lines to the specific SME measures provided for in the Sixth Framework Programme for research;

18. backs the call for more effective and focused use of public funding to promote private R&D. This may in some cases require a restructuring of public expenditure. The Committee supports a shift of emphasis from traditional to more innovative forms of support measure (e.g. the establishment of networks of excellence);

19. considers that the statement 'Policies should aim at encouraging the networking of public and private research regardless of location' requires further clarification, since the Commission's aim of 'encouraging further the development of public-private R&D partnerships and clusters' is contingent on location;

20. sees a fundamental need for national R&D programmes to be more open to transnational cooperation. This must be done, however, within a defined framework, while ensuring that both sides benefit;

21. is in favour of exploring the role that industrial associations at national and European levels can play in promoting access to information through the use of good R&D management practices. Consideration could also be given here to networks or technology-based associations, whose impact on private R&D must not be underestimated;

22. welcomes the ongoing efforts to launch activities based on Article 169, especially to combat global-scale infectious diseases (malaria, HIV, tuberculosis), with the involvement of non-EU countries, particularly those directly affected. Most regions would certainly be in favour of exploring measures of this kind in other key areas such as, for instance, nanotechnology or nanobiotechnology.

Appropriate systems to protect intellectual property rights

23. welcomes the establishment of legal certainty in the field of IP protection at European-level, and action to minimise costs. The systematic development and use of common European standards should also be promoted, particularly through the use of a European patent. Difficulties, such as the involvement of national authorities, linguistic differences and different national provisions, must be resolved quickly through multilateral cooperation.

(1) CdR 442/2001 fin on COM(2001) 549 final: The regional dimension of the European Research Area.

Establishing supportive financial markets and favourable fiscal conditions for R&D ⁽¹⁾

24. welcomes the Commission's statement that a mix of different instruments is needed, as no single instrument is able to provide the full range of incentives. The optimal mix of instruments differs not only across countries but across regions as well, and extremely careful selection is required as a result (bearing in mind the skills available in each region). In some cases, this may mean changing the balance between the public

(1) COM(2002) 499 final only.

and private R&D sectors. However there should, if possible, be no increase in overall public spending;

25. would like, in conclusion, to acknowledge the Commission's efforts to involve the regions more closely in its policies. Success depends on the Member States and regions, which have to ensure that the measures already taken have an impact across the EU. This requires that they be involved in the discussion process. Thus, cooperation with the regions should also be encouraged in drawing up a list of priority measures, in order to give a further impetus to the European Research Area.

Brussels, 10 April 2003.

The President

of the Committee of the Regions

Albert BORE

Opinion of the Committee of the Regions on the 'Proposal for a European Parliament and Council decision establishing a programme for the enhancement of quality in higher education and the promotion of intercultural understanding through cooperation with third countries' (Erasmus World) (2004-2008)

(2003/C 244/04)

THE COMMITTEE OF THE REGIONS,

having regard to the proposal for a decision of the European Parliament and of the Council establishing a programme for the enhancement of quality in higher education and the promotion of intercultural understanding through cooperation with third countries (Erasmus World) (2004-2008) (COM(2002) 401 final — 2002/0165 (COD));

having regard to the decision of the Council of 30 August 2002 to consult it on this subject, under the first paragraph of Article 265 of the Treaty establishing the European Community;

having regard to the decision of its President of 26 June 2002 to instruct the Commission for Culture and Education to draw up an Opinion on this subject;

having regard to its draft opinion (CdR 327/2002 rev. 2) adopted on 18 February 2003 by its Commission for Culture and Education (Rapporteur: Mr Roberto Pella, Mayor of Valdengo (I-EPP)),

unanimously adopted the following opinion at its 49th plenary session, held on 9 and 10 April 2003 (meeting of 10 April).

1. The Committee of the Regions' views

1.1. The Committee of the Regions is pleased to note that the Commission has accepted and fully applied the principle — with which the CoR fully agrees — contained in the report of the European Parliament on the Communication from the Commission to the European Parliament and the Council on strengthening cooperation with third countries in the field of higher education⁽¹⁾, in which the European Parliament 'urges the Commission to make provision, in its programmes for reconstruction and development assistance, and in projects intended to support the transition towards market economies and strengthen democracy, for initiatives to enable third countries and EU Member States jointly to develop training programmes, student exchanges and scholarships, and vocational integration grants for those who intend to return to their country of origin as a means of brain-drain prevention'.

1.2. The Committee endorses the draft decision of the European Parliament and of the Council presented by the Commission, particularly in view of the added value which Erasmus World can give to action at Community level to improve higher education; indeed, this would appear to be one of the fields where the Member States acting together can achieve more important objectives than if they acted separately.

1.3. As already stated in earlier opinions, the Committee takes the view that higher education has an important role to play in economic, social and cultural life at local and regional level. In the context of that role, it is necessary to establish strong links between higher education and the local and regional authorities.

1.4. Moreover, transnational mobility is an essential prerequisite for creating job opportunities and education and training possibilities, and is a fundamental requirement for European research.

1.5. The Committee agrees with the Commission that there is a need for a Community action programme, subject to Article 149 of the Treaty which limits Community action in the education sector to supporting and supplementing the action of Member States and prohibits legislative harmonisation.

1.6. It appreciates the precision with which the objectives of the Erasmus World programme are identified and the care taken to avoid overlapping measures, recognising that many subjects at the centre of the internationalisation of higher

education can be better dealt with at national level, at intergovernmental level or in the context of existing Community actions and programmes.

1.7. However, the Committee of the Regions emphasises that, despite intergovernmental cooperation, some needs and gaps still exist, and these are effectively identified and highlighted by the Commission:

- difficulties encountered by European universities in making the most of their comparative advantages to provide an original and attractive higher education offer, particularly at postgraduate level;
- the lack of a clearly distinguishable European identity in the higher education sector;
- the absence of 'flagship products' such as double degrees at postgraduate level, and the consequent need to create a Community label for high-quality postgraduate courses;
- the growing imbalance in the influx of third-country students;
- the general tendency among the brightest postgraduate students and scholars in search of international education to go to the United States;
- the risk of a growing deficit in intercultural understanding between Europe and other cultures;
- the insufficient development of structural schemes to encourage bridges between European networks and third countries' centres of excellence in the field of higher education and the outward mobility of students and scholars as part of a European cursus;
- the absence of coordinated action at Community level to promote the attractiveness of Europe, and the lack of mechanisms to ensure international cooperation in terms of quality assurance and services for students.

1.8. The Committee of the Regions stresses in particular the problem of the imbalance in the distribution of the influx of students from third countries: more than three-quarters of the approximately 400 000 students from non-European countries who study in the Community go to the United Kingdom, France or Germany; this is one of the main defects of the current education programmes, which needs to be remedied as soon as possible because of its effects on local and regional authorities, some of which are burdened with the presence of too many foreign students, while others do not succeed in attracting them.

⁽¹⁾ OJ C 135, 14.12.2001, p. 44.

1.9. The Committee is convinced that the Community action programme Erasmus World will bring about a redistribution of the influx of students from third countries, which will undoubtedly benefit local and regional authorities.

1.10. The Committee is pleased that the Commission will seek, in the selection procedure for European Union Masters Courses, to ensure a geographically balanced representation of the Member States and will take due account of the existence of centres of university excellence in the most disadvantaged regions of the EU, with a view to strengthening the economic, social and cultural influence of the universities in such regions.

1.11. The Committee of the Regions points out that European Union Masters Courses must not lead to differentiation in European higher education. Rather, attention should be paid to enhancing the quality and attractiveness of higher education throughout the European Union.

1.12. It urges the Commission to take particular care to avoid the Erasmus World programme being reduced by financial constraints to a programme reserved for the few, or aimed at people and institutions with the greatest economic resources, thereby jeopardising the principle of equal opportunities.

1.13. The Committee also invites the Commission to provide effective operational instruments to avoid a situation in the funding of individual projects where minimum amounts are laid down in which are so high as to prevent access to Erasmus World for institutions and bodies with lesser funds that are often capable, unlike other bodies, of drawing up highly innovative projects.

1.14. It fully agrees with the importance of the general aim of the Commission proposal, namely to contribute to high-quality education in the European Union, particularly by fostering cooperation with third countries.

1.15. Cooperation with third countries in the field of education seems essential in order to prepare European citizens to live and work in a globalised society, based on knowledge, above all with a view to improving mutual understanding between peoples and cultures, as the Commission rightly emphasises, to contribute to world peace and stability.

1.16. Indeed, as emphasised also by the European Parliament in the report quoted in point 1.1. above, 'cooperation in the field of education favours good neighbourly relations and reciprocal understanding between peoples, which is the indispensable basis for the development of any civil society in today's multi-ethnic, inter-religious world'.

1.17. The Committee of the Regions believes that the Erasmus World programme is worthwhile and hopes that, in the long term, it will represent for Europe a real possibility of growth — in the same way that the Fulbright programme has brought and continues to bring benefits to the United States — in terms of improving the quality of higher education, stimulating European universities to develop ever better international services and improving intercultural dialogue; the Committee takes the view that it is an effective policy on higher education which has enabled the United States to act as host for a number of years now to a larger number of foreign students than in all the Member States of the European Union put together.

1.18. It appreciates the special attention devoted by the Commission to tackling the so-called 'brain drain' problem, by inviting the institutions taking part in European Union Masters Courses and the other host universities to ensure that their application and selection procedures avoid or discourage a 'brain drain' from the less developed countries. The Committee of the Regions sees it as one of the main responsibilities of the European Union in relation to the poorest non-European countries to guarantee them development based on their own resources.

2. Assessment of the specific objectives of the action programme proposed by the Commission

2.1. Among the specific objectives identified by the Commission, the local and regional authorities are particularly interested in that of giving a higher profile and greater visibility to European education as well as making it more accessible.

2.2. Indeed, the presence in the Member States of students from third countries involves local and regional authorities for two reasons.

2.3. Firstly, local and regional authorities are the only bodies capable of guaranteeing equality of access to services.

2.4. Secondly, local and regional authorities are directly involved in some of the activities defined by the Commission as activities complementary to the action programme, namely:

- changes in society and educational systems in global perspective;
- safety and health of students who avail themselves of the opportunities offered by the programme;
- aspects of consumer protection connected with international education.

2.5. The Committee of the Regions also fully endorses the other three specific objectives of the programme, namely:

- the emergence of a distinctly European offer in higher education which would be attractive both within the European Union and beyond its borders;
- greater worldwide interest in, and more concrete possibilities for acquiring, European qualifications and/or experience among highly-qualified graduates and scholars from all over the world;
- more structured cooperation between European Community and third-country institutions and greater outgo-

ing European Union mobility as part of European study programmes.

3. Assessment of the operational objectives of the action programme proposed by the Commission

3.1. The Committee of the Regions endorses the reasons which led the Commission to concentrate on postgraduate education and place it at the centre of Community action.

3.2. It particularly appreciates the attention given to the problems which would arise from having to maintain significant numbers of students from third countries for a period of university study lasting between three and six years — problems which would affect local and regional authorities in particular.

3.3. In this context, the Committee of the Regions points out that in earlier opinions it had already asked the Commission to take appropriate measures to harmonise conditions of admission and residence for third-country nationals going to Europe to study, and it is pleased that the Commission has recently drawn up a draft directive on the subject, on which the Committee will give its opinion.

4. The Committee of the Regions' recommendations

Recommendation 1

Preamble (6) bis (new)

Text proposed by the Commission	Amendment by the Committee of the Regions
	This programme provides for the creation of EU masters degree courses which will enable students to carry out a tour of Europe in various university institutes. It therefore seems desirable to take account of this new European dimension of higher education in the current review of European programmes such as Socrates, in order to encourage European students' access to the Erasmus World programme.

Reason

The stronger the link with current Community programmes, the more effective the Erasmus World programme will be, always provided that the specific objectives of each are clearly distinguished.

Recommendation 2

Preamble (13)

Text proposed by the Commission	Amendment by the Committee of the Regions
This programme should be regularly monitored and evaluated in cooperation between the Commission and the Member States in order to allow for readjustments, particularly in the priorities for implementing the measures; the evaluation should include an external evaluation to be conducted by independent, impartial bodies.	This programme should be regularly monitored and evaluated in cooperation between the Commission, the Member States <u>and the local and regional authorities</u> in order to allow for readjustments, particularly in the priorities for implementing the measures; the evaluation should include an external evaluation to be conducted by independent, impartial bodies.

Reason

Only the local and regional authorities, through the regional universities, are best placed to monitor the effectiveness of the programme in question in terms of implementation and participation, pointing out any practical difficulties encountered by students from third countries.

Recommendation 3

Article 1, paragraph 2 bis (new)

Text proposed by the Commission	Amendment by the Committee of the Regions
	This programme will respect the powers of the European Union and the Member States in accordance with the distribution of powers and the administrative structure in each of the Member States, in line with the subsidiarity principle, in terms of education and training, especially as regards measures designed to preserve cultural and linguistic diversity.

Reason

As already happens in other Community programmes, it is necessary to preserve not only the Member States' powers in terms of education and training but also cultural and linguistic diversity — a rich heritage of European culture.

Recommendation 4

Article 4 (2) (a)

Text proposed by the Commission	Amendment by the Committee of the Regions
(a) support for the development of joint educational programmes and cooperation networks facilitating the exchange of experience and good practice;	(a) support for the development of joint educational programmes, cooperation networks <u>and pilot projects based on transnational partnerships — some of them already implemented by local and regional authorities</u> — facilitating the exchange of experience and good practice;

Reason

It is important to make effective use of existing networks; in fact, for example, many industrial concerns based in the Member States have already activated — partly through bilateral agreements between Member States and third countries — effective forms of exchange in order to optimise vocational training in the post-university context; such networks are ideal channels for ensuring that the Erasmus World Community programme takes off more quickly.

Recommendation 5

Article 6, paragraph (2) bis (new)

Text proposed by the Commission	Amendment by the Committee of the Regions
	The Commission, in cooperation with the Member States and the local and regional authorities, shall ensure that the actions included in this programme receive sufficient information and publicity coverage.

Reason

The success of Erasmus is linked with the effectiveness of the information and publicity about it, designed to reach the largest possible number of interested parties, above all through the involvement of regional universities and local and regional authorities.

Recommendation 6

Article 8 (1)

Text proposed by the Commission	Amendment by the Committee of the Regions
1. The Commission shall be assisted by a Committee composed of representatives of the Member States and chaired by the representative of the Commission.	1. The Commission shall be assisted by a Committee composed of representatives of the Member States <u>and representatives of the local and regional authorities</u> and chaired by the representative of the Commission.

Reason

An improvement in the quality of European higher education can be achieved only by directly involving regional universities, and hence by directly involving the local and regional authorities from the initial stages of the programme onwards.

Recommendation 7

Article 10 (1)

Text proposed by the Commission	Amendment by the Committee of the Regions
1. The financial framework for the implementation of this programme for the period specified in Article 1 is hereby set at EUR 200 million.	1. The financial framework for the implementation of this programme for the period specified in Article 1 is hereby set at EUR <u>300</u> million.

Reason

The funding of EUR 200 million is insufficient. In order to increase the possibilities for intercultural exchanges, it is essential to ensure that even students from third countries which are very distant from Europe will participate.

Recommendation 8

Article 13 (1)

Text proposed by the Commission	Amendment by the Committee of the Regions
1. The Commission shall regularly monitor this programme in cooperation with the Member States. The results of the monitoring and evaluation process shall be utilised when implementing the programme.	1. The Commission shall regularly monitor this programme in cooperation with the Member States <u>and the local and regional authorities</u> . The results of the monitoring and evaluation process shall be utilised when implementing the programme.

Reason

Please refer to the reason given for Recommendation 2 above.

Recommendation 9

Annex, Action 1, paragraph 1

Text proposed by the Commission	Amendment by the Committee of the Regions
The Community will identify and grant European postgraduate courses the label of 'European Union Masters Courses' through a rigorous selection process as provided for in Article 7(1) and in accordance with the procedure set out in Article 8(2).	The Community shall, through a rigorous selection <u>process carried out by the competent bodies in the Member States</u> , grant European postgraduate courses the <u>designation of 'Erasmus World Masters Courses'</u> .

Reason

The label of 'European Union Masters Courses' must be granted in cooperation with the universities and the local and regional authorities. Indeed, the universities can guarantee the assessment of the quality of the courses offered, and the local and regional authorities can concern themselves with the reception of students and then assess its effectiveness.

Recommendation 10

Annex, Action 1, paragraph 2 (a)

Text proposed by the Commission	Amendment by the Committee of the Regions
a) involve a minimum of three higher education institutions from three different Member States;	a) involve a minimum of three higher education institutions from <u>two</u> different Member States;

Reason

The aim of the Erasmus World programme is to encourage intercultural understanding while improving the quality of higher education. In order to give students from third countries an opportunity to get to know the culture of the host country, it seems desirable to limit to two the number of Member States involved, and hence to increase from 9 months to one year the period of residence in each Member State.

Recommendation 11

Annex, Action 1, paragraph 2 (b)

Text proposed by the Commission	Amendment by the Committee of the Regions
b) implement a study programme which involves a period of study in at least two of the three institutions under (a);	b) implement a study programme which involves a period of study in at least two of the three institutions under (a), <u>and the study of at least two languages used in the Member States, with reference to minority languages;</u>

Reason

One of the basic means of getting to know a country's culture is the language used there, and particularly the minority languages, which are fundamental factors for cultural richness and variety.

Recommendation 12

Annex, Action 1, paragraph 2 (h)

Text proposed by the Commission	Amendment by the Committee of the Regions
h) put in place adequate arrangements to facilitate access for, and hosting of, third-country students (information facilities, accommodation etc.);	h) put in place adequate arrangements to facilitate access for, and hosting of, third-country students (information facilities, accommodation etc.) <u>in cooperation with the local and regional authorities;</u>

Reason

Here too it seems essential to stress the importance of the quality of the systems adopted, and above all the fundamental role of the local and regional authorities in ensuring proper hosting of the students. It is necessary to provide effective operational instruments for consultation of the local and regional authorities, in order to tackle in the simplest and most efficient way practical problems such as that of the students' accommodation, with a view to facilitating access to European Union Masters Courses.

Recommendation 13

Annex, Action 1, paragraph 2 (i)

Text proposed by the Commission	Amendment by the Committee of the Regions
i) provide, as appropriate, for students' language preparation and assistance.	i) provide, as appropriate, for students' language preparation and assistance, <u>with a view to the objective in point (b) — the knowledge of at least two languages used in the Member States, with reference to minority languages.</u>

Reason

Please refer to the reason given for Recommendation 11 above.

Recommendation 14

Annex, Action 3, paragraph 3 bis (new)

Text of the Commission proposal	Amendment by the Committee of the Regions
	3 bis. Where possible, the Community will make use of existing networks and partnerships already set up by local and regional authorities with third countries to improve higher education.

Reason

Please refer to the reason given for Recommendation 4 above.

Recommendation 15

Annex, Action 4, paragraph 4.1, point 2, first indent

Text proposed by the Commission	Amendment by the Committee of the Regions
— development of general written or visual common information and dissemination tools contributing towards a better understanding of the value of study in Europe;	— development of general written or visual common information and dissemination tools contributing towards a better understanding of the value of study in Europe; <u>creation of an Internet site to facilitate access to the EU Masters Courses and other European courses;</u>

Reason

The Internet is undoubtedly the most effective information tool for reaching all the potential beneficiaries of the Erasmus World programme. Moreover, entrusting the information function mainly to the Internet site would make it possible to devote more funds to financing student mobility.

Brussels, 10 April 2003.

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

Opinion of the Committee of the Regions on ‘Territorial cohesion’

(2003/C 244/05)

THE COMMITTEE OF THE REGIONS,

having regard to the decision of its Bureau of 14 May 2002, under the fifth paragraph of Article 265 of the Treaty establishing the European Community, to draw up an opinion on territorial cohesion and to instruct the Commission for Territorial Cohesion Policy to carry out the preparatory work;

having regard to its opinion of 14 January 1999 on the European Spatial Development Perspective (rapporteur: Mrs du Granrut; co-rapporteur: Mr Knape) (CdR 266/98 fin)⁽¹⁾;

having regard to its opinion of 15 February 2001 on the Structure and goals of European regional policy in the context of enlargement and globalisation: opening of the debate (rapporteur: Mr Klär (D-PES)) (CdR 157/2000 fin)⁽²⁾;

having regard to its opinion of 14 November 2001 on the Second report on economic and social cohesion (rapporteurs: Mr Zaplana Hernández-Soro, E-EPP, and Mr Tindemans (NL-PES)) (CdR 74/2001 fin)⁽³⁾;

having regard to its opinion of 10 October 2002 on the Commission Communication: First progress report on economic and social cohesion (rapporteur: Mr D’Ambrosio (I-PES)) (CdR 101/2002 fin);

having regard to its study on territorial cohesion in Europe, submitted by the Study group on European politics (CdR 195/2002 fin);

having regard to the draft opinion (CdR 388/2002 rev.) adopted by the Commission on Territorial Cohesion Policy on 19 February 2003 (rapporteur: Mr Valcárcel Siso, President of the Region of Murcia (E-EPP));

whereas cohesion is one of the fundamental objectives of the European Union;

whereas the territorial dimension of cohesion figures among the priorities of the European Commission’s Second report on economic and social cohesion, published in January 2001;

whereas regional and cohesion policy constitutes one of the European Union’s most important Community policies;

⁽¹⁾ OJ C 93, 6.4.1999, p. 36.

⁽²⁾ OJ C 148, 18.5.2001, p. 25.

⁽³⁾ OJ C 107, 3.5.2002, p. 27.

whereas consideration of territorial cohesion is crucial, since it lies at the heart of the debate on the future of regional and cohesion policy after 2006;

whereas there is a need to press forward with consideration of this subject,

adopted the following opinion at its 49th plenary session of 9 and 10 April 2003 (meeting of 10 April).

1. Views of the Committee of the Regions

The Committee of the Regions,

Territorial cohesion: a fundamental dimension of cohesion

1.1. recognises certain difficulties in characterising the territorial dimension of cohesion, but nevertheless wishes to draw attention to the advances made in scientific work since the adoption of the European Spatial Planning Perspective (ESDP) in 1999;

1.2. believes, however, that no appraisal of cohesion should be restricted to the economic and social dimensions alone, measured through statistical indicators calculated at EU Member State level, and that a clearer understanding of the reality of cohesion must include reference to sub-state territorial units;

1.3. is convinced that under these conditions, cohesion must be viewed at regional level in order to show up the disparities in development which presently exist both between and within Member States, in the light of the continued existence of a development model based on relations between the centre and the periphery;

1.4. therefore considers that territorial cohesion must be understood as an objective in reducing disparities in development between European regions, to be achieved by reorganising Community territory in such a way as to enable polycentric, harmonious, balanced and sustainable development. In relation to its intraregional dimension, territorial cohesion must be understood as setting the objective of reducing development disparities and physical or economic dislocation within European regions by means of spatial planning and other public policies with a territorial impact, mainly promoted by Europe's regional and local authorities and aimed at constructing a balanced, polycentric EU territorial development model. In this regard, special attention must be given to regions suffering permanent geographic disadvantages (island or upland regions, or those with low population density), to the most remote regions and to regions with specific characteristics (rural, periurban and cross-border regions);

1.5. is of the view that a polycentric model for Community spatial development is the only way to put all the EU's regions on an equal footing regarding development;

1.6. recalls that although there is no reference to territorial cohesion in Articles 2, 3 or 158 of the Treaty establishing the European Community, it is explicitly mentioned in Article 16.

Territorial cohesion: significant examples of current and future disparities in development between Community territories

The Committee of the Regions

1.7. notes that disparities in development within the EU are particularly marked in two indicators: per capita GDP and unemployment rates;

1.8. but points out that disparities are greater still when calculated at regional rather than national level. In 1999, the difference in per capita GDP between NUTS 2 level regions stood at 1 to 4.7, while between Member States it was 1 to 2.7. Unemployment rates also reveal a clear gap: in 2000 the difference between NUTS 2 level regions was 1 to 16.2, while between Member States it was 1 to 5.1;

1.9. regrets that these indicators and trends over recent years show that major disparities remain between NUTS II and NUTS III areas, although they have been reduced between states;

1.10. is concerned that the disparities between regions revealed by these indicators have increased in certain Member States;

1.11. emphasises the fact that other statistical indicators also highlight disparities between the regions and Member States of the EU. These include the demographic factor, accessibility, research and innovation potential, and education and training;

1.12. notes that the forthcoming enlargement will mean a widening in disparities between its different territories. Enlargement will entail an appreciable increase in GDP and unemployment disparities at both national and regional/local levels, putting the real challenge of territorial cohesion into clear focus at all territorial levels;

1.13. is convinced that against this backdrop, only a real political determination on the part of the EU to pursue the objective of territorial cohesion can reduce the present territorial imbalances between the major urban regions at the core of the EU and its outlying regions. Enlargement will only exacerbate these imbalances.

2. Recommendations of the Committee of the Regions

Recommendations to boost territorial cohesion

The Committee of the Regions

2.1. urges that territorial cohesion be made a policy objective with the same status as economic and social cohesion;

2.2. in consequence calls for Articles 2, 3 and 158 of the Treaty establishing the European Community to be amended, enshrining territorial cohesion as one of the main policy objectives to be pursued at Community level. Its inclusion should be confirmed in the future constitutional treaty, in order to equip the European Union with the appropriate tools;

2.3. is convinced that stronger territorial cohesion, for the purpose of reducing disparities between European regions, entails a reorganisation of European territory allowing polycentric development to take place;

2.4. is aware that polycentric development is impossible without:

- adopting a genuine spatial blueprint, resulting in more closely coordinated action by the different institutional levels in the field;
- bringing Community sectoral policies with a strong territorial impact more into line with the objective of cohesion. This is particularly relevant in the case of the CAP, the final form of which will determine whether rural areas are given a new impetus or whether, at least in the case of the more fragile areas, they turn into desert,

with the resulting disturbance of the rural/urban territorial balance in the affected areas;

- continuing a real Community regional policy which is not restricted to Objective 1 regions, but covers all other regions under a new Objective 2.

2.5. recommends modifying regional policy by incorporating the territorial dimension, with a view making a real contribution to polycentric European spatial development through a stronger network of small and medium-sized urban centres in the regions of the periphery, to act as vectors for growth and development, without overlooking the need to maintain a balanced relationship between urban and rural areas thereby creating synergies. This tissue of urban centres would boost the efficacy and competitiveness of entire regions through the creation of cooperation networks;

2.6. considers that this change in Community regional policy must be accompanied by joint coordination between this policy and those on employment and social affairs (ESF), rural development (EAGGF), and fisheries (FIFG);

2.7. suggests that community sectoral policies be given a territorial dimension so that they can help achieve the objective of cohesion. This suggestion is particularly relevant to sectoral policies having a major territorial impact such as transport, research, innovation and agricultural and environmental policy;

2.8. believes that better coordination between regional policy and Community sectoral policies is essential. By the same token, the need for consistency between competition and regional policies must not be overlooked;

2.9. supports the view that in order to achieve greater territorial cohesion, an institutional framework better suited to good territorial governance needs to be introduced;

2.10. considers that in order to boost the incentive effect and efficacy of Community action, public sector action should be better coordinated between the Community, national, regional and local levels. This could be done in the form, for example, of tripartite agreements, in keeping with the constitutional arrangements of each Member State.

Brussels, 10 April 2003.

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

Opinion of the Committee of the Regions on the 'Negotiation position on agriculture for the next WTO round'

(2003/C 244/06)

THE COMMITTEE OF THE REGIONS,

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 its Commission for Sustainable Development to draw up an opinion on the Negotiation position on agriculture for the next WTO round;

having regard to the Communication from the Commission to the Council and the European Parliament on the EU approach to the WTO Millennium Round (COM(1999) 331 final);

having regard to its opinion on Agenda 2000 — CAP reform (CdR 273/98 fin ⁽¹⁾);

having regard to its opinion on the Negotiation position on agriculture for the next WTO round (CdR 527/99 fin ⁽²⁾);

having regard to the Doha development agenda adopted on 14 November 2001 for a new global round of trade agreements;

having regard to the recently adopted US Farm Bill;

having regard to the Council conclusions of 26 October 1999 on the EU's position at the WTO conference in Seattle from 30 November to 3 December 1999;

having regard to the outcome of the ministerial conference in Seattle from 30 November to 3 December 1999;

having regard to the Commission's proposals of 22 January 2003 in connection with the mid-term review;

having regard to the Commission's proposal of 16 December 2002 on the further liberalisation of trade in agricultural products and the Council of Ministers' decision of 27 January 2003;

having regard to the compromise proposal submitted on 13 February 2003 by the chairman of the WTO agriculture negotiations, Stuart Harbinson, which was emphatically rejected by the Commission;

having regard to the provisions of the Marrakesh final act which brought the eighth GATT trade round to a conclusion and the resultant arrangement to press ahead with the reform process from 1999 (Millennium Round);

having regard to the unanimous decisions on Agenda 2000 taken at the Berlin European Council meeting on 25 March 1999;

having regard to the draft opinion adopted by the Commission for Sustainable Development on 20 February 2003 (CdR 181/2002 rev.) (rapporteur: Mr Bocklet, Bavarian Minister of State for Federal and European Affairs, Germany, (D-EPP)),

unanimously adopted the following opinion at its 49th plenary session of 9 and 10 April 2003 (meeting of 9 April).

⁽¹⁾ OJ C 93, 6.4.1999, p. 1.

⁽²⁾ OJ C 317, 6.11.2000, p. 12.

1. Introduction

1.1. Since the failure of the Seattle conference, political discussions in all the regions of the EU have focused on the WTO negotiations and globalisation. As the WTO negotiations enter a new phase, it is vital — against the backdrop of ongoing globalisation — that the Committee of the Regions should examine the importance of these negotiations from a European regional perspective.

1.2. The agreement signed by 117 countries in Marrakesh in 1994 was the culmination of almost eight years of multilateral trade talks within the GATT Uruguay Round. Among other things, participants in the Uruguay Round agreed to set up a new and stronger international organisation to monitor world trade. On 1 January 1995, the World Trade Organisation (WTO) replaced GATT as the forum for multilateral trade relations.

1.3. 146 countries are now members of the WTO. Together, they account for well over 90 % of international trade flows. More countries are striving to join the organisation, the purpose of which is to establish a common framework for trade relations.

1.4. The Uruguay Round was the first in GATT's history to seek a comprehensive agreement on agricultural trade. The result was an Agreement on Agriculture and an Agreement on Sanitary and Phytosanitary Measures. The Agreement on Agriculture was a major achievement. It is divided into three main areas: market access, internal support and export competition.

1.5. On the issue of market access, Member States agreed to convert all non-tariff import barriers (e.g. variable import levies) into maximum tariffs which were to be brought down over a six-year implementation period (1995-2000). Agreement was also reached on a minimum level of market access (minimum access or current access), based, in practice, on tariff quotas with reduced customs duties. Restrictions were placed on both the amounts of export subsidies and the volume of exports subsidised in this way.

1.6. Domestic support is divided into three categories:

- amber box (support with a direct impact on product levels, e.g. price support via institutional prices, customs duties);
- agreed cuts of 20 % over six years.
- blue box (support with a less substantial but still real impact on product levels, e.g. price compensation payments under the Agenda 2000 EU agricultural policy reform);

— no cuts required.

— green box (support with no direct — or with very little — impact on production and trade, e.g. measures to adapt agricultural structures, compensatory payments relating to environmental requirements or for disadvantaged areas);

— no cuts required.

1.7. In November 2001, following the failure of the 1999 WTO negotiations, the 142 members of the World Trade Organisation agreed on the Doha development agenda for a new global round of trade agreements. The aim of the agricultural negotiations is to progress towards the establishment of a fair and market-oriented trading system. At the same time, however, it is essential to recognise the progress already made on the agricultural front under the existing WTO agreement. The Doha timeframe provides for an agreement on the 'modalities' of the negotiations by 31 March 2003 and the conclusion of the entire round by 2005.

1.8. Apart from trade matters, other issues have come to the fore over the past few years:

- Concerns about food safety and quality have become increasingly prominent, not least in the light of recent food scandals.
- Europeans are more aware than in the past of the wide-ranging environmental impact of farming.
- There are new considerations too, such as animal welfare and the use of genetically modified organisms.

2. Communication from the Commission to the Council and the European Parliament on the EU approach to the WTO Millennium Round

2.1. In Doha, the European Commission submitted a paper on the WTO Millennium Round.

2.2. On the agriculture front, the EU's negotiation position reflects the need:

- to secure the EU's share of the global market and improve access to third-country markets;
- to maintain a number of existing provisions of the Uruguay Round Agreement on Agriculture on which key elements of the EU's agricultural policy is built, e.g. retaining the 'blue box' and 'green box';

- to ensure the compatibility of certain rural and environmental policies in agriculture by recognising agriculture's multifunctional role;
- to protect geographical indications and protect against the misuse of food and beverage names;
- to secure more effective consumer protection.

2.3. On 16 December 2002, the European Commission submitted a proposal for the WTO agricultural negotiations, which was adopted by the Council of Ministers with only minor changes on 27 January 2003.

2.4. This proposal focuses on the following objectives and key points:

- Further substantial liberalisation on a fair and equitable basis. This is to be achieved by cutting trade-distorting farm subsidies by 55 % and budgetary outlays on export subsidies by an average of 45 %. In addition, the further opening of agricultural markets is to be achieved by reducing the tariffs for agriculture by an average of 36 %, with a minimum reduction of 15 % per tariff line.
- A fair, just and effective reform process to promote burden-sharing: Export credits are to be disciplined. It is essential to specifically include (i) the misuse of food aid as a means of disposing of surpluses and (ii) state trading enterprises. The 'de minimis' rule must not be retained.
- Addressing the special needs of the developing countries: facilitating market access and improving food security. All the industrialised countries should also subscribe to the EU's 'Everything but arms' initiative (EBA) and allow the duty-free import of all agricultural products from the poorest countries of the world. Moreover, the industrialised countries should ensure that zero duty applies to at least 50 % of their farm imports from all developing countries. Also, domestic support measures by developing countries in the interests of food security should be exempted from the cuts. In their pursuit of the Doha agenda, the developing countries should be entitled to smaller cuts and a longer implementation period.
- Recognition of the EU agriculture model: Domestic support measures in the interests, for instance, of maintaining biodiversity or fostering rural development, animal welfare or consumer protection should be exempted from the reduction requirements since such measures reflect both social demands and consumer expectations in the EU.

2.5. On 12 February 2002, the chairman of the WTO Agricultural Negotiations Committee, Stuart Harbinson, submitted his first compromise proposal, followed by a second, revised version on 18 March 2003, for WTO negotiations on agriculture. This proposal by Harbinson was flatly rejected, both by Commissioners Fischler and Lamy and by European agriculture ministers in the March 2003 Agriculture Council.

The Harbinson compromise proposal was also rejected by a majority of WTO members. The gist of this proposal is as follows:

- facilitating market access in all Member States by reducing customs duties in all three tariff groups by 40-60 %;
- reducing blue box measures by 50 %;
- reducing amber box measures by 60 %;
- reducing export refunds by 50 %;
- reduction from 5 % to 2,5 % in the de minimis rule in industrial countries.

The Committee's conclusions, reached in the light of these proposals and the WTO draft for an agreement on agriculture, are set out below.

3. The CoR's conclusions

3.1. The European Union must continue to play a leading role in the upcoming WTO negotiations and adopt a coherent and pro-active strategy to promote non-commercial considerations and the commitment to development, without losing sight of the EU's basic policy objectives with regard to multifunctional agriculture.

3.2. All Member States should support the Commission's brief and be guided by its stance. The European Union can best defend its overall interests only by presenting a united front.

3.3. The negotiations must consistently focus on maintaining genetic diversity and biodiversity in particular by implementing the Cartagena Protocol on Biosafety, annexed to the Convention on Biological Diversity. However, there should be no moves to prevent the use of approved biotechnology in farming, as European farmers must not be denied the long-term economic benefits involved. The WTO partners decide for themselves about biotechnology use.

3.4. The outcome of the WTO negotiations must adequately reflect regional differences with regard to use of resources, choice of instruments and framing of measures. A global framework must be established in which account can be taken of specific regional requirements without discriminating against others.

3.5. European agriculture and forestry must continue to be able:

- to ensure a safe and stable supply of healthy, high-quality food and non-food products;
- to pursue an export policy which secures a competitive place for EU farmers on the world markets;
- to retain rural jobs and secure an adequate income for agricultural workers and those employed in the upstream and downstream sectors.

3.6. The EU's brief for the WTO negotiations must be tied to the Agenda 2000 decisions and the continuation of the milk quota arrangements and the sugar regime as well as those arrangements concerning other important sectors such as olive oil, rice and cotton beyond 2008 and must tie in with the guidelines proposed by the European Commission with regard to the common agricultural policy and rural development.

3.7. The Committee echoes the European Parliament's call to make the Doha round a genuine development round in the fight against poverty. It therefore supports the formulation of specific, ambitious provisions for the developing countries, while not losing sight of the EU's basic policy objectives regarding multifunctional agriculture and sustainable development. Beyond the new tariff concessions under the 'Everything but arms' initiative for the 48 LDCs, no further opening of the EU agricultural market can be permitted, as this would otherwise pose a serious threat to key areas of market organisation (e.g. the existing sugar and rice regime).

3.8. Care must be taken to ensure the comparability of support measures, including policy tools such as agricultural export credits, insurance against loss of income, transport subsidy schemes and marketing boards, the nominal use of Food Aid and granting loans to third countries on condition that they purchase certain, essentially agricultural products from the granting country. These are increasingly being used as support measures by some trading partners (e.g. the USA and Australia) and have hitherto not been subject to WTO rules.

3.9. The aims of the EU's sustainable development strategy as adopted at the 2001 Gothenburg European Council must also become a basic element of any regulation of global agricultural trade. Everyone across the whole world benefits from compliance with environmental norms and the introduction of minimum social standards.

3.10. The European Union should therefore take account of European consumer demands by seeking the rapid and mandatory inclusion of consumer, environmental, social, sanitary, phytosanitary and animal welfare standards in international agreements. These agreements must be adequately linked to the WTO agreement in order to secure compliance. The mandatory inclusion of animal welfare concerns is a welcome development.

3.11. EU norms and controls in relation to food safety and the standards mentioned above must be recognised and protected at international level. Imports must meet these European — or comparable — standards and must be monitored on that basis. Where scientific opinion differs from one country to another, countries should apply the precautionary principle to imported products.

3.12. Under WTO rules, full compensation must be permitted to offset the higher costs attributable to stricter European production standards which are not adopted by the WTO. These costs must not be taken into account when working out the Producer Subsidy Equivalent (PSE).

3.13. As part of the Uruguay Round, an understanding was reached that other WTO partners would not be able to challenge the agreements reached until 2003 (the so-called 'peace clause'). This clause is nearing expiry and must be extended so that the commencing negotiations are not disrupted by unilateral action on the part of WTO partners. Furthermore, a new peace clause will need to be negotiated as part of the Millennium Round.

3.14. The unilateral decision not to use the marketing and pricing tools still possible under current WTO rules inevitably involves a scaling-down of external protection. Such action represents concessions to WTO partners without any adequate and specific concessions in return, such as recognition of and compliance with the principle of Community preference and of the distinctive nature of most of European agriculture as a result of its multifunctional role.

The Committee of the Regions would point out that any further reduction in existing agricultural market regimes in the EU may potentially result in increased fluctuations in both quantities and prices, which in turn runs counter to the aim of safeguarding and stabilising incomes. For that reason, the Committee would ask the Commission to refrain from needlessly making any advance proposals for further cuts in market regimes.

3.15. The Committee of the Regions supports the Commission in its efforts to secure a balanced outcome of the WTO negotiations and to take adequate account of the interests of European agriculture. The Committee of the Regions calls on the Commission to put the following issues at the forefront of the negotiations:

- to stand by the Council of Ministers' decisions of 26 January 2003, when a joint position was reached concerning the Community's negotiation brief;
- to also take account of non-trade concerns;
- to resist the added pressure for liberalisation from the Cairns Group.

3.16. In May 2002, President Bush signed the new US Farm Bill that had been passed by both US houses. The bill provides for an additional increase in US agricultural spending of more than US\$80 billion over the next 10 years. The Committee of the Regions would ask the Commission to examine this bill with a critical eye and to place it on the agenda of the WTO negotiations. Recent developments in US agricultural policy are regrettable as they mark a retreat from the Doha objectives.

3.17. The Committee of the Regions encourages the Commission to press ahead with its adopted strategy of incorporating the European agricultural model into the WTO agreements, as this is the only way to maintain long-term rural viability in Europe's regions.

3.18. The Committee of the Regions is pleased that, in order to promote urgently needed economic development in the LDCs, the poorest developing countries have gained duty-free access to the European Union under the 'Everything but arms' initiative. At the same time, the CoR would ask the Commission to leave the sensitive sugar market out of

future negotiations because falling prices would cause severe difficulties for sugar producers not only in the EU but in the ACP countries as well.

3.19. In July 2002, the Council of Ministers gave the Commission a mandate to negotiate a new import regime for cereals with the WTO partners. The aim is that real world-market prices should reflect prices not only on the Chicago commodity exchange, but in other regions of the world as well. The idea is to prevent the EU being inundated with cheap imports from other regions. Given the low cereal prices in the EU, the Commission is asked to make every effort in the negotiations to defend the interests of European cereal producers.

3.20. The Committee of the Regions proposes working closely with the Commission to ensure that the distinctive regional features of European agriculture are duly brought to bear in the WTO negotiations.

3.21. The Committee of the Regions notes that the liberalisation concessions mentioned above go beyond the framework of the Uruguay Round final act. The outcome of the WTO negotiations must not, however, go further than the decisions taken in Berlin. The EU's negotiation position must not be weakened by overly generous concessions in the early stages.

3.22. With regard to opening up the farming sector to genetically modified organisms (GMOs), the Committee of the Regions calls on the Commission to ensure adequate safety for conventional and organic agricultural production.

3.23. No bilateral trade agreements should be concluded between the EU and third countries until the outcome of the WTO negotiations is known. They must not result in any further concessions that are detrimental to European agriculture.

Brussels, 9 April 2003.

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

Opinion of the Committee of the Regions on the 'Proposal for a Directive of the European Parliament and of the Council concerning the Quality of Bathing Water'

(2003/C 244/07)

THE COMMITTEE OF THE REGIONS,

having regard to the Proposal for a Directive of the European Parliament and of the Council concerning the Quality of Bathing Water (COM(2002) 581 final — 2002/0254 (COD));

having regard to the decision of the Council of 13 November 2002 to consult it on this subject, under the first paragraph of Article 175 of the Treaty establishing the European Community;

having regard to the decision of its President of 23 January 2003 to instruct its Commission for Sustainable Development to draw up an opinion on this subject;

having regard to the Opinion of the Committee of the Regions on the Communication from the Commission to the European Parliament and the Council on Developing a New Bathing Water Policy, CdR 97/2001 fin ⁽¹⁾;

having regard to its draft opinion (CdR 17/2003 rev.) adopted on 20 February 2003 by its Commission for Sustainable Development (rapporteur: Mr Francesc Antich i Oliver, prime minister of the Balearic Islands (E-PES));

whereas the Treaty on European Union favours the integration of environmental considerations into Community policies, especially in order to guarantee sustainable development,

unanimously adopted the following Opinion at its 49th plenary session, held on 9 and 10 April 2003 (meeting of 9 April).

1. General comments

1.1. The Committee of the Regions welcomes the proposal for a Directive of the European Parliament and of the Council concerning the Quality of Bathing Water. Application of this new legislation will considerably improve health protection for European citizens and visitors to bathing areas, as well as significantly benefiting the environment.

1.2. The Committee considers that this policy can contribute to coherent and sustainable economic development, particularly benefiting citizens committed to respecting and improving the environment. The tourism and leisure sector, which is of fundamental importance to many EU Member States, can only benefit from strict water quality standards which underpin the safety and confidence of consumers and users.

1.3. The directive will also help improve the information provided to consumers and users, promoting safety and a product based on the dual objectives of protecting human health and the environment and promoting economic and social development.

1.4. The directive envisages removing from the list areas affected by natural disasters. The appalling consequences of

the sinking of ships like the Erika and the Prestige make it advisable to extend to this kind of accident the safeguard measures provided for in the proposal.

1.5. In accordance with the principles underlying the White Paper on European Governance, the Committee of the Regions considers that the regional and local authorities should play a greater part in the process of implementing the directive. This would make for more efficient implementation, more closely in line with the division of powers within the Member States, particularly with regard to the regional and local authorities.

1.6. The Committee stresses the importance for health of optimum bathing water quality. To this end, providing information to the public is an important task for the Member States, the information on water quality should be available at each resort in real-time. This information needs to be clear, easily understandable, free of jargon and promptly available. For these reasons, it is considered important that the information should be standardised and that the opportunities offered by the Information Society be exploited to this end. The contribution of the local and regional authorities is essential here. The requirements on public authorities for the distribution of information on bathing water must be in line with the requirements of the new Directive on public access to environmental information. Therefore, in accordance with the subsidiarity principle, the form the information takes should be a matter for the local and regional authorities. The directive should therefore restrict itself to laying down the following minimum requirements:

⁽¹⁾ OJ C 357, 14.12.2001, p. 51.

- general description of bathing water without reference to bathing water profiles;
- presentation and assessment of current measurement results and rating of bathing water over the last three years;
- removal from the bathing areas list, with statement of reasons where appropriate.

1.7. The Committee welcomes the approach adopted by the new directive, which focuses on improving health through proactive management of bathing areas, without restricting itself exclusively to the necessary periodic scientific analyses. This new approach will to a great extent facilitate the adoption of management measures at every level by the competent authorities. It will be possible to gear these measures more closely to the specific situations of both fresh and coastal waters.

1.8. The Committee endorses the classification of bathing areas as poor, good or excellent. Although, strictly speaking, areas need only be classified as either suitable or unsuitable for bathing, the further classification of water suitable for bathing rewards the greater efforts made by authorities which are concerned to ensure maximum water quality. Moreover, this measure promotes continuous improvement of the state of areas already classified as suitable for bathing.

1.9. The Committee welcomes the reduction of the number of parameters used in the new directive, which considerably reduces costs but points out that the assessment procedures may lead to unrepresentative results. The Committee therefore calls for a more flexible procedure that can, if necessary, be modified. The possibility of introducing new parameters should not be excluded, if scientific and technical advances make it appropriate to carry out certain analyses. These improvements could be made without the need to revise the directive.

1.10. The Committee is pleased to see the reference in the directive to phytoplankton blooms and macro-algae proliferation, which the Committee called for in its previous Opinion on bathing water policy (CdR 97/2001 fin). It also recommends that attention be given to contamination with mucilage. The Committee considers that further study should be devoted to these phenomena and their repercussions for the health of bathers, ecosystems and the quality of bathing.

1.11. The Committee draws attention to the problems which can arise when bathing water is located in FFH and bird conservation areas and is used by large numbers of waterfowl. A suitable solution has to be found to this problem which takes due account of justified leisure interests.

2. Comments concerning the priorities of the regional and local authorities

2.1. As the new directive on the quality of bathing water will entail coherent responsibilities shared between the European Union and the Member States and their regions, the Committee of the Regions feels that it is necessary for regional and local representatives to participate actively in the Regulatory Committee and the committee referred to in Article 20.

2.2. In keeping with the directive, it is essential that the regional and local authorities participate in the design of the channels through which information is provided to consumers in order to increase the transparency of the information provided and in this way boost users' confidence.

2.3. With regard to the evaluation of the economic and business impact, improvement of the quality of bathing water will generate positive external effects which will have a direct beneficial effect on public health, the economic and social well-being of people living in these areas and the sustainable development of the tourism sector. The Commission should undertake further analysis, in cooperation with local and regional authorities, of the potential impact on the sustainability of the tourism sector. This should include investigation of the costs to local communities of having to close bathing water areas in order to comply with the new higher standards proposed by the Commission.

2.4. As the supervisory responsibilities of the Member States are carried out by the local and regional authorities, the Committee considers that the scope of the directive should be restricted to bathing. The inclusion of other recreational activities should be rejected and any references to this should be deleted. Water quality requirements for other recreational activities should, if appropriate, be dealt with in a separate directive.

2.5. Despite the fact that the Commission has made surveys to elaborate the Directive, the Committee calls on the Commission to undertake a more detailed and representative assessment of the costs of implementing the revisions.

3. Recommendations

The Committee of the Regions calls for the following changes to the Directive of the European Parliament and of the Council concerning the Quality of Bathing Water.

3.1. In the light of the many measures required for the establishment of a bathing water profile in accordance with Article 6, these should only be required when the quality of bathing water has been classified as 'poor' in accordance with Article 9.

3.2. In the light of the accidents involving the oil tankers Erika and Prestige — the most recent of many accidents off the coasts of Europe causing grave environmental damage, the Committee proposes, in relation to Article 6, that a study be made of measures to counter the serious damage done to water quality and to the confidence of consumers. The temporary removal from the list of bathing areas affected in this or similar ways is one option which could be included in the directive. The aim is to prevent damage to the reputation of bathing areas affected by environmental disasters, while ensuring that whenever an area is reinstated on the list, this is done with all the necessary health and safety guarantees.

3.3. With regard to Article 7 (4) and (5), it is proposed that man-made disasters, such as those involving the Prestige and the Erika, also be considered grounds for suspending the monitoring calendar.

3.4. The CoR feels that flooding should be considered grounds for suspending the monitoring calendar in view of the adverse effect on water quality. The Commission should be informed when the annual report on the bathing season is submitted.

3.5. With regard to Article 12(3) of the proposal for a directive, the Committee calls for the directive to make provision for the material resources needed by the relevant public authorities, in many cases regional or local authorities, to ensure that they have the necessary capacity for responding to emergencies. Emergency plans should be drawn up under Article 12 only in extremely urgent cases. The possibility of dropping Article 12 should perhaps even be considered.

3.6. The Committee propose that a 'discounting' rule be added to Article 13, in line with the general comments set out in point 1.9. Under such a rule bathing water would be considered to be in conformity with the directive if:

- the limit values were exceeded only temporarily and appropriate subsequent checks and analyses revealed no further infringements; and
- public warnings were issued by the competent authorities, or short-term bans on bathing were imposed, for the period during which the limit values were exceeded.

3.7. With regard to Article 16(1), provision should be made for the direct participation of the regional and local authorities in the provision and dissemination of information on the state of bathing water. As it is the regional and local authorities which know the local environment and the target public best, the quality of the information provided will in this way be improved.

3.8. A new fifth paragraph should be added to Article 16 laying down a practical model for the provision of information to the public for use throughout the European Union. To this end, the Committee calls on the Commission to finance pilot projects in various European regions for the development of such a system applicable to both fresh water and coastal waters. These projects would be carried out during the two-year period allowed for implementation of the directive.

3.9. With regard to Article 20, the Committee proposes that the regions and local authorities contribute to the process of hammering out the scientific and technical details of the directive, as it is these authorities which are most familiar with the actual condition of bathing water. It would also be desirable for the regional and local authorities to be represented on the committee which assists the European Commission with the technical adaptation of the directive.

3.10. With regard to the comments on the legislative financial statement, and with a view to carrying out the pilot projects proposed in point 3.5 of the recommendations, provision will need to be made for the additional budget funding needed to cover the relevant costs.

Brussels, 9 April 2003.

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 and the European Parliament — Towards a strategy to protect and conserve the marine environment'

(2003/C 244/08)

THE COMMITTEE OF THE REGIONS,

having regard to the European Commission Communication — Towards a strategy to protect and conserve the marine environment (COM(2002) 539 final);

having regard to the European Commission's decision of 2 October 2002 to consult it on this subject, under the first paragraph of Article 265 of the Treaty establishing the European Community;

having regard to the decision of its Bureau of 12 March 2002 to instruct the Commission for Sustainable Development to draw up an opinion on this subject;

having regard to its Opinion on the Sixth Environment Action Programme (CdR 36/2001 fin)⁽¹⁾;

having regard to its draft opinion (CdR 24/2003 rev.) adopted by the Commission for Sustainable Development on 20 February 2003 (rapporteur: Mr Wim van Gelder, Queen's Commissioner for the Province of Zeeland (NL-EPP)),

unanimously adopted the following opinion at its 49th plenary session of 9 and 10 April 2003 (meeting of 9 April).

1. The Committee of the Regions' views

The Committee of the Regions

1.1. welcomes the plans for a European strategy to protect and conserve the marine environment, as required under the Sixth European Environment Action Programme;

1.2. endorses the need for an overall, integrated marine protection policy at EU level, given the regional and sectoral fragmentation of policy;

1.3. is convinced that healthy seas and oceans, including coastal zones and estuaries, (in other words the marine environment) are of vital importance not only on ecological grounds, but also from an economic and social point of view;

1.4. would also stress the importance of a healthy marine environment for local and regional communities. The contrary was clearly illustrated recently by the impact of the Prestige oil tanker disaster on local communities on the northern coast of Spain, and, more recently still, by the Tricolor disaster off the Belgian and south-west Netherlands coast;

1.5. would welcome a strategic, pan European approach to such disasters managed by the European Maritime Safety Agency; one of the objectives of the Agency should therefore be to ensure that disaster control mechanisms are put in place immediately after an accident and enabled to act without delay in controlling pollution from maritime disasters;

1.6. recognises that a healthy marine environment is under serious threat from countless human activities both at sea and on land. These include the discharge of hazardous substances and nutrients, the extraction from the marine environment of commodities such as fish, oil, sand, gravel and energy, and all climate-changing activities;

1.7. believes that it would be extremely difficult, if not impossible, to repair the damage done to the marine environment. This is often virtually irreversible, particularly given the sheer scale of the processes involved. It is essential, as far as possible, to avoid the need for reactive measures. That can be done by pursuing a pro-active approach underpinned by the precautionary principle and reflected in 'no-regret' measures;

1.8. endorses the view that an ecosystem approach is essential for any sustainable use of the seas. This is the only way to ensure that the seas are not used in ways detrimental to their ecology, to other uses or to future generations. The ecosystem approach must be applied at global level;

⁽¹⁾ OJ C 357, 14.12.2001, p. 44.

1.9. considers that greater attention must be paid to spatial planning as a tool for giving practical shape to sustainable use. Sustainability must be reflected not only in the intensity and type of use, but also in its location as well. As a tool, spatial planning can be seen as a practical expression of the precautionary principle and, for that reason, must be applied not only in any special areas of conservation set up, but outside them as well. Specific spatial planning rules must be drawn up, underpinned by an overall approach to EU sea areas;

1.10. considers that a sustainable use of the seas is impossible without support from the regional and municipal communities as well. Interactive planning procedures can play a key role in this regard, and due consideration must be given to this aspect in developing the strategy;

1.11. feels that policy integration is needed not only at EU level but at municipal and regional level as well. That will help address the need for regional support referred to above, both for the policy itself and for the development of spatial planning as a tool for the sustainable use of the marine environment;

1.12. endorses the communication's point about lack of adequate knowledge. Work must be stepped up to improve the knowledge base;

1.13. recognises at the same time that we cannot wait until that knowledge base is in place and, also, that there are limits to how far such knowledge can be developed. These limiting factors must be borne in mind when formulating policy. The precautionary principle must therefore be a key starting point in any policy development. Furthermore, this aspect must also be reflected in the enforceability of rules and regulations. One example of that is the 'Clean Ship' concept, which thus requires active support;

1.14. backs EU Commissioner Loyola de Palacio's policy regarding tighter timetables for the double-hulling of seaworthy ships, and the training requirements and professional skills of seafarers;

1.15. considers that the difficulties facing the marine environment can be tackled more effectively if the costs of (potential) environmental damage are carried by the polluter. Environmental costs should become an integral part of company accounts. Potential environmental damage should also be reflected in insurance premiums, for instance for ships;

1.16. agrees that, given the complex nature of the issues involved, the communication cannot at this stage set out the strategy itself, but is just one step towards it. The Committee appreciates the structured approach to the proposed actions, but wonders whether some of the actions could not be

couched in more specific terms. Also, a number of the objectives have no deadline for completion. The Committee, feels, however, that deadlines could be set;

1.17. wonders when, if ever, a communication will be published setting out the strategy (in more detail).

2. The Committee of the Regions' recommendations

The Committee of the Regions

2.1. recommends that, given the limits on knowledge development and the virtual irreversibility of the damage to the marine ecosystem, more explicit attention should be paid to the precautionary principle. This must be reflected, among other things, in:

2.1.1. the broader use of spatial planning and strategic environmental assessment, not just in special areas of conservation;

2.1.2. proposals to incorporate environmental costs more fully into company accounts;

2.1.3. the active encouragement of the 'Clean Ship' concept;

2.2. recommends policy integration not only at EU level but at regional level as well by building on the model of Regional Advisory Councils mentioned in Action 20, which also involve the relevant local authorities, to establish Integrated Regional Advisory Councils covering all the relevant sectors. This contrasts with Action 20's proposal to 'apply this model to other sectors';

2.3. recommends promoting the global application of the ecosystem approach;

2.4. recommends that the Commission strategy recognise and address the potential for a major release of radioactivity to the marine environment arising from an accident or incident involving the transport of radioactive materials;

2.5. recommends that deadlines be set for the achievement of Objectives 9, 10 and 12;

2.6. recommends a more precise wording for Actions 7 and 9;

2.7. recommends the publication of a more detailed integrated strategy in conjunction with the report mentioned in Action 19;

2.8. drawing on these recommendations, proposes the following amendments:

PROPOSED AMENDMENTS

AMENDMENT 1

Section 7: Objectives

Add:

Text proposed by the Commission	Amendment
<p>Eutrophication</p> <p>Objective 5</p> <p>The objective with regard to eutrophication is to eliminate human induced eutrophication problems by 2010 by a progressive reduction of anthropogenic inputs of nutrient to areas in the marine environment where these inputs are likely, directly or indirectly, to cause such problems. Where no regional objectives on eutrophication have been set, regional specific action and timeframes for achieving this objective will be developed in collaboration with the regional marine conventions.</p>	<p>Eutrophication</p> <p>Objective 5</p> <p>The objective with regard to eutrophication is to eliminate <u>reduce</u> human induced eutrophication problems by 2010 <u>2015</u> <u>(in accordance with the water framework directive)</u> by a progressive reduction of anthropogenic inputs of nutrient to areas in the marine environment where these inputs are likely, directly or indirectly, to cause such problems. Where no regional objectives on eutrophication have been set, regional specific action and timeframes for achieving this objective will be developed in collaboration with the regional marine conventions.</p>

Reason:

The objective set in the Commission's strategy to eliminate eutrophication problems by 2010 is unrealistic, particularly from the standpoint of local and regional authorities.

AMENDMENT 2

Section 7: Objectives

Add:

Text proposed by the Commission	Amendment
<p>Objective 9</p> <p>The objective is to reduce the environmental impact of shipping by developing the concept of the 'Clean Ship'.</p>	<p>Objective 9</p> <p>The objective is to reduce the environmental impact of shipping by developing the concept of the 'Clean Ship' which would include the development of a 'black box' <u>system for ships similar to that used in aircraft, which would record essential safety and anti pollution information by 2010.</u></p>

AMENDMENT 3

Section 7: Objectives

Add:

Text proposed by the Commission	Amendment
<p>Objective 10</p> <p>The objective is to achieve a quality of the environment where levels of contaminants do not give rise to significant impacts on or risks to human health and well-being.</p>	<p>Objective 10</p> <p>The objective is to achieve <u>by 2010</u> a quality of the environment where levels of contaminants do not give rise to significant impacts on or risks to human health and well-being.</p>

AMENDMENT 4

Section 7: Objectives

Add:

Text proposed by the Commission	Amendment
<p>Objective 12</p> <p>The objective is to realise more effective coordination and cooperation between the different institutions and regional and global conventions, commissions and agreements governing marine protection.</p>	<p>Objective 12</p> <p>The objective is to realise <u>by 2006</u> more effective coordination and cooperation between the different institutions and regional and global conventions, commissions and agreements governing marine protection;</p>

AMENDMENT 5

Section 8.1: Policy action

Amend:

Text proposed by the Commission	Amendment
<p>8.1. Where this is likely to lead to designation of Special Areas of Conservation which would have implication for ongoing sectoral activities, the Commission will address the integration of nature protection measures and the various sectoral activities impacting on the marine environment including spatial planning and the application of strategic environment assessments.</p>	<p>8.1. Where this is likely to lead to designation of Special Areas of Conservation which would have implication for ongoing sectoral activities, the <u>The</u> Commission will address the integration of nature protection measures and the various sectoral activities impacting on the marine environment including spatial planning and the application of strategic environment assessments. <u>This will be done in the first instance wherever, under Action 2, Special Areas of Conservation might be designated which would have implications for ongoing sectoral activities.</u></p>

AMENDMENT 6

Section 8.1: Policy action

Amend as follows:

Text proposed by the Commission	Amendment
<p>Action 7</p> <p>In the context of its implementation of its strategy with regard to Dioxins, Furans and PCBs, the Commission will consider the development of an integrated pilot programme for monitoring of dioxins in the environment and in food in relation to human health in the Baltic area.</p>	<p>Action 7</p> <p>In the context of its implementation of its strategy with regard to Dioxins, Furans and PCBs, the Commission will consider <u>by 2004 submit proposals for</u> the development of an integrated pilot programme for monitoring of dioxins in the environment and in food in relation to human health in the Baltic area.</p>

AMENDMENT 7

Section 8.1: Policy action

Add:

Text proposed by the Commission	Amendment
<p>Action 9</p> <p>To facilitate a more systematic approach towards combating marine eutrophication, the Commission will:</p> <ul style="list-style-type: none"> — pursue a more vigorous enforcement and implementation of the nitrates and urban wastewater directives; — 	<p>Action 9</p> <p>To facilitate a more systematic approach towards combating marine eutrophication, the Commission will:</p> <ul style="list-style-type: none"> — pursue a more vigorous enforcement and implementation of the nitrates and urban wastewater directives, <u>and submit proposals to that end by 2004;</u> —

AMENDMENT 8

Section 8.1: Policy action

Add:

Text proposed by the Commission	Amendment
<p>Action 14</p> <p>The Commission will:</p> <ul style="list-style-type: none"> — in the future assisted by the European Maritime Safety Agency, continue to review the effectiveness of EU legislation in the maritime safety field with special emphasis being given on the recently adopted measures to prevent maritime pollution accidents; — continue to actively promote initiatives aimed at minimising environmental harm caused by maritime transport and will support efforts to develop the concept of a Clean Ship. 	<p>Action 14</p> <p>The Commission will:</p> <ul style="list-style-type: none"> — in the future assisted by the European Maritime Safety Agency, continue to review the effectiveness of EU legislation in the maritime safety field with special emphasis being given on the recently adopted measures to prevent maritime pollution accidents; — continue to actively promote initiatives aimed at minimising environmental harm caused by maritime transport and will actively support efforts to develop the concept of a Clean Ship <u>including the development of a Sea Traffic Control System for maritime transport.</u>

AMENDMENT 9

Section 8.1: Policy action

Add new text:

Text proposed by the Commission	Amendment
	<p>Action (new)</p> <p>The Commission will by 2004 submit proposals designed to ensure that the costs of (potential) environmental damage are more explicitly reflected in the business results of the (potential) polluters.</p>

AMENDMENT 10

Section 8.2: Enhancing coordination and cooperation

Add:

Text proposed by the Commission	Amendment
<p>Action 19</p> <p>The Commission will:</p> <ul style="list-style-type: none"> — establish an interservice group to consider all issues related to marine protection and ensure effective co-ordination of the sectoral regulations; — establish a work programme involving a sharing of work with Member States, regional organisations and other stakeholders to realise the objectives of the Marine Strategy; — publish a report by June 2004 on the results of these initiatives together with recommendations for further action. 	<p>Action 19</p> <p>The Commission will:</p> <ul style="list-style-type: none"> — establish an interservice group to consider all issues related to marine protection and ensure effective co-ordination of the sectoral regulations; — establish a work programme involving a sharing of work with Member States, regional organisations and other stakeholders to realise the objectives of the Marine Strategy; — publish a report by June 2004 on the results of these initiatives together with <u>a more detailed integral strategy and</u> recommendations for further action.

AMENDMENT 11

Section 8.2: Enhancing coordination and cooperation

Amend as follows:

Text proposed by the Commission	Amendment
<p>Action 20</p> <p>Where the Commission, within the reform of the CFP, has proposed to establish Regional Advisory Councils with a broad membership including representatives from fisheries and aquaculture sectors, environmental and consumer interests, national and/or regional administrations, and scientists, it will seek to apply this model in other sectors.</p>	<p>Action 20</p> <p>Where the Commission, within the reform of the CFP, has proposed to establish Regional Advisory Councils with a broad membership including representatives from fisheries and aquaculture sectors, environmental and consumer interests, national and/or regional and <u>relevant local</u> administrations, and scientists, it will seek to apply this model in other sectors <u>to build on this model in such a way that Integrated Regional Advisory Councils are established, aimed at all the relevant, interconnected sectors.</u></p>

AMENDMENT 12

Section 8.2: Enhancing coordination and cooperation

Add:

Text proposed by the Commission	Amendment
<p>Action 22</p> <p>At global level, the Commission will:</p> <ul style="list-style-type: none"> — promote improved co-ordination between all bodies dealing with marine protection in the framework of UNCLOS and Agenda 21 chapter 17; — ensure co-ordinated Community position in intergovernmental organisations to facilitate a broad pan European consensus and European influence; — pursue on-going dialogue and international scientific and technological research cooperation with partner countries and regions interested in promoting the ecosystem-based approach to the marine environment; — 	<p>Action 22</p> <p>At global level, the Commission will:</p> <ul style="list-style-type: none"> — promote improved co-ordination between all bodies dealing with marine protection in the framework of UNCLOS and Agenda 21 chapter 17; — ensure co-ordinated Community position in intergovernmental organisations to facilitate a broad pan European consensus and European influence; — pursue on-going dialogue and international scientific and technological research cooperation with partner countries and regions interested in promoting the ecosystem-based approach to the marine environment, <u>and actively promote this approach;</u> —

Brussels, 9 April 2003.

The President
of the Committee of the Regions
 Albert BORE

Opinion of the Committee of the Regions on the 'Adoption of a multi-annual programme (2004-2006) for the effective integration of Information and Communication Technologies (ICT) in education and training systems in Europe (eLearning Programme)'

(2003/C 244/09)

THE COMMITTEE OF THE REGIONS,

having regard to the proposal for the Adoption of a multi-annual programme (2004-2006) for the effective integration of Information and Communication Technologies (ICT) in education and training systems in Europe (eLearning Programme) (COM(2002) 751 — 2002/0303 (COD));

having regard to the decision of the Council of 22 January 2003 to consult it on this subject, under the first paragraph of Article 265 of the Treaty establishing the European Community;

having regard to the decision of its President of 26 June 2002 to instruct its Commission for Culture and Education to draw up an opinion on the subject;

having regard to the decision of its President of 28 February 2003 to appoint Mr Risto Ervelä, Chairman of Sauvo Local Council and Chairman of the Regional Council of Southwest Finland (FIN-ELDR), as rapporteur-general, under Rule 40(2) of its Rules of Procedure,

unanimously adopted the following opinion at its 49th plenary session of 9 and 10 April 2003 (meeting of 10 April).

1. The Committee of the Regions' views

that this contributes to and could further exacerbate disparities in the achievement of the programme's objectives;

The Committee of the Regions

1.1. takes the view that the creative and innovative use of ICT will improve the quality of European education and training systems and considers the Commission's proposal for a multi-annual eLearning Programme to be a key element in this development;

1.5. believes that the possibility of new Member States to participate in the programme before accession supports the overall objectives of enlargement;

1.2. highlights the important role of local and regional authorities in education and training and feels that their close involvement in the implementation of the programme is a prerequisite for achieving the objectives;

1.6. points out that the cooperation of grass-roots players (such as local and regional authorities, NGOs, companies) has a major role to play in achieving the programme's objectives;

1.3. emphasises that all students and educational institutions must be able to exploit the potential of the information society and further stresses that the achievement of this objective is particularly difficult in regions which face special challenges because of location or the structure of the community such as in remote areas and the outermost regions, or owing to insufficient infrastructure, poor purchase and maintenance budgets, unequal opportunities for accessing information, etc.;

1.7. stresses that equipping people with the skills needed for the workplace is one of the main goals of education and training and considers that this requires close cooperation between the education and training sector and companies as skill requirements change rapidly in a knowledge-based information society;

1.4. notes that there are major regional and local disparities in the provision of telecommunications services in Europe and

1.8. notes that, in creating a new learning environment, special attention needs to be paid to content production and the quality of learning, while bearing in mind the human dimension of education objectives and the importance of interaction between people;

1.9. emphasises that the use of ICT in education and training and, on the other hand, the teaching of ICT skills are different things and feels that the Commission proposal lacks conceptual clarity in this regard;

1.10. considers it essential that the programme, in line with the Commission proposal, transcends the boundaries of education and training and stresses that this requires a new kind of partnership, which, in addition to local and regional authorities, includes different levels of education, adult education and employers;

1.11. feels that the Commission's proposed lines of action (fighting the digital divide, European virtual campuses and school twinning via the Internet) meet the priorities previously identified by the Committee;

1.12. notes that the resources earmarked for implementing the programme are inadequate in relation to the objectives;

1.13. considers it important that clear objectives have been set for the programme and that the objectives will be monitored and evaluated but points out that evaluation must not become unnecessarily burdensome in economic and administrative terms;

1.14. notes that promoting the use of ICT in education and training is not enough to guarantee the high quality of education and training and that it is only one way of improving learning;

1.15. endorses the programme's aim to offer virtual mobility as an alternative for all people who, for one reason or another, are unable to benefit from physical mobility and feels that, in this respect, the programme is an excellent complement to the EU's other education, training and youth programmes.

2. The Committee of the Regions' specific comments

The Committee of the Regions

2.1. feels that the key role played by local and regional authorities in combating exclusion in the information society should be recognised in the implementation of the programme and hopes that this work receives support from different levels of decision-making;

2.2. points out that teaching materials are often culturally rooted and therefore the programme must support content production in minority languages, as it is often not profitable to produce such material in digital form;

2.3. believes it is important as a prerequisite for preventing exclusion that attention is paid in the implementation of the programme to the need to develop user-friendly equipment and software for all user groups;

2.4. hopes that the programme will make a major contribution to fostering the use of open source software in education and training;

2.5. takes the view that the eLearning Programme and the document setting out the future objectives of European education and training systems, as well as its related monitoring process, should clearly support each other;

2.6. hopes that, in addition to supporting the Bologna process in the area of higher education, the programme will also take on board the Copenhagen process in the context of vocational training;

2.7. proposes a flexible approach in the implementation of the programme so that development work in Member States can be supported and encouraged regardless of the stage it has reached or the way in which it is advancing;

2.8. feels that, in order to achieve the objectives set for it, the scope of the programme should be broadened as soon as possible to include primary education;

2.9. emphasises that the lifelong learning objectives require that elearning opportunities are also accessible outside educational establishments wherever people are;

2.10. assumes that the social, individual and ethical development of children and young people will also be provided for in the Internet age and that effective action will be taken to combat harmful content;

2.11. takes the view that the eLearning Programme must safeguard Europe's cultural and linguistic diversity;

2.12. stresses that cooperation and coordination with other EU education and training programmes are essential so as to avoid duplication and ensure that the programmes complement each other effectively;

2.13. considers it important that ICT be used to develop quality distance learning methods that can be used to increase and broaden the provision of education and training also in regions and municipalities where it would otherwise be unduly expensive or difficult such as in remote areas and the outermost regions;

2.14. hopes that it will be possible to extend the eLearning Programme to include cross-border school twinning in regions which are and will continue to be located outside the EU;

2.15. believes it is important from the point of view of developing content production and e-learning that it is recognised that teachers and trainers have a role to play not only in the use of e-learning resources but also in their development and further feels that special attention needs to be paid to the IT training of teachers and student teachers and to the pedagogical use of digital teaching materials in education;

2.16. takes the view that digital teaching materials should contain adequate pedagogical instructions for teachers so as to facilitate their use;

2.17. considers it is appropriate to allocate the programme's resources to the most effective and strategically important actions, with special emphasis on the most innovative pedagogical approaches;

2.18. notes that evaluations should focus on the added value which ICT brings to learning and hopes that the results of the interim evaluations of the programme can be utilised in developing the structure and contents of EU education, training and youth programmes (e.g. Leonardo da Vinci and Socrates) after 2006;

2.19. emphasises that, in addition to ICT and virtual mobility, electronic school twinning needs to be backed up by actual teacher and student exchange schemes.

3. The Committee of the Regions' recommendations

Recommendation 1

Article 2

Text proposed by the Commission	CoR amendment
<p>2. The specific objectives of the programme are:</p> <p>(e) to provide mechanisms for encouraging improvement of quality of products and services as well as for their effective dissemination and for exchange of good practice.</p>	<p>2. The specific objectives of the programme are:</p> <p>(e) to provide mechanisms for encouraging improvement of quality of products, <u>and services and pedagogical solutions supporting e-learning</u> as well as for their effective dissemination and for exchange of good practice.</p>

Reasons

More innovation is needed in the use of e-learning. e-Learning can only be successful if adequate consideration is given to the needs of the learner and the nature of what is to be learnt. It is important to emphasise the quality of elearning products and services and to take account of pedagogical aspects in their use.

Recommendation 2

Article 3

Text proposed by the Commission	CoR amendment
<p>1. The objectives of the programme shall be pursued in the following areas of intervention, in accordance with the action lines described in the Annex:</p> <p>(b) European virtual campuses: Actions in this area will address a better integration of the virtual dimension in Higher Education. The objective is to encourage the development of new organisational models for European virtual universities (virtual campus) and for European exchange and sharing schemes (virtual mobility), building on existing European co-operation frameworks (Erasmus programme, Bologna process), and providing an 'e-learning dimension' to their operational tools (ECTS, European Masters; quality assurance; mobility);</p>	<p>1. The objectives of the programme shall be pursued in the following areas of intervention, in accordance with the action lines described in the Annex:</p> <p>(b) European virtual campuses: Actions in this area will address a better integration of the virtual dimension in Higher Education. The objective is to encourage the development of new organisational models for European virtual universities and other <u>higher education institutions</u> (virtual campus) and for European exchange and sharing schemes (virtual mobility), building on existing European co-operation frameworks (Erasmus programme, Bologna process), and providing an 'e-learning dimension' to their operational tools (ECTS, European Masters; quality assurance; mobility);</p>

Reasons

The concept 'university' does not cover the whole of higher education. In many European countries higher education embraces both universities and polytechnics.

Recommendation 3

Article 3

Text proposed by the Commission	CoR amendment
<p>2. These actions shall be realised in accordance with the procedures set out in the Annex, and through the following approaches, which may be combined where appropriate:</p> <p>(c) support for strategic actions by European networks and partnerships designed to foster innovation, quality in the design and use of products and services, based on the relevant use of Information and Communication Technologies (ICT) for education and training;</p>	<p>2. These actions shall be realised in accordance with the procedures set out in the Annex, and through the following approaches, which may be combined where appropriate:</p> <p>(c) support for strategic actions by European networks and partnerships designed to foster innovation, quality in the design and use of products, <u>and pedagogical solutions supporting e-learning</u>, based on the relevant use of Information and Communication Technologies (ICT) for education and training;</p>

Reasons

More innovation is needed in the use of e-learning. eLearning can only be successful if adequate consideration is given to the needs of the learner and the nature of what is to be learnt. It is important to emphasise the quality of elearning products and services and to take account of pedagogical aspects in their use.

Recommendation 4

Article 10

Text proposed by the Commission	CoR amendment
<p>1. Budgetary distribution between the actions shall be as follows:</p> <p>(a) e-learning for fighting the digital divide: around 25 % of total budget;</p> <p>(b) European virtual campuses: around 30 % of total budget.</p>	<p>1. Budgetary distribution between the actions shall be as follows:</p> <p>(a) e-learning for fighting the digital divide: around 2530 % of total budget;</p> <p>(b) European virtual campuses: around 3025 % of total budget.</p>

Reasons

Fighting the digital divide is a particularly important objective given Europe's changing age structure, the challenges of lifelong learning and changes in the workplace and economic activity.

Brussels, 10 April 2003.

The President
of the Committee of the Regions
Albert BORE

Opinion of the Committee of the Regions on:

- the 'Review of the European Employment Strategy and the Employment Guidelines for 2003 based on the Communication on Taking stock of five years of the European Employment Strategy', and
- the 'Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on "The future of the European Employment Strategy (EES): A strategy for full employment and better jobs for all"'

(2003/C 244/10)

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 Taking stock of five years of the European Employment strategy (COM(2002) 416 final) and the Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on The future of the European Employment Strategy (EES): A strategy for full employment and better jobs for all (COM(2003) 6 final);

having regard to the Decisions of the European Commission of 18 July 2002 and 14 January 2003 to consult it, under the first paragraph of Article 265 of the Treaty establishing the European Community;

having regard to the Decision of its President of 23 September 2002 to instruct the Commission for Economic and Social Policy to draw up an opinion on this subject;

having regard to its Draft Opinion (CdR 15/2003 rev.) adopted on 24 February 2003 by the Commission for Economic and Social Policy (rapporteur: Pauliina Haijanen, Member of the Board, Regional Council of Southwest Finland, (FIN-EPP)),

adopted the following opinion unanimously at its 49th plenary session of 9 and 10 April 2003 (meeting of 10 April).

THE COMMITTEE OF THE REGIONS' RECOMMENDATIONS

1. Overall objectives of the reform of the Employment Strategy

1.1. The Committee of the Regions feels that the Commission Communication reflects in a clear and consistent way the goals for the reform of the Employment Strategy set by the Barcelona European Council. The main thrust of the Communication is in line with the views expressed earlier by the CoR on enhancing the effectiveness of the Employment Strategy and strengthening the local and regional dimension. Abandoning the pillar approach will clarify the structure of the Employment Strategy and make it easier to interpret.

1.2. The Committee of the Regions considers it important that the overall goals proposed by the Commission for the reform of the Strategy are based on the Lisbon objectives. The priorities identified as the basis for future guidelines reflect the problems in European labour markets and future challenges and provide a good basis for the development of increasingly result-oriented guidelines.

1.3. The Committee of the Regions welcomes the fact that the stability of the Employment Guidelines is to be reinforced. The Employment Strategy must focus on the medium-term objectives and the emphasis of the process must shift from setting goals to improving implementation and evaluation of results. The CoR would stress that greater stability will also enable a widening and deepening of the consultation process in connection with the drawing up of National Action Plans (NAPs) and the closer involvement of local and regional authorities in the preparation of NAPs.

1.4. The Committee of the Regions supports the Commission's aim to streamline the Employment Strategy and specify the division of labour between the European Union and Member States. Country-specific recommendations and NAPs will be given a stronger role in the implementation of the Employment Strategy. The new time frame for the process will enable NAPs to be better integrated than at present into the preparation of national budgets. These changes will boost the importance of the European Employment Strategy at national level.

1.5. The Committee of the Regions considers it important that labour market reform support the EU's longer-term growth, employment and competitiveness strategy and ensure that labour market constraints do not hamper economic growth. The development of employment must be approached

from a wide perspective by coordinating measures in different policy areas. Raising the labour force participation rate requires structural reforms in the area of employment and social policy, measures to prevent long-term unemployment and a reduction in structural employment.

1.6. The Committee of the Regions stresses that raising the labour force participation rate calls for a strong commitment to job creation and entrepreneurship. Companies' competitiveness must be enhanced by improving the skills of businesses and the workforce, work organisation, quality at work and productivity. The operating environment for companies must be improved. A determined effort must be made to reduce administrative barriers to the setting up and operation of businesses and the hiring of new staff.

1.7. The Committee of the Regions concurs with the Commission's view that raising quality and productivity at work requires a shift towards a more knowledge-based economy. The Committee would, however, stress that, in some sectors, unemployment is due to the fact that the skill levels of the workforce do not match labour-market demands. There is a pool of untapped labour potential outside the labour market that cannot be readily equipped with the skills to meet such demands. Action is therefore needed to harness that potential for the labour market, thereby also permitting, among other things, the existence of a low-wage sector.

1.8. The Committee of the Regions considers it important that enlargement be taken into account in the reform of the Strategy and that the future Member States be consulted in subsequent stages of the preparatory work. Raising the employment rate, upgrading skills and restructuring the productive base are among the major problems facing new Member States. Structural change is amplifying regional employment disparities. Administrative structures in the candidate countries, and in particular local and regional authorities' capacity to act, must be strengthened so that they can adapt to labour market challenges in Europe and exploit the resources earmarked for development purposes in the most effective way possible.

2. Governance of the Employment Strategy and reinforcing the local and regional dimension

2.1. The Committee of the Regions stresses that the achievement of full employment and the other employment objectives set in Lisbon is a challenging task. Success will, more than ever, depend on many policies geared to the same ends and on effective cooperation and coordination of resources between actors at different levels.

2.2. The Committee of the Regions agrees with the Commission that the political commitment of Member States to the Employment Strategy must be reinforced. NAPs for employment are generally regarded as being government documents where the link to other national policies is unclear. Local and regional actors, the media and the general public have little awareness of the Employment Strategy. As a result problems arise in applying the Strategy at the levels where decisions on employment are ultimately taken.

2.3. The CoR feels that national parliaments should comment on the National Action Plans for Employment. This would provide a better grasp of the rationale behind the European Employment Strategy, and also open it up to a wide-ranging debate. As national action plans, NAPs would thus carry more weight, and it would provide national MPs with a 'natural' channel for working towards a much needed common central/regional and local approach to employment policy.

2.4. The Committee of the Regions takes the view that the content of the Employment Strategy and the terminology it uses should be recast to make them easier to understand and relevant to local and regional circumstances. Public opinion surveys show that citizens in Europe find EU activities alien and remote. Experience gained from efforts to promote local employment indicate that considerable problems still exist in terms of interpretation between the various levels engaged in implementing the European Employment Strategy.

2.5. The Committee of the Regions emphasises that local and regional authorities must have a central role and responsibility in developing and implementing the Employment Strategy. The European Employment Strategy must become a multi-level process where there is ongoing interaction between actors at local, regional, national and EU level. It is crucial for the good governance of the strategy to assess how cooperation between different actors and levels of administration functions in the preparation and implementation of the Strategy. For the customer, however, administration is a single whole and therefore it is also important to determine how businesses and citizens can be actively involved at grass roots level in developing services supporting employment.

2.6. The Committee takes the view that a wide-ranging approach should be adopted to reinforcing the local and regional dimension of the European Employment Strategy. The Commission's Communication examines the local and regional role primarily from the viewpoint of the governance of the Employment Strategy, i.e. in terms of its operation and legitimacy. This approach does not, however, pay adequate attention to the direct role played by local and regional actors in implementing the objectives of the Employment Strategy. All jobs are created and lost at local level. Local and regional actors play an important role as providers of welfare, training and education services that support employment, developing local labour markets and new job opportunities, as well as being employers themselves. They have an extensive influence on the conditions of access to the labour market for young people, women, immigrants and an ageing population and on the promotion of labour market equality. The role they play in integrating groups outside the labour market is often crucial. High employment is also a key objective of local development policy and a prerequisite for maintaining the level of services.

2.7. The Commission Communication identifies addressing regional employment disparities as one of the priorities of future Employment Strategy. Regional differences in employment are large and will grow further in connection with enlargement. The Committee of the Regions points out that at the same time there is a growing diversity of problems within regions. The ability of policies determined at macro level to respond to local and regional problems is diminishing. The Committee stresses that labour market problems highlight the need for an approach where the policy pursued also incorporates the changes needed to address regional disparities. The Employment Strategy should support a shift towards a decentralisation of employment policy, in line with general developments in OECD countries. Member States should also promote the devolution of decision-making powers in the implementation of employment policy to the local and regional level.

2.8. The Committee of the Regions shares the Commission's view that the European Employment Strategy should encourage and support the design and implementation of partnership-based regional employment strategies. The Committee feels that partnerships between the public sector, companies, actors in the social economy and NGOs are of particular importance for strengthening social cohesion and creating new social capital, companies and jobs. Partnerships should be broad-based, bringing together different actors at different levels. The planning of regional employment strategies should be effectively integrated into the preparation of NAPs. Adequate resources for their design and implementation should be set aside in national budgets and ESF programmes.

2.9. The Committee of the Regions considers that the promotion of local and regional employment has relied too heavily on traditional active labour market policy approaches and methods. Traditional measures at the individual level should to an increasing extent be accompanied by the promotion of preventive employment measures and the development of a favourable environment for employment (infrastructure, education and training, services, entrepreneurship). Players at local and regional level should be encouraged to exploit new innovative approaches and methods.

2.10. The Committee of the Regions believes that there is a need for better coordination of employment measures (European Employment Strategy) and the related funding (European Social Fund and innovative actions) in planning the implementation of the Employment Strategy so as to improve the effectiveness of programmes. The European Social Fund should support the incorporation of the regional dimension into the European Employment Strategy.

2.11. The Committee of the Regions emphasises that the interaction between experiments supporting the local and regional dimension of the European Employment Strategy (Territorial Employment Pacts, innovative actions, partnership programmes, etc.) and national policies must be strengthened. The experiments have brought added value to the promotion of employment. The problem is that often it has not been possible to transfer the good practices that have evolved from these experiments into national programmes.

2.12. The Committee of the Regions considers it important in developing the European Employment Strategy to strengthen the knowledge base and methods for assessing activity at local and regional level and to develop procedures whereby Member States report on the role of the local and regional level in implementing national employment programmes.

2.13. The Committee of the Regions endorses the Commission's goal of strengthening the role of the social partners in employment matters. The Committee thinks it important that local and regional authorities, as major employers, be treated as fully fledged partners in the social dialogue.

2.14. The Committee of the Regions shares the Commission's view about the usefulness of the open method of coordination in the implementation of the Employment Strategy. The Committee stresses, however, that the more widespread use of this method must not undermine the decision-making powers of either the Member States or the local and regional level in organising the provision of welfare services.

2.15. The Committee of the Regions welcomes the fact that, following the call made at the Barcelona Spring Summit, the Commission has presented a proposal for closer coordination between the Employment Guidelines and the Broad Economic Policy Guidelines and for streamlining the process. The Committee stresses that this coordination must be conducted in such a way as to allow the appropriate involvement by all the institutions, the social partners and other parties participating in the implementation of the Employment Strategy as well as a high-quality debate between them. The Committee also considers it important that its views are taken into consideration in subsequent stages of the preparation of the Employment Strategy.

2.16. The Committee of the Regions stresses that the dialogue between the Commission and the Committee concerning the development of the European Employment Strategy has been open and constructive. The CoR would also like to express its wish to actively contribute to the Local Development Forum to be held in Greece in May and the dissemination of experiences gained at local and regional level in Member States.

Brussels, 10 April 2003.

The President
of the Committee of the Regions
Albert BORE

Opinion of the Committee of the Regions on the 'Communication from the Commission on European benchmarks in education and training: follow up to the Lisbon European Council'

(2003/C 244/11)

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission on European benchmarks in education and training: follow up to the Lisbon European Council;

having regard to the decision of the European Commission of 20 November 2002 to consult it on this subject, under the first paragraph of Article 265 of the Treaty establishing the European Community;

having regard to the decision of its President of 5 August 2002 to instruct its Commission for Culture and Education to draw up an opinion on this subject;

having regard to its Opinion on the Report from the Commission on Concrete Future objectives of Education systems (CdR 89/2001 fin) ⁽¹⁾;

having regard to its Opinion on the Proposal for a Recommendation of the European Parliament and of the Council on European cooperation in quality evaluation in school education (CdR 21/2000 fin) ⁽²⁾;

having regard to its Opinion on The White Paper on Education and Training -Teaching and learning towards the learning society (CdR 115/96 fin) ⁽³⁾;

having regard to its Opinion on the Communication from the Commission 'Towards a Community framework Strategy on gender equality' (CdR 233/2000 fin) ⁽⁴⁾;

having regard to its Opinion on the Commission Memorandum on Lifelong Learning (CdR 19/2001 fin) ⁽⁵⁾;

having regard to its Opinion on the Communication on the eLearning Action Plan — Designing tomorrow's education (CdR 212/2001 fin) ⁽⁶⁾;

having regard to its Opinion on the Communication from the Commission 'Making a European area of lifelong learning a reality' (CdR 49/2002 fin) ⁽⁷⁾;

having regard to its draft opinion (CdR 349/2002 rev.) adopted on 18 February 2003 by its Commission for Culture and Education (rapporteur: Mr Lars Abel, Member of Copenhagen County Council (DK-EPP)).

Whereas:

Article 149 of the EC Treaty states that the Community shall contribute to the development of quality education by encouraging cooperation between Member States, and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of the Member States for the content of teaching and the organisation of education systems and their cultural and linguistic diversity. There is therefore no question of any form of standardisation of national laws or administrative provisions.

⁽¹⁾ OJ C 19, 22.1.2002, p. 23.

⁽²⁾ OJ C 317, 6.11.2000, p. 56.

⁽³⁾ OJ C 182, 24.6.1996, p. 15.

⁽⁴⁾ OJ C 144, 16.5.2001, p. 47.

⁽⁵⁾ OJ C 357, 14.12.2001, p. 36.

⁽⁶⁾ OJ C 19, 22.1.2002, p. 26.

⁽⁷⁾ OJ C 278, 14.11.2002, p. 26

Cooperation between Member States in the field of education is an important contribution towards achieving the goals of the Lisbon European Council in creating a competitive and dynamic knowledge-based society.

The Committee of the Regions supports the overall aim of the Communication, but stresses the need for regional and local authorities to be involved in the benchmarking process as they hold prime responsibility in the field of education in the implementation phase. It also feels that, in setting the concrete benchmarks, the European Commission has not taken sufficient account of each individual country's starting point which, according to the Lisbon presidency conclusions, is essential when using the open method of coordination,

adopted the following opinion at its 49th plenary session, held on 9 and 10 April 2003 (meeting of 10 April).

1. The Committee of the Regions' views

The Committee of the Regions

1.1. endorses the Commission's overall aim in the Communication of formulating concrete objectives for the field of education, which is an essential requirement for achieving the Lisbon objectives, and approves of the ambitiousness of the Commission's formulations. At the same time, however, it calls for consideration to be given to how the Commission document can make a positive contribution to the ongoing education policy debate;

1.2. feels that one step in this process is to formulate concrete benchmarks, but draws attention to the fact that the formulation of such benchmarks must also take account of each individual country's starting point with respect to the use of the open method of coordination;

1.3. stresses that local and regional authorities are key players in implementing the processes that are set in motion in order to achieve the benchmarks set, and

1.4. calls on the Commission to support the development of networks for the exchange of experience and dissemination of best practice, which is an important element in the open method of coordination;

1.5. calls on the Commission to recommend to the individual Member States that local and regional authorities be involved in work to organise implementation of these benchmarks.

1.6. recognises that increasing expenditure may improve the chances of achieving the benchmarks set in some countries, but that increasing expenditure will not guarantee this by itself;

1.7. points out that the prerequisite for achieving the chosen benchmarks is that educators have the necessary specialist and teaching qualifications;

1.8. welcomes the Commission's proposal to set national benchmarks on the increase in per capita investment in human resources, as the CoR would stress that, in accordance with the subsidiarity principle, it is up to the competent national, regional and local authorities to set the amount of public expenditure on the various forms of education;

1.9. calls on the Commission to ensure the collection of data to determine both the starting point and development at national, regional and local level in the Member States;

1.10. stresses that it is extremely important for this process to be opened up to the accession countries and calls on the Commission to take steps to enable the accession countries to be attentive to these benchmarks on a voluntary basis.

2. The Committee of the Regions' recommendations

By 2010, Member States should at least halve the rate of early school leavers with reference to the rate recorded in the year 2000, in order to achieve an EU-average rate of 10 % or less.

2.1. notes that the Commission is proposing that, irrespective of the large disparities between Member States which range from 7,7 % to 43,1 %, all Member States should halve the percentage of pupils leaving school before having completed compulsory education;

2.2. recommends that this benchmark is modified so as to recognise the fact that those countries which are already close to achieving the target of a 10 % EU average must aim to reach this level;

2.3. points out that countries that are significantly above the 10 % target will have difficulty achieving the benchmark set by 2010 as to do so will presumably require a major expansion of their education systems.

By 2010, all Member States will have at least halved the level of gender imbalance among graduates in mathematics, science and technology while securing an overall significant increase of the total number of graduates, compared to the year 2000.

2.4. recognises that there is a problem of major gender imbalance in these subjects (cf. the CoR opinion on the Communication from the Commission 'Towards a Community framework Strategy on gender equality', CdR 233/2000 fin rapporteur: Bunyan and the CoR opinion on the Memorandum on Lifelong Learning, CdR 19/2001 fin, rapporteur: Tallberg) but feels that the current shortage of graduates in these subjects implies that an equally important objective must be to increase the total number of graduates;

2.5. proposes that the benchmark be modified so as to require all Member States to ensure a significant increase in the total number of graduates compared to the year 2000, while working towards a gender balance where female graduates account for a minimum of 40 %.

By 2010, Member States should ensure that the EU average percentage of 25-64 year olds with at least upper secondary education reaches 80 % or more.

2.6. welcomes this proposed benchmark which will improve the Member States' citizens' chances of finding employment in the job market, thereby promoting active citizenship;

2.7. emphasises the importance of focusing in particular on the younger generation, on keeping young people in the education system and developing an appreciation of the link between education and employment opportunities as strengthening basic skills increases readiness to undertake lifelong learning.

2.8. believes that achieving the objective of raising the EU average proportion of 25-64 year olds with at least upper secondary education to 80 % or more will involve specific national programmes in the context of continuous training strategies

By 2010, the percentage of low-achieving 15 year olds in reading, mathematical and scientific literacy will be at least halved in each Member State, compared to the year 2000.

2.9. recommends that, in addition to the goal of halving the percentage of low-achievers, a more specific, joint European target should also be established that can supplement this goal in Member States where the percentage of low-achievers in reading, writing and mathematical and scientific literacy is very low;

2.10. recognises the importance of reading, writing, mathematics and science skills, but points out that knowledge of ICT and foreign languages are important for getting along in a knowledge-based society, and that ICT and foreign languages are also important tools for acquiring knowledge, communicating and problem-solving, and thus for achieving the objectives on continuing education and lifelong learning;

2.11. emphasises the major importance of teaching children ICT skills at an early age by using teaching tools appropriate to that age group;

2.12. calls on the Commission, with reference to the CoR opinion on the Report from the Commission on Concrete Future objectives of Education, CdR 89/2001 fin, rapporteur: O'Neachtain, to continue its efforts to gather adequate and reliable data on performance in ICT teaching and the use of ICT in education;

2.13. stresses that efforts to boost reading, writing, mathematics, science and ICT must not be at the expense of other subjects in the school or at the expense of developing qualities like creativity, self-respect, social skills, solidarity and democratic attitudes, which are very important, especially in a knowledge-based society. For this reason it would be better to adopt an across-the-board approach, in all areas of the curriculum, to improving the aforementioned disciplines, especially reading and writing, so that other subjects do not suffer.

By 2010, the EU-average level of participation in lifelong learning should be at least 15 % of the adult working age population (25-64 age group) and in no country should it be lower than 10 %.

2.14. welcomes this proposed benchmark and recognizes that it is a prerequisite if the EU is to continue to be able to adapt to the demands of the knowledge-based society and if citizens are going to be able to hold on to and improve their jobs in the labour market, by responding to its demands more appropriately;

2.15. points out that the necessary resources must come from both public and private sources, and that training and

learning processes can take various forms and take place in various contexts (such as interactive, net-based courses, coaching or quality development projects within companies) and that this should be borne in mind when determining the methods of measurement.

2.16. notes, lastly, the need to provide for the certification of skills acquired, in order to encourage the participation of adults in lifelong learning, especially those of working age.

Brussels, 10 April 2003.

The President

of the Committee of the Regions

Albert BORE

Resolution of the Committee of the Regions in support of local elected representatives under threat in the Basque country

(2003/C 244/12)

- A. whereas the CoR is the European body that represents local and regional authorities and is, therefore, well placed to observe local democracy in the European Union;
- B. whereas the European Union is founded on the indivisible and universal values of human dignity, freedom, equality and solidarity and is instrumental in upholding and developing these shared values, while respecting the diversity of cultures and traditions of the peoples of Europe, the national identities of the Member States and the way the Member States organise their public powers at national, regional and local level;
- C. whereas free expression of different orientations, cultures, beliefs and life choices is the keystone of an open society;
- D. whereas the principles of democracy and the rule of law underpinning the EU are threatened by planned, systematic and selective violent terrorist attacks by ETA and its associated organisations against local representatives in the Basque Country and Navarre; many People's Party and Socialist Party local councillors have been assassinated in these areas in recent years and elsewhere in Spain; dozens of Basque local councillors have resigned and one municipal council has even been dissolved; and several hundred Basque local representatives must be constantly protected by personal police bodyguards;
- E. whereas the democratic parties, which openly combat any attempt to halt the development of the common values of human dignity, freedom, equality and solidarity, are finding it extremely difficult to find enough candidates in the Basque Country (and are having to look to other parts of the country); their party headquarters must be protected; and their electoral meetings have been declared a terrorist target;

- F. whereas several Spanish laws (electoral, local, etc.) have had to be amended to protect local councillors; governments and parties are having to work hard to protect these local representatives; and Spanish public opinion is increasingly doubtful concerning the legitimacy of the next local elections under such conditions;
- G. whereas ETA's murderous terrorist attacks are intended to undermine elected local representatives, the most vulnerable link in the chain of elected political representatives in Spain, in order to undermine the democratic parties' right to representation and thereby distort the outcome of elections;
- H. whereas such terrorist attacks restrict the right to vote and to be elected in local elections and hence the expression of the people's will and of political participation, on which the authority of the public powers is founded;

At its 49th plenary session (meeting of 10 April 2003) the Committee of the Regions adopted the following resolution unanimously less eight abstentions.

The Committee of the Regions

- 1. repeats its categorical rejection of any form of violence and firmly condemns any attack or terrorist threat in general and those carried out by ETA against Basque local councillors in particular;
- 2. expresses its sympathy and solidarity with the families of the many victims, on behalf of local and regional political representatives throughout Europe;
- 3. expresses its strongest and most sincere support for all local councillors who have been attacked and threatened, and encourages them to continue their democratic work in defending democracy, freedom and the rule of law, despite the intolerable conditions in which they must exercise their entirely legitimate rights;

4. expresses its support and solidarity with the Spanish authorities and with the democratic political parties and candidates who must compete in the next elections under this intolerable pressure by terrorists;

5. expresses its hope that cooperation between the Member States' police forces and courts will be stepped up in order to root out all forms of terrorism within the EU;

6. condemns all those who sanction, instigate, support or execute criminal acts in any way, together with any attempt to use this situation to gain a political advantage;

7. asks its President to submit this resolution to the European Commission, the Council, the European Parliament and to the Spanish and Basque governments.

Brussels, 10 April 2003.

The President
of the Committee of the Regions
Albert BORE
